

**AGENDA**  
**REGULAR MEETING OF THE AMES CONFERENCE BOARD AND**  
**REGULAR MEETING OF THE AMES CITY COUNCIL**  
**COUNCIL CHAMBERS - CITY HALL**  
**FEBRUARY 25, 2014**

**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.

**CONFERENCE BOARD MEETING**

**CALL TO ORDER: 6:30 p.m.**

1. Roll Call
2. Motion approving minutes of the January 28, 2014, meeting
3. Public hearing on proposed FY 2014/15 budget for Ames City Assessor's Office:
  - a. Motion adopting budget

**BOARD COMMENTS:**

**ADJOURNMENT:**

**REGULAR MEETING OF AMES CITY COUNCIL\***

\*The City Council's Regular Meeting will immediately follow the Conference Board Meeting.

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

1. Motion approving payment of claims
2. Motion approving Minutes of Regular Meeting of February 11, 2014
3. Motion approving Report of Contract Change Orders for February 1-15, 2014
4. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
  - a. Class E Liquor, C Beer, and B Wine – Wal-Mart Supercenter #4256, 534 South Duff Avenue
  - b. Class C Liquor & Outdoor Service – Buffalo Wild Wings, 400 South Duff Avenue
  - c. Special Class C Liquor & Outdoor Service – Stomping Grounds, 303 Welch Avenue, #101
  - d. Class C Beer & B Native Wine – Casey's General Store #2905, 3612 Stange Road
5. Resolution approving TSIP Agreement with Iowa Department of Transportation for widening Mortensen Road between South Dakota Avenue and Dotson Drive and constructing two right-turn lanes at intersection with Coconino Road
6. Resolution accepting "Purple Dragon" sculpture
7. Resolution approving closure of parking spaces on Chamberlain Street between Welch Avenue and Fire Station #2 driveway and Chamberlain Lot Y on April 11 - 13 to facilitate staging of law enforcement vehicles and related equipment during VEISHEA
8. Resolution approving Agreements for intermittent use of dealership cars by Police Department
9. Resolution approving preliminary plans and specifications for Water Pollution Control Main Plant Transformer Replacement; setting April 10, 2014, as bid due date and April 22, 2014, as

- date of public hearing
10. Resolution approving preliminary plans and specifications for 2013/14 Downtown Pavement Improvements (Fifth Street - Duff Avenue to Burnett Avenue); setting March 19, 2014, as bid due date and March 25, 2014, as date of public hearing
  11. Resolution approving contract and bond for 2013/14 Traffic Signal Program (Grand Avenue & 20<sup>th</sup> Street)
  12. Resolution approving contract and bond for 2013/14 Collector Street Pavement Improvements (Sheldon Avenue)
  13. Resolution accepting completion of SF6 Circuit Breakers

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

**PERMITS, PETITIONS, AND COMMUNICATIONS:**

14. Motion approving 8-month Class B Beer Permit & Outdoor Service for Homewood Golf Course, 401 East 20<sup>th</sup> Street
15. Motion approving Class C Liquor License for Ge'Angelo's, 823 Wheeler Street, Suite 9
16. Motion approving Class E Liquor, C Beer, and B Wine License for Almost Always Open, 419 Lincoln Way
17. Motion approving Class C Liquor License for Taking it Easy Lounge, 129 Lincoln Way
18. Cy Statue Project:
  - a. Presentation on project
  - b. Motion directing City staff to develop a contract with CyclONE City for the placement of Cy statues on City property
19. Motion approving/denying request from Kingland Systems to place video camera on traffic signal pole for site construction security
20. Request of FOX Engineering to purchase soil from airport farm property:
  - a. Motion directing staff to work with Brian Hoyle to develop an agreement for removal of fill soil from the Airport farm property
21. Resolution approving/motion denying request of First National Bank to reserve three parking spaces adjacent to 119 Stanton Avenue

**HEARINGS:**

22. Hearing on rezoning of 321 State Avenue from Government/Airport (S-GA) to Residential Low-Density (RL):
  - a. First passage of ordinance
23. Hearing on Master Plan for property located at 321 State Avenue:
  - a. Resolution approving/motion denying approving of Master Plan
24. Hearing on vacating easement in Ringgenberg Subdivision, Fourth Addition:
  - a. Resolution approving agreement requiring new easement and relocation of sanitary sewer line
  - b. Resolution approving vacation of easement
25. Hearing on 2013/14 Arterial Street Pavement Improvements - Lincoln Way (Thackeray Avenue to Hickory Drive):
  - a. Resolution approving final plans and specifications and awarding contract to Manatt's, Inc., of Ames, Iowa, in the amount of \$778,982.51
26. Hearing on 2012/13 Asphalt Resurfacing/Seal Coat Removal/Asphalt Reconstruction Program - Carroll Avenue (East 9<sup>th</sup> Street to East 13<sup>th</sup> Street):

- a. Resolution approving final plans and specifications and awarding contract to Manatt's, Inc., of Ames, Iowa, in the amount of \$273,782.30
- 27. Hearing on Motor Repair for Power Plant:
  - a. Resolution approving final plans and specifications and awarding contract to Electrical Engineering and Equipment Company of Windsor Heights, Iowa, for hourly rates and unit prices bid, in an amount not to exceed \$94,000
- 28. Hearing on Northridge Heights Park Improvements:
  - a. Resolution approving final plans and specifications and awarding contract to Ames Trenching & Excavating, Inc., of Ames, Iowa, in the amount of \$96,260

**PLANNING & HOUSING:**

- 29. Resolution approving, with stipulations, demolition of Delta Tau Delta fraternity at 2121 Sunset Drive

**FINANCE:**

- 30. Solum, Inc.:
  - a. Resolution approving termination of contract for economic development assistance with the Iowa Economic Development Authority and Solum, Inc.
  - b. Resolution terminating contract providing local match in the form of a forgivable loan from the City and Ames Economic Development Commission

**PUBLIC WORKