

AGENDA
REGULAR MEETING OF THE AMES CITY COUNCIL
COUNCIL CHAMBERS - CITY HALL
NOVEMBER 1, 2011

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: 7:00 p.m.

PROCLAMATION:

1. Proclamation for Hunger and Homelessness Awareness

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

2. Motion approving payment of claims
3. Motion approving Minutes of Regular Meeting of October 25, 2011
4. Motion approving certification of civil service applicants
5. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
 - a. Class B Native Wine - Kitchen, Bath & Home, 201 Main Street
 - b. Class B Liquor - Country Inn & Suites, 2605 Southeast 16th Street
 - c. Class C Liquor - Fuji Japanese Steakhouse, 1614 South Kellogg Avenue
6. Resolution approving appointment of Jill Smith to fill Student Tenant vacancy on Property Maintenance Appeals Board
7. Resolution approving bond issuance of Series 2011B
8. Resolution awarding contract for Power Plant Damper Drives to Controls International, Inc., of Dallas, Texas, in the amount of \$54,766.21
9. Resolution awarding contract for Unit No. 8 Air Heater Basket Replacement Project to Alstom Power, Inc., of Wellsville, New York, in the amount of \$95,962

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 the time given to each speaker.**

PERMITS, PETITIONS, AND COMMUNICATIONS:

10. Motion approving new Class C Liquor License for Café Mood, 116 Welch Avenue, pending receipt of signed lease agreement and inspections certificate
11. Motion approving new Class C Liquor License for Club Blow, 2518 Lincoln Way, pending

receipt of inspections certificate

12. Motion approving 14-Day Special Class C Liquor License for Hy-Vee Food & Drugstore #2, 640 Lincoln Way
13. Motion approving new 5-Day Special Class C Liquor License for Cyclone Liquors, 626 Lincoln Way
14. Main Street Cultural District requests for Holiday activities:
 - a. Resolution approving waiver of fees for electricity for holiday activities from November 19 through December 31
 - b. Resolution approving closure of four parking spaces on the south side of Main Street and one parking space on the west side of Douglas Avenue on Saturday, November 19 from 4:00 to 7:00 p.m. and Sunday, November 20 from 1:00 to 4:00 p.m.
 - c. Resolution approving closure of Burnett Avenue, from Main Street to Fifth Street, from 2:00 to 8:00 p.m. on November 19 for planned activities
 - d. Resolution approving suspension of parking enforcement for Central Business District on Saturdays beginning November 19 through December 31, and weekdays from 5:00 to 6:00 p.m. beginning November 21 through December 31
 - e. Motion approving blanket Temporary Obstruction Permit and Blanket Vending License for Central Business District on November 19
 - f. Resolution approving waiver of fee for Vending License

ADMINISTRATION:

15. Motion approving new community tagline

TRANSIT:

16. Resolution approving Change Order No.12 to Weitz Corporation of Des Moines, Iowa, in an amount not to exceed \$52,103 for over-excavation of poor soils on Intermodal Facility project, subject to Transit Board of Trustees' approval

HEARINGS:

17. Hearing on Nuisance Assessments:
 - a. Resolution assessing costs of mowing and certifying assessments to Story County Treasurer

ORDINANCES:

18. First passage of ordinance allowing alcoholic beverage tastings
19. Third reading and adoption of ORDINANCE NO. 4092 amending Section 23.401(3)(b) of the *Municipal Code* to restrict double-frontage lots in residential zoning districts only

ELECTRIC:

20. Resolution authorizing extension of agreement with Ritts Law Group in an additional amount not to exceed \$50,000 for legal services in connection with Clean Air Act Regulatory Compliance

WATER & POLLUTION CONTROL:

21. Resolution approving revisions to Non-Domestic Waste Pretreatment Program to update local limits

COUNCIL COMMENTS:

ADJOURNMENT:

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

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

AMES, IOWA

OCTOBER 25, 2011

SPECIAL MEETING OF THE AMES CONFERENCE BOARD

The Special Meeting of the Ames Conference Board was called to order by Chairperson Ann Campbell at 6:30 p.m. on October 25, 2011. Present from the Ames City Council were Davis, Goodman, Larson, Mahayni, Orazem, and Wacha. Story County Board of Supervisors present were Clinton, Sanders, and Toot. Representing the Ames School Board were Espeset and Talbot. Gilbert School District and United School District were not represented.

MINUTES OF THE REGULAR MEETING OF FEBRUARY 22, 2011, AND SPECIAL MEETING OF MARCH 31, 2011: Moved by Mahayni, seconded by Sanders, to approve the minutes of the Regular Conference Board Meeting of February 22, 2011, and Special Conference Board of March 31, 2011.

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

2011/12 BUDGET AMENDMENT: City Assessor Greg Lynch provided an updated “2011 PAAB and District Court Cases” table to the Board members. Mr. Lynch asked the Board to make two decisions: (1) approving/denying an increase of \$32,500 to the current budget, and (2) approving/denying a contract with Pictometry for aerial photography.

Mr. Lynch explained the request to increase the Data Processing line item by \$2,500 and the Assessment Appeals line item by \$30,000. The FMS customized data processing software would allow for all of the property record cards to be scanned to digital form and displayed on the City Assessor’s web site. Currently, there are no sketches (footprint) of residential properties in the database. Once scanned, the digital images would be indexed and available to the public. The second request is for increasing the line item for assessment appeals. According to Mr. Lynch, there had been an unusually large number of property owners appeal from the Board of Review to either the Property Assessment Appeal Board or to District Court. The currently budgeted amount is \$30,000, which was based on the number of appeals in 2009. This year, however, appeals have been filed for 21 properties, which is about double the number from 2009.

Referring to the new “2011 PAAB and District Court Cases table,” Mr. Lynch explained that it reflects a decrease in the amount that was previously estimated (on the table provided to the Conference Board) for appraisals by approximately \$37,000. Bids came in lower than expected; \$60,320 is the amount that it will cost to have independent appraisals done on all the properties. According to Mr. Lynch, without a third-party independent appraisal being performed, it would be very difficult for the City Assessor’s Office to win in a courtroom situation.

Supervisor Sanders asked if the list of properties was the same as was presented to the Mini-Conference Board. Mr. Lynch confirmed that it was still the same list of properties; however, the table now shows a more accurate approximation of costs for those appraisals.

At the inquiry of Council Member Goodman, Mr. Lynch advised that reassessment occurs every two years if the market indicates that it should be done. Mr. Lynch agreed with a comment made by Mr. Goodman that the same larger commercial property owners seem to appeal each time. Mr. Lynch shared that independent tax consultants sometimes contact those type of businesses with an offer to prove that the assessment is too high. Those consultants work on a contingency-

fee basis and tend to ask for 40% of the first two-years' tax savings as payment. Therefore, there is no risk at all to the property owner to appeal the assessment.

Supervisor Clinton stated that he did not recall any time in the past when there had been the number of assessment appeals as had been filed this year. Mr. Lynch gave his opinion as to why there was such a large number of appeals this year. Council Member Wacha pointed out that there are only nine owners on the list, but 21 properties.

Council Member Goodman asked if it were necessary to budget for the new software in this fiscal year. City Assessor Lynch advised that his office would like to start scanning the property cards immediately and providing the service to the citizens as soon as possible.

Moved by Larson, seconded by Talbot, to set the date of public hearing for November 22, 2011, on the proposed amendments to the 2011/12 City Assessor's Budget.

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

According to Mr. Lynch, another decision that needed to be made was regarding aerial photography. He explained that a representative of Pictometry (the company that performed the City Assessor's aerial photography in 2009) had contacted the City Assessor's Office a few weeks ago, stating that they had signed a contract to fly Boone County in the Spring 2012. Therefore, there would be an economy of scale that the Ames Assessor's Office would be able to benefit from because of the preference for the two-mile buffer around the City to be flown at the same time. Because Boone County would be having its aerial photography done at the same time, Ames would have access to those images at no charge; that would be saving Ames \$4,800 or 22%. According to Mr. Lynch, current accurate aerials provide a large benefit to the City Assessor's office, but also to the City's Public Works Department, Planning and Housing Department, Fire Department, Electric Department, and Water Department. The vendor is asking for flights at two different times in a six-year period. No down-payment is necessary out of this year's budget because Ames would be a repeat customer. The cost would be \$7,176/year for three fiscal years. After three years, there would be an opportunity to end the contract with no additional costs being assessed.

Moved by Sanders, seconded by Goodman, to authorize entering into a contract with Pictometry.
Vote on Motion: 3-0. Motion declared carried unanimously.

ADJOURNMENT: Moved by Clinton, seconded by Davis, to adjourn the Ames Conference Board at 6:55 p.m.

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

REGULAR MEETING OF THE AMES CITY COUNCIL

The Regular Meeting of the Ames City Council was called to order by Mayor Campbell at 7:03 p.m. on October 25, 2011, in the City Council Chambers in City Hall, 515 Clark Avenue. Present from the Ames City Council were Davis, Goodman, Larson, Mahayni, Orazem, and Wacha. *Ex officio* Member Finseth was also present.

PRESENTATION OF GOLD WELL-WORKPLACE AWARD: Health Promotions Coordinator Stephanie Downs briefed the Council on the history of the City's receipt of the Well-Workplace Award and thanked the members for their continued support of programs and services. She described the certification process and the benchmarks measured. Ms. Downs stated that in

1993, the City of Ames because one of the first, if not the first, city to be named a Bronze-level Well-Workplace, sponsored by the Wellness Councils of America. In 1997, the City of Ames received the Silver designation. In 2000, the City of Ames was the first city in the nation to receive the Gold-level Well-Workplace Award. It is also the only city in the nation that has sustained that level in 2003, 2007, and again in 2011. Julie Huisman presented the Gold Well-Workplace Award to Mayor Campbell. Mayor Campbell added that the City of Ames was the only municipality to receive a Well-Workplace Award at this year's ceremony.

PROCLAMATION FOR WORLD TOWN PLANNING DAY: Mayor Campbell proclaimed November 8, 2011, as World Town Planning Day. Liz Beck, Chairperson of the Planning and Zoning Commission, and Steve Osguthorpe, Director of the Planning and Housing Department, accepted the Proclamation.

CONSENT AGENDA: Council Member Larson asked to pull Item #6 (adding structural assessment costs to Facade Grant Program) for separate discussion.

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

1. Motion approving payment of claims
2. Motion approving Minutes of Regular Meeting of October 11, 2011, and Special Meetings of October 17, 2011, and October 19, 2011
3. Motion approving Contract Change Orders October 1-15, 2011
4. RESOLUTION NO. 11-482 adopting Supplement No. 2011-4 to *Municipal Code*
5. RESOLUTION NO. 11-483 approving Investment Report for quarter ending September 30, 2011
6. RESOLUTION NO. 11-484 approving appointment of Allison Sheridan to fill vacancy on Public Art Commission
7. RESOLUTION NO. 11-485 approving appointment of Joan Bolin to fill vacancy on Student Affairs Commission
8. RESOLUTION NO. 11-486 approving enrollment in Iowa Water/Wastewater Agency Response Network (IOWARN)
9. RESOLUTION NO. 11-487 approving Memorandum of Agreement between City and Story County for portions of unincorporated rural townships to be combined with contiguous precinct for voting purposes
10. RESOLUTION NO. 11-488 authorizing a delay in implementing change to the maximum annual out-of-pocket cost for prescription drugs pertaining to the International Union of Operating Engineers (IUOE), Blue Collar Unit, Contract
11. RESOLUTION NO. 11-489 on accepting completion of 2009/10 Water System Improvements (Water Service Transfers)
12. RESOLUTION NO. 11-490 accepting completion of 2010/11 Arterial Street Pavement Improvements (6th Street)

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

FACADE GRANT PROGRAM: Council Member Larson asked for an explanation of potential additional costs associated with evaluation of structural conditions relative to the Facade Grant Program. He explained that staff had recommended \$1,000 be added to the Facade Grant Program to pay for structural evaluations. Assistant City Manager Kindred advised that structural inspections conducted by the City's Inspection Division were added as a requirement

to the Facade Grant Program several months ago, but no funding source was identified. The inspector evaluates whether the building's condition is such that it is a good use of Facade Grant monies, and on rare occasions, a building has been found to be structurally at risk to an extent that it meets the City's Dangerous Building Ordinance. Mr. Kindred pointed out that the City's inspectors are not licensed structural engineers and are not qualified to perform a complete analysis. An evaluation of the building structure by a certified structural engineer could run between \$600 and \$1,000/building. Currently, there is no budget source identified to pay for those services.

City Manager Schainker clarified that not every building will need a structural assessment. It will only be required after the Building Official makes a determination that a structural engineer should look at the situation.

Council Member Orazem asked if there had been any discussion of employing someone to perform an evaluation of foundations of all buildings in the Main Street Cultural District to ascertain the extent of potential problems. He pointed out that if there is one building that has problems, the ones on either side of that building might have the same issues. Assistant City Manager Kindred advised that staff was not suggesting that; that would be a very ambitious project and would require very careful thought as to what would be done with the results since the buildings are all privately owned.

Moved by Larson, seconded by Goodman, to authorize the use of funding from the Facade Grant Program for the City to hire a structural engineer to evaluate a building's condition to determine whether it is sufficiently safe to proceed with the facade improvement project.

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

PUBLIC FORUM: Mary Jean Baker, 821 Tennyson Avenue, Ames, shared that she had recently had the privilege to tour the City of Dubuque, Iowa. She said that she had been intrigued by the way the economic, environmental, and social impacts were considered in each project undertaken. She shared many of the improvements that had been highlighted on the tour. Ms. Baker advised that she was first exposed to "Complete Streets" on the tour of Dubuque. She stated that "Complete Streets" are designed to be comfortable for travel by car, bus, on foot, or bicycle.

Erv Klaas, 1405 Grand Avenue, Ames, stated that he had recently attended the 4th Annual "Growing Sustainable Communities" Conference in Dubuque. He highlighted a few of the things that he had learned from attending breakout and networking sessions. Mr. Klaas was impressed by the excitement of business leaders and local officials in what they were doing to make Dubuque one of the most progressive, successful, and sustainable cities in the nation. He would like to garner that same type of excitement in the Ames community.

Brad Spitsak identified himself as part-owner of Arthur, Inc., a subcontractor working on the City's Intermodal Facility project. He referenced an e-mail message that he had sent to the Mayor and City Council, asking to be on the Agenda for November 1, 2011, regarding issues his company had encountered. Mr. Spitsak said he was present at this meeting to introduce himself and his company and to "demonstrate the importance of the topic." He believes things are going well and does not believe there are any issues with performance or quality, but was present as an advocate for subcontractors and suppliers. Subcontractors normally work directly with the cities; however, this project is being done a little differently. He said that

subcontractors for his company had performed work on the project in June and July, and have not yet been paid. Mr. Spitsak said he just wanted to make the Council aware of the issue. There is some dialogue occurring, but it has not resulted in payment for the work that has been done.

Sharon Wirth, 803 Burnett Avenue, Ames, identified herself as a member of the Historic Old Town Neighborhood. She presented a brochure entitled, the “Old Town Historic District in Ames, Iowa.” The brochure gives the history of the Old Town Neighborhood and highlights many of the historic properties within it. Ms. Wirth explained that the Neighborhood had received a small grant from the Convention & Visitors Bureau through its Community Grant Program, and with those proceeds, financial support from the Neighborhood Association, and approximately 150 hours of volunteer time, the brochure was produced.

NEW SPECIAL CLASS C LIQUOR LICENSE FOR LE’S RESTAURANT: Moved by Mahayni, seconded by Davis, to approve a new Class C Liquor License for Le’s Restaurant, 113 Colorado.

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

NEW CLASS C LIQUOR LICENSE FOR ANGIE’S CANTINA: Moved by Davis, seconded by Mahayni, to approve a new Class C Liquor License for Angie’s Cantina, 2414-2416 Lincoln Way.

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

HEARING ON VACATING ELECTRIC EASEMENT AT 119 E. 12TH STREET/121 E. 12TH STREET: Mayor Campbell opened the public hearing. There being no one wishing to speak, the Mayor closed the hearing.

Moved by Mahayni, seconded by Wacha, to adopt RESOLUTION NO. 11-491 approving the vacating of an electric easement at 119 E. 12th Street/121 E. 12th Street.

Roll Call Vote: 5-1. Voting aye: Davis, Larson, Mahayni, Orazem, Wacha. Voting nay: Goodman. Motion declared carried.

HEARING ON REZONING PROPERTY GENERALLY LOCATED AT 119 EAST 12TH STREET AND 1215 CARROLL AVENUE: The Mayor opened the public hearing. No one wished to speak, and the hearing was closed.

Planning and Housing Director Osguthorpe explained the errors in the legal description that had been noted after Ordinance No. 4073 had been adopted and published. The maps provided to the Planning and Zoning Commission had been correct, and there would be no need to take the issue back to that Commission. Council Member Wacha asked for clarification that this was purely an administrative clarification and that it did not change any of the information that had been previously presented. Mr. Osguthorpe confirmed that was true.

Moved by Mahayni, seconded by Davis, to pass on first reading an ordinance rezoning property generally located at 119 East 12th Street and 1215 Carroll Avenue from Urban Core Residential Medium Density to Hospital-Medical.

Roll Call Vote: 5-1. Voting aye: Davis, Larson, Mahayni, Orazem, Wacha. Voting nay: Goodman. Motion declared carried.

Moved by Mahayni, seconded by Wacha, to suspend the rules necessary for the adoption of an ordinance.

Roll Call Vote: 5-1. Voting aye: Davis, Larson, Mahayni, Orazem, Wacha. Voting nay: Goodman. Motion declared carried.

Moved by Mahayni, seconded by Davis, to pass on second and third readings and adopt ORDINANCE NO. 4090 rezoning property generally located at 119 East 12th Street and 1215 Carroll Avenue from Urban Core Residential Medium Density to Hospital-Medical.

Roll Call Vote: 5-1. Voting aye: Davis, Larson, Mahayni, Orazem, Wacha. Voting nay: Goodman. Ordinance declared adopted, signed by the Mayor, and hereby made a portion of these minutes.

HEARING ON CDBG 2011/12 AMENDED ANNUAL ACTION PLAN: The public hearing was opened by Mayor Campbell. The hearing was closed after no one came forward to speak.

Vanessa Baker-Latimer outlined the proposed project activities. She noted that at its September 13, 2011, meeting, the City Council had directed staff to amend the 2011/12 Community Development Block Grant (CDBG) Annual Action Plan to include those proposed activities. She also recalled that the Council had redirected \$25,000 of funding for creation of a pilot program to assist a property owner with funds to rehabilitate a single-family rental property for conversion back to an owner-occupied unit.

Moved by Mahayni, seconded by Wacha, to adopt RESOLUTION NO. 11-492 approving the 2011/12 Amended Annual Action Plan.

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

HEARING ON UNIT NO. 7 CIRCULATING WATER PIPE REHABILITATION PROJECT: Mayor Campbell opened the public hearing. No one came forward to speak, and the hearing was closed.

Moved by Goodman, seconded by Mahayni, to adopt RESOLUTION NO. 11-493 approving final plans and specifications and awarding a contract to L&P Painting of Cedar Rapids, Iowa, in the amount of \$155,072, plus applicable sales taxes.

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

HEARING ON UNIT NO. 8 AIR HEATER BASKET REPLACEMENT PROJECT: The hearing was declared open by the Mayor and closed after no one requested to speak.

Moved by Mahayni, seconded by Wacha, to accept the report of bids and delay the award of a contract.

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

SALE AND ISSUANCE OF ESSENTIAL CORPORATE PURPOSE GENERAL OBLIGATION BONDS SERIES 2011B: Tionna Pooler, City's Financial Advisor with Public Financial Management, Des Moines, Iowa (PFM Group) distributed a tabulation of the bids received for the City's \$6,675,000 General Obligation Corporate Purpose Bonds. In connection

with this bond sale, the City had reaffirmed its AAA bond rating, and Ms. Pooler emphasized the benefits of that rating.

Ms. Pooler said that the City received 13 bids, representing 36 banks from 16 states across the nation. She advised that the True Interest Cost (TIC) equated to 1.9% for bonds that will be paid through 2023, which was an excellent rate. It was the recommendation of the PFM Group that the City award the bid to FTN Financial Capital Markets of Memphis, Tennessee.

Moved by Davis, seconded by Wacha, to adopt RESOLUTION NO. 11-494 approving the sale and issuance of Essential Corporate Purpose General Obligation Bonds, Series 2011B, in an amount not to exceed \$6,675,000, to FTN Financial Capital Markets of Memphis, Tennessee. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

WATER SERVICE AND ANNEXATION AGREEMENTS: Director Osguthorpe recalled that the Estate of Mildred Caldwell (owners of 2126 State Avenue) had requested water service from the City of Ames. The rural water provider (Xenia) had declined to serve the property because service could not reasonably be extended to the property in an efficient and cost-effective manner. However, since the property is not presently contiguous to the City limits, annexation is not yet an option, and the City is under no obligation to provide water service without annexation. Mr. Osguthorpe pointed out that on February 22, 2011, the City Council approved a previous request from the owners of this property, stipulating the conditions under which the property could receive water from the City. There is a water main in State Avenue directly in front of the property in question; that line was installed to serve residences on Dartmoor Road and Oakwood Road. There is no sanitary sewer serving this area, and the nearest line is about 1,000 feet to the south along Worle Creek. According to Public Works Director Joiner, the City would not be obligated to provide sanitary sewer service.

Mr. Osguthorpe noted that the City Council had referred two other requests from property owners for water service on State Avenue. On July 26, 2011, the Council directed staff to prepare an Annexation Agreement for the owners of 2121 State Avenue (Wiley Press). The direction given by the Council at that time was that annexation of the Wiley property would be required prior to water service being provided. Additional provisions to reduce the incompatibility of the present use with the expected residential development of the area would also be required. At the present time, Wiley Press has not yet responded to the proposed conceptual terms. The other request for water service was referred to staff on September 13, 2011, from Ron Mowers and Margaret Epplin of 2124 State Avenue; that property is adjacent to the city limits and currently shares a well with 2126 State Avenue.

According to Mr. Osguthorpe, due to the configuration of the corporate limits in this area, it is not possible to annex both Wiley Press and the Mowers/Epplin properties since that would create an island of unincorporated land (2219 State Avenue) surrounded by the City. The property at 2219 State Avenue, a seed conditioning plant, is owned by the Committee for Agricultural Development (CAD), and CAD is not interested in annexing at this time. It was noted that Wiley Press and the CAD properties are industrial in nature. While they are consistent with County zoning, they are not consistent with the City's Urban Fringe Plan, which calls for this area to be Urban Residential. The Caldwell and Mowers/Epplin properties are single-family residential and are consistent with the City's Urban Fringe Plan, but do not meet the City's residential density standards.

Mr. Osguthorpe advised that one way to address the requests of all three parties, as well as to address the long-term interests of the City, is to “land bank” the Caldwell, Wiley Press, and Mowers/Epplin properties. This could be done by having the property owners in question sign agreements that would allow them to obtain City water now, but require annexation later at a time of the City’s choosing. The “banking” of the three properties could be held until such time as the CAD property seeks annexation into the City. At that time, the City would also require the three properties to petition for annexation. If additional property owners in the area seek voluntary annexation in the future, the CAD property could possibly be brought in under the *Iowa Code*’s 80/20 option (by which up to 20% of the land area of non-consenting owners can be annexed along with at least 80% of the land area of consenting owners).

City Manager Schainker pointed out that the City has a long-standing policy of not approving water sales to properties outside its city limits and it is not under any obligation to do so. He pointed out that, in 2009, the City Council adopted provisions in the Ames *Municipal Code* to address unique limited requests of property owners seeking water from the City without annexation.

Mr. Osguthorpe advised that the “land-banking” approach would serve the interests of the various property owners as well as the City is to allow connection to the City’s water system under terms similar to that contained in the Caldwell agreement, albeit with other stipulations unique to each property. The annexation of these properties could be triggered when the CAD property seeks annexation or if the Council wishes to annex the CAD property under the 80/20 provisions of the *Code of Iowa*.

At the inquiry of Council Member Goodman, City Attorney Doug Marek advised that the Covenants would run with the land and be binding on all future owners.

Moved by Goodman, seconded by Mahayni, to adopt RESOLUTION NO. 495 approving the Covenant and Agreement for Annexation pertaining to the property located at 2126 State Avenue.

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

Moved by Goodman, seconded by Mahayni, to direct staff to prepare similar agreements for Wiley Press and Mowers/Epplin that would allow them to obtain water from the City with an agreement to seek annexation to the City at a later date and at the Council’s request.

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

RESOURCE RECOVERY “FREE DAYS”: Public Works Director Joiner recalled that, in August 2011, staff had provided information outlining the impact “Free Days” have on the Resource Recovery Plant (RRP).

John Pohlmann, Superintendent of the RRP, provided a brief history of “Free Days” dating from April 23, 1977. Mr. Joiner emphasized that a “Free Day” was originally designated in 1977 as a “Clean-Up Day,” as part of the “National Keep America Beautiful Day.” Mr. Pohlmann said that presently, “Free Days” include two regularly scheduled events each year. In the 34 years since their inception, they have grown from citizens with cars and pickups, as originally approved by the City Council, to including collection events held at contract communities, small businesses, apartment owners hauling tenants’ trash, and individuals who accumulate trash until

the “Free Day” and then haul multiple loads to the RRP. Gary Freel, Assistant Superintendent of the RRP, pointed out that some individuals have turned the City’s “Free Day” into a profit-making opportunity for themselves, offering to haul other people’s trash for a charge. This directly competes with businesses run by licensed haulers.

Mr. Freel also advised that staffing for “Free Days” has doubled in order to reduce waiting times and provide the best possible customer service. Mr. Pohlmann said that staff must now close the Plant to commercial haulers two or three days prior to the “Free Day” to ensure adequate space for the material. This results in excess of 300 tons of trash being diverted to the Boone County Landfill, which equates to a direct loss of scale revenue for the RRP ranging from \$10,000 to \$12,000 per day. That total did not include revenue from Refuse Derived Fuel and ferrous or non-ferrous metal sales. “Free Days” also result in lost landfill space, which is an ongoing concern for Boone County. Director Joiner said that the financial impact on the RRP of two “Free Days” per year now equates to over \$68,000, but are utilized by less than 1% of Story County’s population.

Mr. Freel pointed out that “Free Days” also negatively impact local licensed trash haulers and their customers. Sending the haulers to the Boone County Landfill increases their costs by approximately \$100/trip. This equates to very poor customer service to Ames’ regular haulers, and likewise, to their customers.

According to Director Joiner, environmentally, “Free Days” are directly contributing to greenhouse gases when the commercial haulers are diverted to Boone, increasing trucking/fuel mileage, as well as when these additional materials are landfilled and ultimately produce more methane. The City’s carbon footprint is further amplified by having 600-800 vehicles idling in line with materials that could have been picked up at their homes by their regular haulers.

Mr. Joiner stated that, as directed by the City Council on August 23, 2011, staff gathered stakeholder input by hosting two public meetings (on September 14 and 15, 2011). Because initial response to those two comment opportunities was very low, staff extended the comment period for online users. According to Mr. Freel, there were only eight comments received. He shared the public comments, concerns, and suggestions received.

According to Mr. Freel, staff believes that additional public education and outreach programs to inform citizens of disposal or reuse options would be a valuable alternative to the current “Free Days.” This would include actively pursuing presentation opportunities through Channel 12, at local communities’ City Council meetings, plant tours for local schools and universities, Science Nights, area service groups and organizations, and promotion of alternative disposal options through various sources such as Freecycle, Craigslist, Goodwill, Salvation Army, etc.

Council Member Orazem asked to know what the public good thought was for the City to initially offer “Free Days.” Mr. Pohlmann said it was intended initially to promote property clean-up through a national campaign back in 1977. It was not intended for people to store trash for a year; that borders on promoting hoarding.

Council Member Goodman said that he does see an advantage to offering a day or two per year, with a small incentive, to promote pride in private property. He believes that offering “Free Days” is a good idea, but it is getting abused. He recommended that City staff talk to the

garbage haulers, look at the options offered by City staff, and see if there is some scale that would be manageable.

Council Member Wacha asked to know what the impact would be if the City only offered one “Free Day.” Mr. Freel said that the largest event occurs in the spring. Mr. Pohlmann advised that he foresees the quantity would be extremely excessive if it were only offered on one day.

Council Member Wacha noted that staff had already held public meetings and met with licensed haulers for suggestions. He said that the service is being abused and not being used as it was intended. Council Member Larson agreed, stating that he thought the program had run its course.

Council Member Orazem noted that each dollar is benefitting a very small number of people.

Moved by Wacha, seconded by Orazem, to authorize elimination of the semi-annual “Free Days,” and expand public education and outreach through advertising and community presentations.

Vote on Motion: 5-1. Voting aye: Davis, Larson, Mahayni, Orazem, Wacha. Voting nay: Goodman. Motion declared carried.

DESIGN FEATURES ON SOUTH 16TH STREET: Civil Engineer Corey Mellies recalled that, on July 12, 2011, the City Council authorized staff to negotiate a sole source contract with RDG Dahlquist Art Studio for fabrication and installation of lighted sculptures for the Ames Southeast Entryway Project. The Iowa DOT also approved that firm as the sole source provider for fabrication and installation of the lighted sculptural columns. RDG had been involved with initial concepts, public input, and cost estimating for the project as a sub-consultant on the Engineering Services Contract for the design of the project.

According to Mr. Mellies, RDG Dahlquist Art Studio had submitted a proposal for the fabrication and installation of 12 sculptural light columns and two pedestrian scale sculptural light columns in the amount of \$555,495. The price was achieved by soliciting proposals from several fabricators and lighting contractors. Upon receiving the proposal RDG, reviewed them to determine who could best provide each component as well as who might be able to provide an entire package.

Council Member Orazem noted that the City Council had previously inquired about utilizing a local firm, Power Film, to use solar energy as an alternate energy source to light the sculptures. According to staff, an analysis of that option revealed that for this application it would not be cost-effective, it would not provide enough usable surface area on the columns, and it would detract from the artist’s work.

Moved by Goodman, seconded by Davis, to adopt RESOLUTION NO. 11-496 approving a sole source contract with RDG Dahlquist Art Studios for fabrication and installation of lighted sculptures for the Ames Southeast Entryway Project in the amount of \$555,495.

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

2809 SOUTH RIVERSIDE: Public Works Director Joiner recalled that, several years ago, the City received notice that residents in an area along South Riverside Drive desired to be served by

Xenia Rural Water District. Because of the area's proximity to the City's airport and ISU Research park, the City wanted to protect that area for eventual growth with the city limits. The City denied that request; thus assuming the obligation to eventually provide water service to the area regardless of whether or not the area was annexed. The City now, according to the *Iowa Code*, must provide water service to the area (even if it is outside the city limits) within four years of the receipt of the Water District's notice. In accordance with that state law, the City Council, in July 2009, adopted an ordinance allowing properties located outside of the corporate limits to connect to City water under certain conditions.

According to Mr. Joiner, after four years had passed (in 2009), the owner of 2725 South Riverside Drive requested and received water service to his property in 2009. A neighboring property owner at 2809 South Riverside Drive made the same request to the City several years ago, and is now seeking connection to the City's 12-inch water main adjacent to his property. As in 2009, the City is obligated to provide that service as long as the requirements specified in the City ordinance are fulfilled. Those requirements include paying a one-time connection fee, installation of an approved back-flow prevention device, and paying water usage rates as specified within the ordinance.

At the inquiry of Council Member Larson, Mr. Joiner replied that the City provides snow removal in this area per an agreement with Story County. Mr. Larson pointed out that the residents of South Riverside Drive are or will be receiving several City services and should be made to annex to Ames. Council Member Davis concurred.

Moved by Goodman, seconded by Mahayni, to adopt RESOLUTION NO. 11-500 approving a rural water type water service for connection to the existing adjacent public water main for the property located at 2809 South Riverside.

Steve Harder, 2809 South Riverside, Ames, stated that he had lived at that residence since 1982. He said that development had come to the boundaries of their property. Mr. Harder explained that the residents would have been happy to be serviced by Xenia, but the City denied the residents' request for that service. He also noted that the residents who connect to the water main will be paying for the service; he, specifically, will be paying approximately \$3,000 to connect to the main. Mr. Harder believes that the City should provide water service to the residents in question because the City denied the residents' request for Xenia to service them, and it is required by state law. Director Joiner clarified that Xenia had also indicated that it was not interested in servicing the area because it was not cost-effective for them to do so.

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

AFFIRMATIVE ACTION PLAN UPDATE: Human Resources Department Director Julie Huisman presented a summary of the City's Affirmative Action Update for the period July 1, 2010, through June 30, 2011. She pointed out that the information is used to determine changes that have occurred in the gender and racial/ethnic characteristics of the workforce. Ms. Huisman noted that the number of female applications received by the City had increased significantly from the previous fiscal year. She highlighted various activities that Human Resources staff had participated in an effort to encourage females and minorities to apply for positions within the City.

Moved by Goodman, seconded by Davis, to adopt RESOLUTION NO. 11-497 approving the Affirmative Action Plan Update.

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

AMENDMENT TO ENGINEERING SERVICES AGREEMENT FOR DESIGN OF MID-AMERICAN ENERGY 161-kV LINE: Electric Services Director Kom introduced Lyndon Cook, Electrical Engineering Manager, who is coordinating the 161-kV Interconnection Line project. Mr. Kom gave an update on the project. He reported that voluntary easements had been obtained for all but two parcels in Story County. Those two parcels are under the same four-party ownership. A revised Petition had been submitted to the Iowa Utilities Board; a hearing has been scheduled for December 8, 2011.

Mr. Cook advised that additional services are required from DGR for the 161-kV Interconnection Project to complete design work, right-of-way acquisition, construction management and complete a franchise petition filing. He told the Council that a number of design changes have been required as a result of the new route study and resulting route changes. The Iowa Department of Transportation has also made plans for a new rest stop and plans to eliminate a weigh station along the route. Both of those changes required re-routing of the proposed line to coordinate with the IDOT property changes. Additional design work is also required to change several structures to meet IDOT's new permitting requirement that the Line not overhang the Interstate 35 right-of-way. That overhang was approved under previously filed permits with the IDOT, but a new Federal Highway Administration prohibition requires minor adjustments to several structures to avoid overhanging the Interstate 35 right-of-way. Proposed Change Order No. 7 provides for the engineering of those structure changes. Change Order No. 7 also provides for additional right-of-way services to negotiate easements for overhang along Lincoln Way. It will also provide for services to negotiate and administer crop damages through the construction phase of the project. Due to project delays association with the earlier franchise permit denial, inflationary escalations are also included in the Change Order to reflect current rates for engineering and contract management services already included in the contract.

According to Mr. Cook, three of the four owners have given the City their approval for an easement. It appears that condemnation proceedings will be required to obtain the remaining 25% interest in the two parcels in Story County where easements are still needed.

Moved by Davis, seconded by Goodman, to adopt RESOLUTION ON. 11-498 approving Change Order No. 7 to increase the total amount of the Engineering Services Contract with DGR by \$111,300 to a revised contract amount of \$1,982,884 for additional engineering design, administration, franchise petition filing, hearing support, and right-of-way services for the 161-kV (Mid-American Energy Company) Interconnection Project.

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

DEVELOPMENT PROCESS SURVEY PRESENTATION: City Manager Schainker recalled that one of the top goals of the City Council is to further streamline and improve government processes. The objective of that goal is to promote Ames as a welcoming place to do business by embracing a "Can Do" attitude. At the Council's last goal-setting session, it assigned the City Manager to recommend techniques for improving feedback regarding City development-related approval processes.

Mr. Schainker described a variety of techniques that City staff has utilized to gain customer input into how the City could improve its development services. He said that most recently, with Business Development Coordinator Seana Perkins now on board, personal follow-up with every customer is being done. In addition to that personal follow-up by Ms. Perkins, a new on-line Development Process Survey has been developed. The results of the initial survey have been analyzed by Ms. Perkins and were presented.

Business Development Coordinator Perkins gave a presentation on the structure of the new on-line Development Process Survey. Eighty-four surveys were e-mailed to customers of the City's Planning Department, with 33 responding (23.9%). Surveys were sent to 437 customers of the Inspection's Division, and 105 responses were received (76.1%). Staff courteousness, helpfulness, professional knowledge, "welcoming" attitude and helpfulness by front counter staff, overall experience, and final outcome of the proposal/project were rated.

Council Member Larson suggested that the survey results be presented to other groups in the City, e.g., Homebuilders, developers, etc., to get their feedback as to whether they agree with or refute the results.

City Manager Schainker said that Ms. Perkins and City Management will meet with the two departments to discuss the results.

Council Member Larson pointed out the six continuous improvement themes that surfaced from the Survey:

1. Maintain consistency among City staff members in regards to answering questions and Code interpretations.
2. Improve timeliness of inspections, responses to inquiries, and approval decisions.
3. Base decisions on the current Code and not on personal preference or bias of a staff member.
4. Clearly communicate expectations to customers at the beginning of the approval process so they can be relied on without bringing up new requirements later in the process.
5. Display a "Can Do" attitude by helping to identify solutions that facilitate the project's approval.
6. Develop clarity and flexibility in City policies, rules, and local ordinances and change those that work against our goals.

Council Member Wacha applauded City staff for its efforts. Council Member Mahayni agreed. He stated that it is important to note that responses may reflect individual desires and not necessarily focus on the "greater good" of the community.

"BLUE ZONE" PROJECT: Public Relations Officer Susan Gwiasda reported that, on October 7, 2011, hundreds of Ames residents participated in the "Start Somewhere Walk" as part of the Iowa Healthiest State initiative. The "Start Somewhere Walk" was the kick-off to a bigger goal of Governor Branstad of becoming a healthier community and ultimately a healthier state.

Health Promotions Coordinator Stephanie Downs stated that Iowa insurance company Wellmark had partnered with healthcare consultant Healthways to help communities take steps to become better places to live. Those companies are working together to offer ten Iowa cities the opportunity to become “Blue Zones Demonstration Sites.” Ms. Downs defined “Blue Zones” as a phrase coined to represent communities around the world where residents lived to the age of 100 at ten times the average rate. Analysis had suggested that the long life spans were the result of implementing nine similar lifestyle practices.

According to Ms. Downs, being selected as a Blue Zones Demonstration Site does not include any type direct funding. The communities selected are provided with an array of consultants who do a comprehensive assessment of the City’s state of well-being, and offer recommendations on permanent environmental and policy changes to make the healthy choice the easy choice. A video presentation was shown to further explain the “Blue Zones Project.”

Ms. Gwiasda reported that there are multiple steps to proceeding with an application for Blue Zones Demonstration Site status. Submitting a “Statement of Interest” allows a community to be invited to apply for the Program. It is very important that the cities making application show community support. According to Ms. Gwiasda, at preliminary meetings, support had been demonstrated from organizations that the Blue Zones application lists as critical, as well as others in the community including the Ames Chamber of Commerce, United Way, Ames Community School District, Mary Greeley Medical Center, McFarland Clinic, Iowa State University, Youth and Shelter Services, and Story County Public Health. Ms. Downs explained that the application is due on October 28. Submitting a Letter of Intent doesn’t mean that the City will be named a “Blue Zone.” On November 23, select applicants will be invited to submit a Blue Zones Project application. That application is due on January 4, 2012. Finalists will be selected and notified on February 10, 2012.

Mayor Campbell reported that many persons in the community have called the Mayor to inquire whether Ames would be participating in the “Blue Zones” Project. The City would initiate the project, but would then “pass the baton” to other organizations in the community to further the effort. The Mayor pointed out that there is an extreme amount of competition to be named one of the ten “Blue Zone” communities.

At the inquiry of Council Member Orazem, Ms. Downs replied that staff time will be required to work with consultants if the City is named one of the ten communities. It is unknown whether any funding will be required of cities named as “Blue Zones.” There will be a need for some office space, and another agency has already stepped up and volunteered to provide that.

Ms. Downs noted that Iowa State University has already designated a strong interest in the Program. Students have been integral to the process thus far.

Ms. Gwiasda explained the bluezoneproject.com site where individuals can pledge their support. Ames is not on the board yet. Council Member Mahayni recommended that the City “get the word out” about that site.

Moved by Mahayni, seconded by Goodman, to adopt RESOLUTION NO. 11-499 directing the Mayor to submit a Letter of Intent for the “Blue Zones” project on behalf of the City. Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

ORDINANCE CORRECTING LEGAL DESCRIPTIONS IN ORDINANCE NO. 4073: Moved by Mahayni, seconded by Davis, to pass on first reading an ordinance correcting the legal descriptions listed in Ordinance No. 4073.
Roll Call Vote: 5-1. Voting aye: Davis, Larson, Mahayni, Orazem, Wacha. Voting nay: Goodman. Motion declared carried.

Moved by Mahayni, seconded by Davis, to suspend the rules necessary for the adoption of an ordinance.
Roll Call Vote: 5-1. Voting aye: Davis, Larson, Mahayni, Orazem, Wacha. Voting nay: Goodman. Motion declared carried.

Moved by Mahayni, seconded by Wacha, to pass on second and third readings and adopt ORDINANCE NO. 4091 correcting the legal descriptions listed in Ordinance No. 4073.
Roll Call Vote: 5-1. Voting aye: Davis, Larson, Mahayni, Orazem, Wacha. Voting nay: Goodman. Ordinance declared adopted, signed by the Mayor, and hereby made a portion of these minutes.

ORDINANCE AMENDING SECTION 23.401(3)(b) OF THE MUNICIPAL CODE TO RESTRICT DOUBLE-FRONTAGE LOTS IN RESIDENTIAL ZONING DISTRICTS ONLY:
Moved by Davis, seconded by Goodman, to pass on second reading an ordinance amending Section 23.401(3)(b) of the *Municipal Code* to restrict double-frontage lots in residential zoning districts only.
Roll Call Vote: 6-0. Motion declared carried unanimously.

ORDINANCE AMENDING AND UPDATING 2011 DESIGNATED SNOW ROUTES: Moved by Davis, seconded by Goodman, to pass on third reading and adopt ORDINANCE NO. 4089 amending and updating the 2011 Designated Snow Routes.
Roll Call Vote: 6-0. Ordinance declared adopted unanimously, signed by the Mayor, and hereby made a portion of these minutes.

COUNCIL COMMENTS: Moved by Orazem, seconded by Goodman, to refer to staff the request of the Hunziker Youth Sports Complex to construct additional parking lots at the Complex. using rock-surfacing materials
Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Larson, seconded by Goodman, to refer to staff, for preparation of a memo, the e-mail from Ted MacDonald, 3302 Foxley Drive, Ames, requesting that the speed limit on Bloomington Road be reduced to no more than 35 miles-per-hour from Fletcher on the east all the way out to the city limits, and to more fully address pedestrian safety along Bloomington west of Stange.
Vote on Motion: 6-0. Motion declared carried unanimously.

HUMAN RESOURCES: Moved by Davis, seconded by Larson, to hold a Closed Session as provided by Section 20.17(3), *Code of Iowa*, to discuss collective bargaining strategy.
Roll Call Vote: 6-0. Motion declared carried unanimously.

Moved by Davis, seconded by Mahayni, to return to Regular Session.
Vote on Motion: 6-0. Motion declared carried unanimously.

ADJOURNMENT: Moved by Davis to adjourn the meeting at 10:10 p.m.

Diane Voss, City Clerk

Ann H. Campbell, Mayor

MINUTES OF THE AMES CIVIL SERVICE COMMISSION

AMES, IOWA

OCTOBER 27, 2011

The Ames Civil Service Commission met in regular session at 8:15 a.m. on October 27, 2011, in the Council Chambers of City Hall, 515 Clark Avenue, with Commission Members Adams and Shaffer present. Commission Member Crum was absent. Also in attendance was Human Resources Officer Doug Garnett.

APPROVAL OF MINUTES: Moved by Shaffer, seconded by Adams, to approve the minutes of the September 22, 2011, Civil Service Commission meeting as written.

Vote on Motion: 2-0. Motion declared carried unanimously.

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

Maintenance Worker:

Lloyd Lee	*99
James Concannon	88
David Francis	87
Jeff Leimer	87
Timothy Humlicek	86
Charles Pille	86
Stephen Steward	86
Matthew Elbert	85
Amos Link	84
Travis Sayre	84
Rod Thompson	84
J. Hollis Hathaway	83
Scott Moberly	81
Patrick Schmitt	81
William White	*81
Corey Alden	80
Mark Shaw	79
Christopher Streigle	79
Scott Fitzgerald	*78
Nathan McKern	78
Alan Ostendorf	78
Seth Pace	78
Kurt Sperfslage	78
Terry Anderson	77
Andrew Dodds	77
Joe Mousel	76
Nathan Peebler	76
Travis Heidermann	75
Brian Abels	74
Dean Dobbs	74
Branden Geil	74
David Hilgenberg	74
Andrew Mott	74

Dallas Nelson	74
Randy Abel	73
Robert Collins, Jr.	73
Shilo Tharp	73
Andrew Gammon	72
Kelly Kopaska	72
Dale Hollander	71
Zach Landhuis	71
Jeffrey Schleisman	71
Robert Stiles	71

*Includes 5 Veterans Preference Points

Vote on Motion: 2-0. Motion declared carried unanimously.

REQUEST TO ABOLISH ELECTRIC LINE WORKER ENTRY-LEVEL CERTIFIED LIST: Moved by Shaffer, seconded by Adams, to grant the request to abolish the Electric Line Worker entry-level certified list.

Vote on Motion: 2-0. Motion declared carried unanimously.

COMMENTS: The next regularly scheduled Civil Service Commission meeting was set for November 17, 2011, at 8:15 a.m.

ADJOURNMENT: The meeting adjourned at 8:16 a.m.

Terry Adams, Chair

Jill Ripperger, Recording Secretary

Memo

Police Department



ITEM NO. 5

TO: Mayor Ann Campbell and Ames City Council Members

FROM: Commander Geoff Huff – Ames Police Department

DATE: October 10, 2011

SUBJECT: Beer Permits & Liquor License Renewal Reference City Council Agenda
November 1, 2011

The Council agenda for November 1, 2011, includes beer permits and liquor license renewals for:

- Class B Native Wine – Kitchen, Bath & Home, 201 Main Street
- Class B Liquor – Country Inn & Suites, 2605 SE 16th Street
- Class C Liquor – Fuji Japanese Steakhouse, 1614 S. Kellogg Avenue

A routine check of records found no violations for any of the listed establishments and the police department would recommend renewal for all three.



Memo

Mayor's Office

TO: Members of the City Council

FROM: Ann H. Campbell, Mayor

DATE: October 28, 2011

SUBJECT: Appointment to Fill Student Tenant Vacancy on the Property Maintenance Appeals Board

Sean Morrissey, Student Tenant member of the Property Maintenance Appeals Board, has submitted his resignation from the Board. Since Sean's term of office does not expire until April 1, 2013, an appointment needs to be made to fill this vacancy. Jill Smith has indicated her interest in serving on the Board.

Therefore, I request that the City Council approve the appointment of Jill Smith to fill an unexpired term of office on the Property Maintenance Appeals Board.

AHC/jlr

Attachment



<webmaster@city.ames.ia.us

To <jripperger@city.ames.ia.us>

>

cc

10/18/2011 04:11 PM

bcc

Subject Boards & Commissions Application

Submission information

Submitter DB ID : 860
Submitter's language : Default language
IP address : 129.186.181.111
Time to take the survey : 41 min. , 0 sec.
Submission recorded on : 10/18/2011 2:11:12 PM

Survey answers

Name:
Jill Smith

Are you a resident of Ames?
Yes
No

Address : (home):
4406 Castlewood Pl. #1

Address: (work):
Not answered

Home Phone:
641-660-7993

Work Phone:
Not answered

Fax Number:
Not answered

Email Address:
jasmith@iastate.edu

Occupation:

Full time student

Education:

Current Iowa State University Undergraduate

List the name of the board and/or commission to which you wish to be appointed (in the order of preference):

1. Property Maintenance Appeals Board
2. Not answered
3. Not answered

Please state any particular qualifications, expertise, or experience you have that you believe to be relevant.

I am applying for the student tenant position on the Property Maintenance Appeals Board. I am currently a full-time student at Iowa State University majoring in Community and Regional Planning. I am renting an apartment off campus in Ames, and I also own a home in Des Moines that I am renting out. My home in Des Moines as well as a previous home I owned Norwalk needed extensive renovations when I purchased them. My boyfriend and I did much of the work ourselves on both properties, overseen by my father whom is a licensed general contractor and electrician. Because of these experiences I have some general knowledge in residential construction and repair, building codes, and safety issues. I feel this experience gives additional insight into issues the average student does not have.

Please state your reasons for wishing to be appointed to the above.

Being a Community and Regional Planning major, I am interested in communities, people, and government. I am excited to get involved and begin learning more about the role of government at the city level first hand. I am very excited a position like this is available for students in Ames. I feel this experience would give me increased knowledge in my field of study, and a way to be more involved in the Ames community. I am very interested in this position and would love to talk with you more about it. Thank you for your consideration.

How did you hear about openings on the City's boards/commissions?

City Side Utility Stuffer	<input type="checkbox"/>
The Tribune	<input type="checkbox"/>
KASI	<input type="checkbox"/>
City's Website	<input type="checkbox"/>
ISU Daily	<input type="checkbox"/>
TV 12, Government Access	<input type="checkbox"/>
The Des Moines Register	<input type="checkbox"/>
Other:	<input checked="" type="checkbox"/>

ITEM # 23
 DATE: 10-25-11

COUNCIL ACTION FORM

SUBJECT: SALE AND ISSUANCE OF ESSENTIAL CORPORATE PURPOSE GENERAL OBLIGATION BONDS PER THE CITY'S CAPITAL IMPROVEMENT PROGRAM, SERIES 2011B ISSUE IN AN AMOUNT NOT TO EXCEED \$6,675,000

BACKGROUND:

The 2011/12 budget included General Obligation Bond funded capital improvement projects in the amount of \$6,675,000. All projects were reviewed and issuance amounts adjusted based on timing of projects and current price estimates.

Projects to be funded by this issue include the following:

2011/2012 CIP G.O. Bond Issue:

West Lincoln Way Intersection Improvements	\$ 150,000
S. Duff/ 16 th Street Frontage and Hickory Drive Reconstruction	300,000
Arterial Street Pavement Improvements	60,000
Collector Street Pavement Improvements	1,898,500
Asphalt Pavement Improvement Program	2,576,000
Downtown Pavement Improvements	750,000
Asphalt Resurfacing	765,500
City Hall Improvements General Corporate Purpose	70,000
Subtotal	<u>\$ 6,570,000</u>

Issuance Cost / Allowance for Sale at Premium	105,000
Total Debt Issue	<u>\$ 6,675,000</u>

On the morning of October 25, 2011, the City will accept bids for the bonds per the terms of our offering statement. The bids will be evaluated by our financial advisor, Public Financial Management, by bond counsel, and by City staff to recommend award to the bidder with the lowest cost. A report of bids will be provided to Council at its October 25 meeting. Council may then adopt a resolution accepting bids and authorizing that the sale of bonds be awarded to the chosen bidder.

ALTERNATIVES:

1. City Council can adopt a resolution accepting bids and authorizing the sale and issuance of Essential Corporate Purpose General Obligation Bonds in an amount not to exceed \$6,675,000.
2. The Council can reject the bond sale resolution and delay the capital projects.

MANAGER'S RECOMMENDED ACTION:

Issuance of these bonds is necessary in order to accomplish the City's approved capital improvements during this fiscal year.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative No. 1, thereby adopting a resolution accepting bids and authorizing the sale and issuance of Essential Corporate Purpose General Obligation Bonds in an amount not to exceed \$6,675,000.

It is important to note that these General Obligation Bonds have received a Aaa rating. As you know, this rating is the highest level that is offered by the independent rating agencies. It places the City of Ames in an elite group of cities who have been adjudged to have an excellent financial condition.

COUNCIL ACTION FORM

SUBJECT: PURCHASE OF POWER PLANT DAMPER DRIVES

BACKGROUND:

This bid is for the purchase of four damper drives for the Electric Services Power Plant. Damper drives are the devices that position the dampers either by manual control signal or automatic control. The dampers are connected directly to the main coal burners and control the amount of primary and secondary air to the boiler. There are a total of twenty three damper drives on Unit No. 8.

Power Plant staff requested that the manufacturer of the damper drives be TYPE K in order to standardize all future drives for spare parts and length of service in the Plant. Reliability and providing positive finite control are the key components, along with continuity of spare parts to keep inventories to a minimum. It should also be noted that the Power Plant has used damper drives from other manufacturers in the past, but staff has determined that the best performance has been achieved with TYPE K.

These damper drives are sold to the end user directly from the manufacturer. One major benefit of this is the City is receiving factory direct pricing without the distributor mark-up.

On October 18, 2011, the bid document was issued to the manufacturer. On October 21, 2011, the bid was received as shown below:

Controls International, Inc., Dallas, TX	\$54,766.21
--	-------------

Staff reviewed the bid and concluded it is acceptable.

Funding is available from the approved FY2011/12 Electric Production operating budget which contains \$30,000 for damper drives in Unit #8 Auxiliary Equipment and \$63,000 for damper drives in Unit #8 Auxiliary Equipment.

ALTERNATIVES:

1. Award a contract to Controls International, Inc., of Dallas, TX, for damper drives in the amount of \$54,766.21 (inclusive of Iowa Sales Tax).
2. Reject the bid received and direct staff to rebid.

MANAGER'S RECOMMENDED ACTION:

Purchase of these damper drives insures reliable performance for the Power Plant. By purchasing the damper drives directly from this manufacturer, staff can maintain uniformity in the damper drives throughout the Plant. It is expected that this will result in lower maintenance costs and greater service efficiencies.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as shown above, thereby awarding a contract to Controls International, Inc., Drives, Dallas, TX, for damper drives in the amount of \$54,766.21 (inclusive of Iowa Sales Tax).

COUNCIL ACTION FORM

SUBJECT: POWER PLANT UNIT 8 AIR HEATER BASKET REPLACEMENTS

BACKGROUND:

On September 13, 2011, City Council approved preliminary plans and specifications for Power Plant Unit 8 Air Heater Basket Replacement. This project involves the purchase and installation of basket and associated materials that need to be replaced in the regenerative air heaters on Unit 8.

Bid documents were issued to eight potential bidders. The bid was advertised on the Current Bid Opportunities section of the Purchasing webpage and a Legal Notice was published in the Ames Tribune.

On October 12, 2011, two bids were received as shown below:

Alstom Power, Inc., Wellsville, NY	\$95,962.00
Tesla Energy Solutions, LLC, Wildomar, CA	Non-Responsive

After evaluation, staff determined that the bid submitted by Tesla Energy Solutions is non-responsive. The non-responsiveness of the proposal was based upon (1) the firm provided pricing on components of the air heater only and not on the air heater itself, and (2) the firm not providing bid security with its bid.

As a result, only one bid from Alstom Power, Inc. remains for consideration in the amount of \$95,962.00 (inclusive of sales-tax). Staff has reviewed the bid and concluded that it is acceptable.

Alstom Power, Inc., took numerous exceptions to the City of Ames Standard Terms & Conditions on its bid submittal. The City Attorney and Risk Manager helped identify the exceptions taken that would be unacceptable for the City. After the objectionable exceptions were identified, staff communicated to Alstom the two that presented the greatest risks to the City and requested one of them to be withdrawn and the other one to be altered to mutually agreeable terms and conditions. Alstom subsequently agreed to these two requests.

Council should note that one of the remaining exceptions was for the City to waive the 5% retention and use a performance bond for substitution. The City Attorney commented that the

“performance bond provision is OK under the terms of the Code,”(Iowa Code) “but normally we would have a performance bond plus the ability to withhold up to 5%

of the contract price until the project is accepted. Alstom is not agreeing to any retainage -- which kind of makes sense since all they are doing is supplying parts. But if there is a problem that is not discovered until after installation, the City's position will be weaker since we won't have retainage on the parts portion of the project."

The performance bond and the manufacturer's warranty should still minimize the risk to the City despite the aforementioned exception. The remaining exceptions did not pose any major risk to the City since this portion of the project is only for the procurement of parts.

The approved 2011/12 budget and Capital Improvements Plan include \$150,000 for this Unit #8 Air Heater Basket Replacement project. This includes \$100,000 for the materials and \$50,000 for the installation.

ALTERNATIVES:

1. Award a contract to Alstom Power, Inc., Wellsville, NY, for the Unit 8 Air Heater Baskets in the amount of \$95,962.00.
2. Reject all bids and rebid the project, thereby delaying the replacement of the air heater baskets.

MANAGER'S RECOMMENDED ACTION:

Air heater baskets are subject to long term corrosion due to exhaust gas and operating conditions. Periodic replacement is required in order to maintain operability and high efficiency. As is noted above, poorly maintained air heater baskets increase costs for the utility, and there is a significant risk of damage to the downstream fans, ductwork and stacks.

Accepting the low bidder's exception to our ability to withhold a retainage amount does pose a minor risk to the City which should be mitigated by the issuance of a performance bond and the manufacturer's warranty.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby awarding a contract to Alstom Power, Inc., Wellsville, NY, for the Unit 8 Air Heater Baskets in the amount of \$95,962.00.

Applicant

Name of Applicant:	<u>Eclipse Entertainment, LLC</u>		
Name of Business (DBA):	<u>Cafe Mood</u>		
Address of Premises:	<u>116 Welch</u>		
City:	<u>Ames</u>	County:	<u>Story</u> Zip: <u>50014</u>
Business Phone:	<u>(515) 490-9647</u>		
Mailing Address:	<u>7803 Cottonwood Lane</u>		
City:	<u>West DesMoines</u>	State:	<u>IA</u> Zip: <u>50266</u>

Contact Person

Name:	<u>Rajan Devan</u>		
Phone:	<u>(515) 490-9647</u>	Email Address:	

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

Term: 12 months

Effective Date: 12/01/2011

Expiration Date: 11/30/2012

Privileges:

Class C Liquor License (LC) (Commercial)
Sunday Sales

Status of Business

BusinessType:	<u>Limited Liability Company</u>		
Corporate ID Number:	<u>0</u>	Federal Employer ID #	<u>27-0972065</u>

Ownership

Rajan Devan

First Name: Rajan

Last Name: Devan

City: West DesMoines

State: Iowa

Zip: 50266

Position member

% of Ownership 50.00 %

U.S. Citizen

Singh Harmit

First Name: Singh

Last Name: Harmit

City: Ames

State: Iowa

Zip: 50014

Position member

% of Ownership 50.00 %

U.S. Citizen

Insurance Company Information

Insurance Company: Founders Insurance Company

Policy Effective Date:

Policy Expiration Date:

Bond Effective Continuously:

Dram Cancel Date:

Outdoor Service Effective Date:

Outdoor Service Expiration Date:

Temp Transfer Effective Date:

Temp Transfer Expiration Date:

Applicant

Name of Applicant:	<u>Ristem Dika</u>		
Name of Business (DBA):	<u>Club Blow</u>		
Address of Premises:	<u>2518 Lincon Way</u>		
City: <u>Ames</u>	County: <u>Story</u>	Zip: <u>50014</u>	
Business Phone:	<u>(515) 509-1230</u>		
Mailing Address:	<u>2518 Lincon Way</u>		
City: <u>Ames</u>	State: <u>IA</u>	Zip: <u>50014</u>	

Contact Person

Name:	<u>Ristem</u>		
Phone:	<u>(515) 509-1230</u>	Email Address:	<u>ristem61@yahoo.com</u>

Classification: Class C Liquor License (LC) (Commercial)Term: 12 monthsEffective Date: 11/03/2011Expiration Date: 11/02/2012

Privileges:

Class C Liquor License (LC) (Commercial)**Status of Business**

BusinessType:	<u>Sole Proprietorship</u>		
Corporate ID Number:	Federal Employer ID # <u>066608059</u>		

Ownership**Pranvera Dika**First Name: PranveraLast Name: Dika

City:

State: IowaZip: 50010Position Spouse% of Ownership 0.00 %

U.S. Citizen

Ristem DikaFirst Name: RistemLast Name: Dika

City:

State: IowaZip: 50010Position Owner% of Ownership 100.00 %

U.S. Citizen

Insurance Company Information

Insurance Company: Allied Insurance

Policy Effective Date:

Policy Expiration Date:

Bond Effective Continuously:

Dram Cancel Date:

Outdoor Service Effective Date:

Outdoor Service Expiration Date:

Temp Transfer Effective Date:

Temp Transfer Expiration Date:

Applicant

Name of Applicant:	<u>Hy-Vee, Inc.</u>		
Name of Business (DBA):	<u>Hy-Vee Ames #2-Wine Tasting</u>		
Address of Premises:	<u>640 Lincoln Way</u>		
City:	<u>Ames</u>	County:	<u>Story</u>
		Zip:	<u>50010</u>
Business Phone:	<u>(515) 232-1961</u>		
Mailing Address:	<u>640 Lincoln Way</u>		
City:	<u>Ames</u>	State:	<u>IA</u>
		Zip:	<u>50010</u>

Contact Person

Name:	<u>Elin Herrman</u>		
Phone:	<u>(515) 232-1961</u>	Email Address:	<u>1018winespiritsdept@hy-vee.com</u>

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

Term: 14 days

Effective Date: 11/12/2011

Expiration Date: 11/25/2011

Privileges:

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

Status of Business

BusinessType:	<u>Privately Held Corporation</u>		
Corporate ID Number:	<u>19862</u>	Federal Employer ID #	<u>42-0325638</u>

Ownership**Jeffrey Pierce**

First Name: Jeffrey

Last Name: Pierce

City: Indianola

State: Iowa

Zip: 50125

Position Ass't Treasurer, Financial

% of Ownership 0.00 %

U.S. Citizen

Richard Jurgens

First Name: Richard

Last Name: Jurgens

City: West Des Moines

State: Iowa

Zip: 50265

Position CEO

% of Ownership 0.00 %

U.S. Citizen

Insurance Company Information

Insurance Company: DAKOTA FIRE INSURANCE COMPANY

Policy Effective Date:

Policy Expiration Date:

Bond Effective Continuously:

Dram Cancel Date:

Outdoor Service Effective Date:

Outdoor Service Expiration Date:

Temp Transfer Effective Date:

Temp Transfer Expiration Date:

Applicant

Name of Applicant:	<u>Elegant Investments LLC</u>		
Name of Business (DBA):	<u>Cyclone Liquors</u>		
Address of Premises:	<u>626 Lincoln Way</u>		
City: <u>Ames</u>	County: <u>Story</u>	Zip: <u>50010</u>	
Business Phone:	<u>(515) 233-2327</u>		
Mailing Address:	<u>626 Lincoln Way</u>		
City: <u>Ames</u>	State: <u>IA</u>	Zip: <u>50010</u>	

Contact Person

Name:	<u>Brian Chittenden or Roger Esser 233-2327</u>		
Phone:	<u>(515) 967-9981</u>	Email Address:	<u>Brain@banklegacy.com</u>

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

Term: 5 days

Effective Date: 11/08/2011

Expiration Date: 11/12/2011

Privileges:

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

Status of Business

BusinessType:	<u>Limited Liability Company</u>		
Corporate ID Number:	<u>311613</u>	Federal Employer ID #	<u>20-2890892</u>

Ownership

Brian Chittenden

First Name: Brian

Last Name: Chittenden

City: Altoona

State: Iowa

Zip: 50009

Position owner

% of Ownership 54.00 %

U.S. Citizen

Karlton Kleis

First Name: Karlton

Last Name: Kleis

City: Clive

State: Iowa

Zip: 50325

Position owner

% of Ownership 23.00 %

U.S. Citizen

Stanly Glawe

First Name: Stanly

Last Name: Glawe

City: Pleasant Hill

State: Iowa

Zip: 50327

Position owner

% of Ownership 23.00 %

U.S. Citizen

Insurance Company Information

Insurance Company: Nationwide Mutual Insurance Co.

Policy Effective Date:

Policy Expiration Date:

Bond Effective Continuously:

Dram Cancel Date:

Outdoor Service Effective Date:

Outdoor Service Expiration Date:

Temp Transfer Effective Date:

Temp Transfer Expiration Date:

COUNCIL ACTION FORM

SUBJECT: MAIN STREET CULTURAL DISTRICT HOLIDAY ACTIVITY REQUESTS

BACKGROUND:

The Main Street Cultural District (MSCD) is planning Holiday activities again this year. The District requests suspension of parking regulations to coincide with its holiday hours as well as the use of power to be donated from Electric Services for the lighting on street poles, along the buildings on Main Street, on Burnett Avenue, and in Tom Evans Plaza. They are also requesting the closure of Burnett Avenue, from Main Street to Fifth Street, between 2:00 and 8:00 p.m. on November 19 to facilitate the planned activities in the area.

Specifically, the MSCD requests suspension of parking enforcement for the Central Business District on weekdays from 5:00 p.m. to 6:00 p.m. between November 21 and December 31, 2011. The District also requests suspension of parking enforcement for the Central Business District on Saturdays, beginning November 19 and continuing through December 31, 2011. In addition, the closure of four parking spaces on the south side of Main Street, west of Burnett, and one parking space on the west side of Douglas Avenue, between Main Street and Fifth Street, are requested for pick up and drop off locations for horse and buggy rides on Saturday, November 19 from 4:00 to 7:00 p.m. and again on Sunday, November 20 from 1:00 to 4:00 p.m.

The MSCD further requests that lighted decorations be placed on street poles and that Electric Services donate the energy so that the District may use these lights, the lighting outlining the buildings along Main Street, and lighting on trees in Tom Evans Plaza from November 19 through December 31. MSCD also requests a Blanket Vending License and Blanket Temporary Obstruction Permit be granted for the District on November 19, and that the fee for the Blanket Vending License be waived.

These requests are consistent with the City's Land Use Policy goal "to enhance the role of Downtown as a community focal point." However, it should be noted that lost parking revenues to the City would equate to approximately \$9,300 (7 days at \$900/day and 30 days at \$100/day).

ALTERNATIVES:

1. The City Council can approve the requests as submitted by the MSCD.
2. The City Council can deny these requests.

MANAGER'S RECOMMENDED ACTION:

These activities provide our citizens with an opportunity to enjoy family oriented holiday activities in the Downtown area. This supports the Council's goal of enhancing commercial development in the Downtown.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the holiday activity requests as submitted by the MSCD.



Mayor and City Council
City of Ames
515 Clark Ave
Ames, IA 50010

Dear Honorable Mayor Campbell and Distinguished City Council Representatives,

The Main Street Cultural District is partnering with many sponsors to celebrate this year's annual Snow magic Celebration. MSCD would like to host a number of events during this annual celebration. A calendar of events is below:

- November 19th 4-7pm Tree Lighting and Holiday Kickoff in Central Business District (CBD) and Tom Evans Plaza
- November 20th 1-5pm Holiday Open House in CBD
- December 3rd 1-3pm Snow Ball Drop in Tom Evans Plaza

At this time, MSCD requests the council consider the following specific requests:

1. The MSCD requests to use Tom Evans Plaza on November 19th between the hours of 4pm and 7pm for the downtown holiday tree lighting, live music, and carolers. MSCD also requests the use of electricity in and near Tom Evans Plaza and requests a waiver for electricity costs for power to light the holiday trees and other holiday decorations during the duration of the holiday season.
2. The MSCD requests to use Tom Evans Park on December 3rd from 1-3pm to host a Snow Ball Drop where we give out ping pong balls to attendees filled with downtown giveaways and specials.
3. MSCD requests the use of four parking spaces on the south side of Main Street just west of Burnett Street and for the use of one parking space on the west side of Douglas Street between Main and 5th as pickup and drop off locations for the free horse and buggy rides. MSCD requests the spaces for Saturday, November 19th from 4-7pm and on Sunday, November 20th from 1-4pm.
4. MSCD requests to close Burnett Street between Main and 5th Street on Saturday, November 19th from 2-8pm (activity hours are 4-7pm) to host a number of activities including providing free train rides for kids. In addition, this section of roadway will be a location for food vendors.
5. MSCD requests that blanket free parking be granted in the entire Central Business District (CBD) starting Saturday, Nov 19th and request suspension of parking regulations on Saturday's as well as weekdays from 5:00 to 6:00 p.m. in the CBD through the end of December to help incentivize the public to make downtown Ames a destination choice for holiday shopping.
6. The MSCD requests a temporary obstruction permit for the entire CBD on November 19th to allow stores to display merchandise and for MSCD to place Snow Magic festivities on city sidewalks (includes face painters, Santa, popup tents, etc.). At least four feet of open sidewalk space will be available at every Snow Magic activity location to keep sidewalks open to pedestrian traffic.
7. The MSCD requests a Blanket Vending Permit for the entire Cultural District for November 19th and November 20th for businesses to sell on the sidewalk if they choose. MSCD further requests the permit fee be waived as the businesses selling products will be members of the MSCD. We intend for regular street vendors that have permits through the city to continue their operations as usual in the Cultural District during this time.

Thank you for your consideration of these requests and I sincerely appreciate your continued support of the Main Street Cultural District.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Drenthe".

Tom Drenthe
Executive Director
Main Street Cultural District

Staff Report

**PROPOSED NEW TAGLINE RECOMMENDATION
FROM VISIONING STEERING COMMITTEE**

November 1, 2011

In September City staff reported to City Council a concern with the recently adopted new tagline. In doing a search on the suggested tagline, it was determined the City of Council Bluffs, Iowa, was using a tagline strikingly similar to the one suggested by Brand Endeavor. In light of this revelation, our community visioning consultant, Brand Endeavor President Christie Harper, offered to work with outside writers to bring other options to the table. During the September meeting, Council asked that the Visioning Steering Committee be reconvened to work with Ms. Harper to identify a new recommended tagline for the City Council's consideration.

On Friday, October 14, the Visioning Steering Committee met with Ms. Harper via telephone. In advance of the meeting, steering committee members were supplied with 10 potential taglines (see Attachment I), with some having alternate variations. The taglines were discussed in great detail with the pros and cons of each variation debated. The options generated significant feedback and commentary.

From the large list, the tagline options were narrowed to seven (see Attachment II). Steering committee members began doing searches on those options via the Internet to look for potential issues. During this preliminary search, one of the well-received options was later viewed by several members as unacceptable. The tagline was:

City of Ames, Iowa
America's Smartland

Although this tagline was considered bold, brash, aggressive, and fun by the committee, there were some Internet references from a song lyric that caused many members to back away. When the taglines were ranked, "America's Smartland" was eliminated by several committee members. Of the remaining six options, two taglines were much more highly ranked than the other four. The two highest ranking options are listed below.

No. 1

City of Ames, Iowa
Where Discovery Grows

No. 2

City of Ames, Iowa
Heartland Inspiration. World-Class Innovation

“Where Discovery Grows”

The “Where Discovery Grows” tagline found its strength in its subtle nod to our community’s roots in agriculture. Alternate versions of this tagline included “Innovation” vs. “Discovery” and “Thrives” vs. “Grows” as options. (For example, “Where Innovation Thrives”). “Where Discovery Grows” refers back to Ames as a university community with a commitment to learning, research, and education. It focuses on our strengths as identified by both insiders and outsiders in the extensive surveying performed during the visioning process.

Others thought the agriculture reference was too pronounced at a time when our community is seeking to broaden its image beyond agriculture. In conducting Internet searches, the word “discovery” was often found in connection with museums, science-related organizations, and travel marketing.

Heartland Inspiration. World-Class Innovation.

Ms. Harper believed this tagline was the most “solid, traditional, and safe.” Its rhythm appealed to many committee members, as well as tie-ins to our school and university communities, which both promote “world-class education.”

While the words and the phrasing were considered very positive and encouraging, it was noted this tagline lacks a verb or “action” word. Others complained it was too wordy and hard to remember.

Internet Search

Internet searches on multiple search engines (Google, Yahoo, Bing, Ask, etc.) did not reveal a conflict with either of these taglines. A trademark search found “innovation” and “inspiration” where often words associated with tech companies, but neither tagline would be in conflict with an existing trademarked taglines.

OPTIONS RELATED TO A NEW TAGLINE:

1. The City Council can move ahead to approve “Where Discovery Grows” as the community’s new tagline.
2. The City Council can choose not to approve a new tagline.

VISIONING STEERING COMMITTEE RECOMMENDATION FOR A NEW TAGLINE:

Selecting a tagline proved to be a more difficult task than most members expected. Unfortunately, there was not a single tagline that jumped out to everyone as the best. However, after analysis and discussion, it appeared there were several taglines the committee members were comfortable recommending. When the final rankings were provided, two taglines moved to the forefront, with “Where Discovery Grows” garnering the highest ranking. While not ranked as a highly, the next four were grouped together, suggesting they all had about the same level of support.

CITY OF AMES
EXPLORING ALTERNATIVE TAGLINES
October 13, 2011

The Assignment

To explore alternative taglines for the City of Ames that will express the ideas contained within the vision platform agreed upon by Ames citizens and city council in June 2011.

Brand Endeavor assembled a team of 6 highly experienced strategists and copywriters, each of whom worked independently to develop taglines. The team then came together collectively for a brainstorming session, in which we generated more than 75 different taglines. We worked together to select the best 10 taglines, with a few alternates for many of the 10, which we present to you in this document.

You should evaluate the taglines based on the following criteria:

- Does it creatively express the vision?
- Is it should short (3-5 words is ideal, 7 is maximum,) memorable and emotional?
- Does it signal to inside and outside audiences what Ames is trying to be?
- Does it empower inside and outside audiences to hold you to that promise?
- Could it last approximately 10 years?

The taglines shown in this document have not been screened at all through search engines or the US Patent & Trademark Office website. The Steering Committee will vet any taglines you deem to be finalists. You should assume that at least 50% or more of the lines you select will be later eliminated due to potential conflicts – so you should plan to find at least 6 favorites to submit for screening in order to narrow the list to 3 finalists.

Once the committee has selected its preferred line, Brand Endeavor will re-write the strategic platform and vision statement to incorporate the line.

Key Concepts

The tagline should express the core idea expressed in the Ames strategic platform:

WHO we're for	Those who want the charms and convenience of a small town with the opportunities and amenities that come from a major University
WHAT we do	Ames is the Heartland's leading edge, fostering creativity and innovation at the forefront of the world's important issues that the Midwest is uniquely positioned to address
WHY we do it	To create a community where everyone has opportunities to discover and thrive

HOW we do it	REQUIRE innovative solutions	Stand for COLLABORATION	Be DECISIVE
WHO we are	Smart	Open-minded	Confident

Key concepts and words we explored included:

- Ames' role as the creative innovator of the Midwest
Innovation, Discovery, Future, Create, Breakthroughs, Smart, Advance
- Ames' unique role and location in America's Heartland; and its small-town charm
Heartland, Heart, Home, Center, Inspiration, Promise
- Subtle acknowledgement of Ames' leadership in agriculture and veterinary innovation
Cultivate, Grow, Thrive, Abundance, Bounty

RECOMMENDED TAGLINES

The preferred line is shown locked up with the name of the city in the left column. Alternate lines are presented in the right column. The lines are not presented in order of preference, but are grouped thematically.

Preferred Taglines	Alternative Lines
<i>Ames, Iowa</i> Welcoming Innovation	Welcome Innovation Welcome to Innovation
<i>Ames, Iowa</i> The Heart of Innovation	The Center of Innovation
<i>Ames, Iowa</i> Home to Innovation	The Home of Innovation
<i>Ames, Iowa</i> The Promise of the Heartland	Fulfilling the Promise of the Heartland
<i>Ames, Iowa</i> Creating the Future from the Heartland	Creating the Future in the Heartland Reinventing from the Heartland
<i>Ames, Iowa</i> America's Smartland	
<i>Ames, Iowa</i> Heartland inspiration. World class innovation.	Small town inspiration. World class innovation. Turning inspiration into innovation
<i>Ames, Iowa</i> Cultivating Innovation	Cultivating Breakthroughs Cultivating the Future
<i>Ames, Iowa</i> Where Discovery Grows	Where Innovation Grows Where Innovation Thrives
<i>Ames, Iowa</i> Abundant Innovation	Innovation in Abundance A Bounty of Innovation

ATTACHMENT II

Visioning Steering Committee's Top Seven Suggested Taglines:

AMERICA'S SMARTLAND

HEARTLAND INSPIRATION. WORLD-CLASS INNOVATION

WHERE DISCOVERY GROWS

WHERE INNOVATION THRIVES

GROWING DISCOVERY

WHERE DISCOVERY HAPPENS

CULTIVATING INNOVATION

COUNCIL ACTION FORM

**SUBJECT: CHANGE ORDER TO WEITZ COMPANY FOR INTERMODAL FACILITY
RETAINING WALL OVER-EXCAVATION**

BACKGROUND:

During the earth work portion of the Intermodal Facility construction, poor soil conditions were found in several areas of the site. Of particular concern was the soil condition near the large retaining wall holding back College Creek. After discussions with the engineers and architects on the project, it was determined that the area would need over-excavation, or removal, of the poor soil and replacement with satisfactory clean soil.

This work would result in a change of scope and require a change order to Weitz' subcontractor completing this work, Arthur, Inc. The federally-required process for a change order is as follows.

- Step 1:** An independent cost estimate of the work is to be completed by the Architect/Engineer or Construction Manager.
- Step 2:** Solicitation of a cost proposal from the contractor based on its subcontractors cost.
- Step 3:** If the two estimates vary, the price must be negotiated between the owner/owner's representative and the contractor/subcontractor.
- Step 4:** Once agreement on the cost is determined, a change order is developed.
- Step 5:** Approval of the change order by the Transit Board of Trustees and City Council.
- Step 6:** Preparation for and payment of the change order.

Originally the two cost estimates were significantly different (\$45,000 versus \$160,000) and the reconciliation process to arrive at an agreed upon cost took considerable time to complete. This process was completed in mid-October and a change order (#12) was generated the week of October 24th.

The Transit Board of Trustees' next meeting is November 3, 2011, at which time the Trustees will consider approval of this change to the project. In light of the time it has taken to agree upon the appropriate cost, Alternative #1 is offered to

expedite resolution of this payment and keep the project moving forward. Funding for the change order is available in the construction contingency account of the project.

ALTERNATIVES:

1. Approve Change Order #12 in a not-to-exceed amount of \$52,103 to Weitz Corporation of Des Moines, Iowa, for over-excavation of poor soils on the Intermodal Facility project. This action is subject to approval by the Transit Board of Trustees on November 3, 2011.
2. Delay Council action on Intermodal Facility Change Order #12 to Weitz Corporation until the Transit Board of Trustees has taken action.
3. Do not approve Intermodal Facility Change Order #12.

MANAGER'S RECOMMENDED ACTION:

Extensive discussions have occurred regarding the scope and cost of additional work required by the subcontractor on the Intermodal Facility project to correct poor soil conditions. A price for the work has been established that all parties believe represents the cost for the magnitude of the work to be accomplished.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving a change order in an amount not to exceed \$52,103 to Weitz Corporation for over-excavation of the soils near the retaining wall on the Intermodal Facility project. This action is subject to Transit Board of Trustees approval on November 3, 2011.

COUNCIL ACTION FORM

SUBJECT: ASSESSMENT OF MOWING COSTS

BACKGROUND:

City staff has performed mowing services at the properties listed below. This action is performed on a complaint basis. Once a complaint has been received, notice is given to the property owner that the City will mow the property if the owner has not done so, and assess the actual cost of the mowing to the property owner.

Also included in the list are the names and addresses of the property owners and the costs associated with the mowing. After the work was completed, bills were mailed to the property owners. To date, these bills have not been paid. A certified notice of this hearing has been mailed to each of the property owners.

Julia Keifer 2802 Brookside Drive Iowa City, IA 52245 Mowing for property located at 1222 Burnett Avenue Notice posted on July 19, 2011	\$ 100.00
Roy R. Salcedo 2724 E. Leach Avenue Des Moines, IA 50320 Mowing for property located at 233 South Franklin Avenue Notice posted on July 19, 2011	\$ 145.00
Flagstar Bank 5151 Corporate Drive Troy, MI 48098 Mowing for property located at 3322 Jefferson Circle Notice posted on July 19, 2011	\$100.00
Ferruccio Trabalzi 825 Grand Avenue Ames, IA 50010 Mowing for property located at 825 Grand Avenue Notice posted on August 22, 2011	\$ 112.50
US Bank National Association c/o Homeq Servicing Corporation 701 Corporate Center Drive Raleigh, NC 27607 Mowing for property located at 4404 Todd Drive Notice posted on August 22, 2011	\$ 137.50

Jeremy Hiatt
105 Centennial Drive
Huxley, IA 50124
Mowing for property located at 514 Ely Circle
Notice posted on August 22, 2011

\$ 125.00

Gregory Smith
5111 Schubert Street
Ames, IA 50014
Mowing for property located at 5111 Schubert Street
Notice posted on August 22, 2011

\$ 300.00

ALTERNATIVES:

1. The City Council can adopt a resolution assessing the costs to the property owners shown on the above list. The Finance Director will then prepare a spread sheet on the assessments, and the City Clerk's Office will file the assessments with the Story County Treasurer for collection in the same manner as property taxes as provided in the *Code of Iowa*.
2. The City Council could choose to not certify these costs to the County Treasurer and, instead, absorb the costs.

MANAGER'S RECOMMENDED ACTION:

These property owners failed to mow their properties in accordance with local law after receiving notice to do so, and have neglected to pay the costs incurred by the City in performing this mowing.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1, thereby assessing the costs of mowing to the property owners shown above.

COUNCIL ACTION FORM

SUBJECT: REVISIONS TO MUNICIPAL CODE TO ALLOW FOR PUBLIC ALCOHOLIC BEVERAGE TASTINGS/SAMPLING

BACKGROUND:

Following the City Council's September 27 meeting, staff met with representatives of the Iowa Alcoholic Beverages Division (ABD). The meeting was intended to clarify the rules and recommendations which ABD has (or is considering) that impact public sampling or tasting events.

Currently, ABD requires that there be no fee charged for tasting or sampling events and that an "industry representative" conduct the tasting or sampling sessions. The Division also recommends that a pour should be one ounce or less. Staff also clarified that ABD **does** consider consuming samples of one ounce or less "consumption" of an alcoholic beverage. The ABD staff also confirmed that its main concerns with respect to our specific situation is that the City not require the payment of a fee for some type of additional "tasting" permit or license, and that the requirements and provisions of the state's existing licenses/ permits be followed.

With all of this in mind, City staff met with representatives of the Main Street Cultural District and six other businesses interested in conducting sampling events. It was a very productive meeting, resulting in the attached ordinance language being proposed for inclusion in Section 17.17 of the Ames Municipal Code. This language has been forwarded to those in attendance for their review.

Highlights of the proposed ordinance include the following:

1. Tastings may occur only in retail establishments located in a commercial zone.
2. The retailer conducting a tasting must be covered by a valid on-premises or off-premises alcohol control license, or a native wine permit or native beer permit.
3. The retailer must submit for review and approval by the Ames Police Chief a copy of the retailer's plan for monitoring and controlling tasting events to ensure that no patron participating in the tasting is under the legal age or consumes enough to reach intoxication.

Staff is very appreciative of the willingness of the ABD representatives to come meet with us, as well as for the comments and suggestions made by our local retailers.

ALTERNATIVES:

1. The City Council can approve the proposed revisions to Section 17.17 of the Ames Municipal Code, allowing for the sampling or tasting of alcoholic beverages in commercial areas, in retail establishments with appropriate alcoholic beverage control licenses or permits.
2. The City Council can send the proposed ordinance revisions back to staff for modification.
3. The City Council can ask staff for further information and delay taking any action.

MANAGER'S RECOMMENDED ACTION:

Based on the input from our local retailers and ABD, it is the recommendation of the City Manager that the City Council adopt Alternative #1, thereby approving the proposed revisions to Section 17.17 of the Ames Municipal Code, allowing for the sampling or tasting of alcoholic beverages in commercial areas in establishments with appropriate licenses or permits.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING SUBSECTIONS 17.17(1) & (4) AND ENACTING NEW SUBSECTIONS 17.17(1), (4) AND (5) THEREOF, FOR THE PURPOSE OF ALLOWING PUBLIC ALCOHOLIC BEVERAGE TASTINGS; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ENACTED, by the City Council for the City of Ames, Iowa, that:

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by repealing Sub-Sections 17.17(1) and (4) and enacting new Sub-Sections 17.17 (1), (4) and (5) as follows:

“Sec. 17.17. CONSUMPTION IN PUBLIC PLACES.

It is unlawful for any person to use or consume alcoholic beverages, wine or beer upon the public streets or highways of the City of Ames, or consume any alcoholic beverage in any public place, except:

(1) Premises covered by a valid liquor control license, beer permit or wine permit that authorizes consumption on the premises; or

...

(4) If the consumption occurs as part of a wine, beer or alcoholic beverage tasting that is offered free of charge to the public which meets all of the following conditions:

- (a) The tasting shall occur only in a commercial zoning district;
- (b) The tasting shall be conducted by a retailer whose premises are covered by a valid alcoholic control license or permit authorizing either on or off premise consumption;
- (c) The tasting shall be held on or in the licensed premises;
- (d) The tasting shall comply with all requirements of Iowa Code Chapter 21 – The Alcoholic Beverage Control Act and with the Administrative regulations adopted pursuant to that Act;
- (e) Beverage samples shall be one (1) ounce or less per sample and shall be limited to the beverages the retailer is licensed or permitted to sell; and

(f) Prior to conducting a tasting, the retailer shall submit a written tasting event plan to the Ames Police Department and shall obtain written approval of the plan from the Police Chief or the Police Chief’s designee. The plan shall include information disclosing the retailer’s steps to monitor and control tasting events including details of the retailer’s plan to ensure that no underage persons possess or consume any alcoholic beverage, training of staff, duration of the event, and means for preventing or addressing overconsumption or intoxication of patrons. The plan shall include documentation from the retailer’s general liability insurance carrier indicating that the tasting activity is covered by the terms of the policy in effect.

Where a retailer intends to conduct multiple similar tasting events, the retailer’s plan may be submitted for approval on an annual basis. However, if the retailer wishes to hold a special, non-routine tasting event in addition to the routine events approved in the annual plan, the retailer shall obtain separate approval for the special, non-routine event.

(5) Violation of this section shall be a municipal infraction punishable by a penalty of \$100 for a person’s first violation thereof and \$200 for each repeat violation. Alternatively, violation of this section can be charged by a peace officer of the City as a simple misdemeanor.”

Section Two. Violation of the provisions of this ordinance shall be in accord with Section 17.17(4) above.

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

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

Passed this _____ day of _____, _____.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

Memo

Legal Department



TO: Mayor Campbell and Members of the City Council

FROM: Doug Marek

DATE: October 28, 2011

SUBJECT: Legal Services for Clean Air Act Regulatory Compliance

In September 2009, the City Council approved an engagement and retainer agreement with Ritts Law Group of Alexandria, Virginia for legal services related to regulatory compliance issues under the Clean Air Act. For the initial agreement, Council authorized expenditure of an amount not to exceed \$100,000. During the initial twelve months, the Ritts Law Group worked closely with Electric Services and the Legal Department to evaluate the projects scheduled at the steam electric plant and the combustion turbines. The evaluation was necessary to determine the applicability of Clean Air Act regulatory requirements.

The Ritts Law Group provided legal and engineering assistance in support of a number of complex regulatory compliance matters facing the Electric Services, including the City's request for Prevention of Serious Deterioration (PSD) non-applicability determination from the Iowa Department of Natural Resources (IDNR). With the PSD issue still pending, Council in September, 2010 approved an extension of the engagement with Ritts Law Group for an additional amount not to exceed \$50,000. The Ritts Law Group then provided extensive engineering and legal analysis necessary to amend the air permits for the power plant as required by IDNR. The Ritts consultants also provided technical assistance to City staff in obtaining a determination that the waste water treatment facility and the power plant do not comprise a single stationary source for air emissions.

On March 1, 2011, Council approved another extension of the engagement with the Ritts Law Group for an additional amount not to exceed \$50,000. Additional engineering and legal support was required for analysis of a second single stationary source issue raised by IDNR related to the water treatment plant and the power plant. That determination is still pending.

Most recently, the Ritts Law Group has provided legal and engineering assistance to the City in connection with administrative and judicial appeals of the Environmental Protection Agency's Cross-State Air Pollution Rule (CSAPR). It is anticipated that the need for these specialized legal services will continue until the pending appeals and other regulatory issues are resolved. Since its engagement with Ritts Law Group in 2009, the City has expended a total of \$194,060. Additional funding will be required. I am therefore requesting authorization to extend the engagement with Ritts Law Group for an additional amount not to exceed \$50,000. Funding is available from the balance in the Electric Fund.

Cc: Donald Kom, Brian Trower, Duane Pitcher

COUNCIL ACTION FORM

**SUBJECT: NON-DOMESTIC WASTE PRETREATMENT PROGRAM – LOCAL
LIMIT REVISIONS**

BACKGROUND:

The City's Water Pollution Control (WPC) facility is designated as a Publicly Owned Treatment Works (POTW). Federal law requires the City to implement and maintain a Non-Domestic Waste Pretreatment Program. The City implemented its pretreatment program in 1983, with revisions in 1992, 2005 and most recently in 2011. **The program goals are to prevent the discharge of pollutants to the POTW that would pass through the treatment works and pollute the receiving stream, interfere with or inhibit the POTW treatment processes, create unsafe work environments for sanitary sewer workers, and prevent the re-use of wastewater and biosolids.**

As a requirement of the WPC facility's most recent National Pollutant Discharge Elimination System (NPDES) permit, staff has evaluated the existing pretreatment program local limits. The development of the revised local limits was based on the identification of pollutants of concern (POC) through WPC facility influent and effluent priority pollutant scans. For each of these POCs, the maximum allowable headworks loading was determined using parameters including water quality standards, NPDES permit limitations, process inhibition limits, limits to protect the safety of sanitary sewer workers, and biosolid land application standards. After this, the maximum allowable industry loading for each POC was calculated based on a formula using the controlling parameter for each POC, the number of industries with the potential to discharge the POC, the percentage attributed to industrial vs. domestic sources, and other factors.

As an illustration of this last point, consider the silver limitation. The Iowa Department of Natural Resources recently enacted a substantial reduction in the water quality standard for silver. This is the "controlling parameter" for silver, and results in a reduction in the amount of silver that can be taken in by the treatment plant. Staff has no flexibility in that calculation. However, staff does have flexibility when determining how much silver to allocate to industrial dischargers versus how much to reserve for residential and commercial users. In order to be as accommodating as possible for industrial users who discharge silver, staff has allocated 81% of the total silver the plant can receive to industrial dischargers, leaving only 19% of the available plant capacity for all other users.

Silver is being increasingly used in residential applications for its anti-microbial properties in washing machines, deodorants, and pools and spas. There is also an increasing prevalence of impregnated silver in athletic clothing for its anti-odor properties, which over time washes out of the clothing and into the wastewater. This is

on top of the long-standing use of silver amalgams in dental applications and a myriad other smaller uses for silver in our everyday lives. Because of this, staff believes it would be unwise to allocate any additional silver capacity to industrial users. Instead, staff is committed to working with those industries whose discharge contains silver to identify the source of the silver and providing time for them to research alternative products or investigate methods to remove silver from their waste.

On September 2, 2011 staff sent a letter to all of the industries on the Non-domestic Waste Pretreatment Program outlining the proposed changes to the local limits. The letter also included information about the recent submittal of these local limits revisions to the Iowa DNR and staff's intention to bring them before the City Council for approval. Additionally, staff personally met with each industry contact at their facility to discuss the proposed local limits revisions. Staff also summarized how the proposed revisions could affect each industry based on the most recent sampling data, and solicited comments from every industry on how they saw the proposed local limits affecting their facility. A copy of this Council Action Form is also being provided to each industry.

The approval of these revisions to the Non-domestic Waste Pretreatment Program will not require any modifications to the *Ames Municipal Code* as the local limits are simply a part of the pretreatment program and are not written into the *Code*. A copy of the proposed revisions is attached, as is a summary of the specific impacts and comments for all industrial customers impacted by the revisions. In general, eight facilities had no concerns, four facilities had some concerns, and one facility was concerned there was not enough sampling data to draw conclusions about the effects.

On July 26, 2011, Council approved revisions to the *Ames Municipal Code*, adopting measures that provide staff additional flexibility in implementing the pretreatment program. Staff commented at that time that the revisions would, in some instances, reduce the regulatory burden on local industries without adversely impacting environmental protection. **While not applicable in every instance, some of those measures (such as allowing Best Management Practices in lieu of numeric limits and allowing mass limits instead of concentration limits) can be implemented by staff on a case-by-case basis to help mitigate the impact of the more stringent limits. Staff will be exploring those options with our industrial customers where practical. These options are not intended to allow any discharger to “get around the rules.” Instead, they will offer industrial customers additional methods to comply with the code requirements while still maintaining appropriate safeguards on the environment. This is in keeping with the Council’s goal to “streamline and improve government processes.”**

Staff anticipates providing all industrial customers regulated by the Non-domestic Waste Pretreatment Program with an updated permit, including the revised limits, by December 1, 2011. The new permits would become effective January 1, 2012. After the new limits become effective, staff will work with any customer who is experiencing difficulty meeting the limits to develop a plan and timeline to bring them into compliance.

ALTERNATIVES:

1. Approve the revisions to Non-domestic Waste Pretreatment Program local limits as described in the attached document.
2. Do not approve the revisions to Non-domestic Waste Pretreatment Program local limits at this time. This would place the city in non-compliance with its NPDES permit.

MANAGER’S RECOMMENDED ACTION:

Adoption of the local limits revisions to the Non-domestic Waste Pretreatment Program is required by the City’s new NPDES permit for the WPC facility. This will ensure that industrial (non-domestic) discharge permits include limits that are based on the most recent flow measurements and sampling data. The local limits revisions will help protect the integrity of the WPC facility. Benefits of doing this include reducing the risk of a future NPDES permit violation, reducing pollutants that would pass through the treatment works and degrade stream water quality, protecting the health and safety of sanitary sewer workers, and ensuring that the City can continue to land-apply its biosolids.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the revisions to the Non-domestic Waste Pretreatment Program local limits as described in the attached document.

Current and Proposed Local Discharge Limits

Pollutant	Current Local Limit mg/L	Proposed Local Limit mg/L	Relative Change in Limit
Arsenic	0.06	0.02	More Stringent
Acetone	13.30	14.9	Less Stringent
Benzene	0.05	0.05	No Change
BTEX	0.75	0.75	No Change
Cadmium	0.3	0.04	More Stringent
Chloride	900	500	More Stringent
Chromium (Total)	7.0	0.93	More Stringent
Copper	3.0	0.57	More Stringent
Cyanide	0.55	0.88	Less Stringent
Lead	1.3	0.89	More Stringent
Mercury	0.02	0.01	More Stringent
Molybdenum	0.19	0.29	Less Stringent
Nickel	7.8	11.0	Less Stringent
Phenol	1.5	2.6	Less Stringent
TPH	10	10	No Change
Selenium	0.50	0.09	More Stringent
Silver	0.45	0.05	More Stringent
Sulfide	2.0	2.0	No Change
Zinc	10.0	4.3	More Stringent
Oil & Grease	300	300	No Change
CBOD ₅	1,500	1,800	Less Stringent
COD	2,500	2,700	Less Stringent
TSS	1,500	1,600	Less Stringent
Ammonia	200	225	Less Stringent
TKN	250	280	Less Stringent

Acronyms:

- BTEX Benzene, Toluene, Ethyl benzene, Xylene (typical components of gasoline)
- TPH Total Petroleum Hydrocarbons (Broad category of compounds found in crude petroleum)
- CBOD₅ Carbonaceous Biochemical Oxygen Demand-Five day (measure of oxygen-consuming strength of a waste)
- COD Chemical Oxygen Demand (measure of oxygen-consuming strength of a waste)
- TSS Total Suspended Solids (measure of solids concentration in a waste)

City of Ames, Iowa
Non-Domestic Wastewater Pretreatment Program
Effects of Proposed Local Limits on Non-Domestic Users
2011

Ames-Story Environmental Landfill

The new local limits appear to have no effect on the Ames-Story Landfill. Based on sampling data from 2008 to 2011, the proposed local limits do not create violations where they did not exist in the past. Therefore the proposed local limits are expected to have no negative impacts on the Ames-Story Environmental Landfill based on previous data.

Date of Letter: September 2, 2011

Date of On-Site Meeting: October 3, 2011

Industry Comments: The Ames-Story Environmental Landfill has reviewed the proposed revisions and stated that they are acceptable. Given their relatively small flow, staff believes this may be an appropriate application of Best Management Practices instead of numeric limits and will explore this further with the Ames-Story Environmental Landfill.

Barilla America, Inc.

The new local limits appear to have no effect on Barilla America, Inc. Between 2008 and 2011, they had no violations with the existing limits so the new limits would not reduce the number violations they had. Therefore the proposed local limits are expected to have no negative impacts on Barilla America, Inc. based on previous data.

Date of Letter: September 2, 2011

Date of On-Site Meeting: October 7, 2011

Industry Comments: Barilla has reviewed the proposed revisions and agrees that they will have no negative impact on their facility.

City of Ames Landfill

Between 2008 and 2011, the City of Ames Landfill had no violations with the existing local limits. With the new local limits, they would have had one arsenic violation. The new arsenic limit is 0.02 mg/L which would have caused one sample with 0.026 mg/L arsenic to be in violation.

Date of Letter: September 2, 2011

Date of On-Site Meeting: September 30, 2011

Industry Comments: The City of Ames Landfill has reviewed the proposed revisions and has concerns about the arsenic limit decreasing from 0.06 mg/L to 0.02 mg/L. The Landfill recorded an arsenic value of 0.026 mg/L from a sample collected on 5/10/2010. They are concerned that the new lower limit for arsenic could result in an increased number of violations and the possibility of a compliance schedule for reducing arsenic in their discharge. Given their relatively small flow, staff believes this may be an appropriate application of Best Management Practices instead of numeric limits and will explore this further with the City of Ames Landfill.

Hach Company – North Outfall

With the current local limits, between 2008 and 2011, Hach Company – North had 21 acetone violations. No other parameters were in violation during that period. With the proposed local limits, Hach Company – North would have reduced the number of acetone violations to 13 for that same time period. However, the proposed limits would have caused Hach Company – North to have one Chloride violation (600mg/L, proposed limit = 500 mg/L), one copper violation (0.58 mg/L, proposed limit = 0.57 mg/L) and one silver violation (0.068 mg/L, proposed limit = 0.05 mg/L). The proposed local limit will likely reduce the number of violations Hach Company – North has for acetone, but will likely increase the number of violations for other parameters, particularly chloride, copper and silver.

Date of Letter: September 2, 2011

Date of On-Site Meeting: September 20, 2011

Industry Comments: Hach has reviewed the proposed revisions and is comfortable with the proposed limits. While the reductions in metals concentrations has the potential for increased violations, the increase in the acetone limit would likely reduce the number of acetone violations and the number of violations overall.

Hach Company – South Outfall

Between 2008 and 2011, Hach Company – South had two violations for COD, one violation for CBOD5 and two violations for Total Suspended Solids under the existing local limits. With the proposed local limits, Hach Company – South would have had the same violations but no new violations would have occurred. The proposed local limits will likely have negligible impacts to Hach Company – South based on previous data.

Date of Letter: September 2, 2011

Date of On-Site Meeting: September 20, 2011

Industry Comments: Hach has reviewed the proposed revisions and agrees that they will have a negligible impact on the South Outfall at their facility.

Industrial Plating Company

Between 2008 and 2011, Industrial Plating had two pH violations (pH 11.1 and 11.2) and one total chromium violation (36 mg/L, limit = 7.00 mg/L). With the proposed local limits, Industrial Plating would have had the same violations, but would have also had an additional violation for chromium (1.6 mg/L, proposed limit = 0.93 mg/L). The 36 mg/L chromium violation was a result of equipment failure and has been corrected. Therefore, the new local limits would likely have a minimal impact on Industrial Plating Company based on previous data.

Date of Letter: September 2, 2011

Date of On-Site Meeting: September 27, 2011

Industry Comments: Industrial Plating has reviewed the proposed revisions and has some concerns about the decrease in the chromium limit. They expressed concern that the revised chromium limit has the potential to result in a greater number of violations. Because they are considered a “categorical industry” by the U.S. EPA, best management practices are not appropriate, even with Industrial Plating’s small flow. However, staff believes this may be an appropriate application of a mass limit instead of a concentration limit and will explore this further with Industrial Plating.

Iowa State University – Central Campus

Between 2008 and 2011, ISU – Central Campus has had no violations based on current local limits. With the proposed local limits, no violations would have occurred during that same time period. Therefore, the new local limits are expected to have no negative impact on ISU - Central Campus based on previous data.

Date of Letter: September 2, 2011

Date of On-Site Meeting: September 15, 2011

Industry Comments: Iowa State University has reviewed the proposed revisions and agrees that they will have no negative impact on Central Campus.

Iowa State University – Environmental Health and Safety Services Building

Between 2008 and 2011, ISU – EHSSB had one violation for TSS (2,760 mg/L, limit = 1,500 mg/L) and one violation for pH (5.9, limit = 6 -10 pH). With the proposed local limits, ISU – EHSSB would have had the same violations. However, the proposed limits would not have caused an increase in violations. Therefore the proposed limits are expected to have no negative impact on ISU – EHSSB based on previous data.

Date of Letter: September 2, 2011

Date of On-Site Meeting: September 13, 2011

Industry Comments: Iowa State University has reviewed the proposed revisions and agrees that they will have no negative impact on the Environmental Health and Safety Services Building. Given their relatively small flow, staff believes this may be an appropriate application of Best Management Practices instead of numeric limits and will explore this further with Iowa State University.

Iowa State University – College of Veterinary Medicine/Lloyd Vet. Med. Center

Between 2008 and 2011, ISU – College of Vet Med had two TSS violations (2,040 mg/L and 1,590 mg/L, limit = 1,500 mg/L) and one CBOD5 violation (2,460 mg/L, limit = 1,500 mg/L). With the proposed local limits, ISU – College of Vet Med would not have had the 1,590 mg/L TSS violation but would still have had the other two violations. In addition, the proposed local limits would have caused the facility to have four silver violations (0.098 mg/L, 0.058 mg/L, 0.085 mg/L and 0.133 mg/L, proposed limit = 0.05 mg/L). The proposed local limit for silver could significantly impact the ISU – College of Vet Med's ability to meet permit compliance.

Date of Letter: September 2, 2011

Date of On-Site Meeting: September 13, 2011

Industry Comments: Iowa State University has reviewed the proposed revisions and agrees that the decrease in the local limit for silver could significantly impact the ISU – College of Vet Med. However, they stated that they understand how the local limit was calculated and they understand why it is in place. They have commented that they will be finding the source of silver in their waste stream and taking a proactive approach to reducing it. Given their flow volumes, staff does not see this as an appropriate application of Best Management Practices. However staff has the discretion to allow ISU time to investigate the source of the silver in the discharge and research possible measures to reduce the discharge before any form of enforcement action would be considered.

Iowa State University –Veterinary Medical Research Institute / Livestock Infectious Disease Isolation Facility (VMRI/LIDIF)

Between 2008 and 2011, ISU – VMRI/LIDIF had six violations for TSS (3,820 mg/L, 2,830 mg/L, 2,290 mg/L, 2,500 mg/L, 2,300 mg/L, 2300 mg/L; limit = 1,500 mg/L), three violations for CBOD5 (2,420 mg/L, 3,710 mg/L, 1594 mg/L; limit = 1,500 mg/L) and four violations for COD (2,940 mg/L, 2,600 mg/L 3,600 mg/L and 2,600 mg/L; limit = 2,500 mg/L). With the proposed local limits, the facility would still have had the six TSS violations, but would have only had two CBOD5 and two COD violations. Therefore the proposed local limits are expected to have no negative impact on the ISU – College of Vet Med based on previous data.

Date of Letter: September 2, 2011

Date of On-Site Meeting: September 13, 2011

Industry Comments: Iowa State University has reviewed the proposed revisions and agrees that they will have no negative impact on VMRI/LIDIF.

Mary Greeley Medical Center

Between 2008 and 2011, Mary Greeley Medical Center has had no effluent limit violations under the current local limits. With the proposed local limits, Mary Greeley Medical Center would also have not had any violations during that same time period. Therefore, the proposed local limits are expected to have no impact on Mary Greeley Medical Center based on previous data.

Date of Letter: September 2, 2011

Date of On-Site Meeting: October 5, 2011

Industry Comments: Mary Greeley Medical Center has reviewed the proposed revisions and agrees that they will have no impact on their facility.

National Centers for Animal Health (NCAH) – North Outfall (NADC)

Between 2008 and 2011, the NCAH – North has had no effluent limit violations under the current local limits. Under the proposed local limits, the facility would also have had no violations for the same time period. Therefore, the proposed local limits are expected to have no impact on the NCAH – North Outfall based on previous data.

Date of Letter: September 2, 2011

Date of On-Site Meeting: September 19, 2011

(See Industry Comments below.)

National Centers for Animal Health – South Outfall (NVLS/CVB)

Between 2008 and 2011, The NCAH – South has had one pH violation (10.9 pH; limit = 6 – 10 pH) and one TSS violation (1,560 mg/L; limit = 1,500 mg/L). Under the proposed local limits, the NCAH – South would not have had the TSS violation and no new violations would have occurred. Therefore the proposed local limits are expected to have no negative impacts to the NCAH – South based on previous data.

Date of Letter: September 2, 2011

Date of On-Site Meeting: September 19, 2011

Industry Comments: NCAH – North and NCAH – South have reviewed the proposed revisions and have concerns about the decrease in the local limit for chlorides and for some of the metals.

They regularly uses bleach as a disinfectant and have had two results in the last year that would have exceeded the new 500 mg/L limit. Also, the wastewater from facility cleaning and decommissioning projects can be high in metals including mercury, cadmium, chromium and lead. Lower limits for these and other metals could increase their costs as they may have to remove and haul off-site more of the metals that they recover. Chloride is of concern in an indirect way. Only if the Ames WPC facility fails its Whole Effluent Toxicity (WET) test would a chloride limit be imposed on the WPC facility. Staff has the discretion to implement the chloride local limit as a “recommended” limit. This would allow the concentration to be monitored and corrective action taken before a WET test violation at the treatment plant were to occur.

Sauer Danfoss Company

Between 2008 and 2011, Sauer Danfoss Company had two violations for TSS (1,700 mg/L each; limit = 1,500 mg/L), four violations for CBOD5 (1,740 mg/L, 1,580 mg/L, 1,980 mg/L, and 1,587 mg/L; limit = 1,500 mg/L) and three violations for COD (3,190 mg/L, 3,810 mg/L and 3,400 mg/L; limit = 2,500 mg/L). Under the proposed local limits, Sauer Danfoss Company would still have had the two TSS violations and three COD violations, but would have only had one CBOD5 violation. Therefore the proposed local limits are expected to have no negative impact on Sauer Danfoss Company based on previous data.

Date of Letter: September 2, 2011

Date of On-Site Meeting: September 21, 2011

Industry Comments: Sauer-Danfoss has reviewed the proposed revisions and agrees that they will have little impact on their facility. However, they stated that they are concerned that some of the parameters are only required to be sampled every two years. They were concerned that the dataset used to evaluate the potential for future violations was not very extensive with some parameters only tested once every two years. They would have preferred to have more sampling information.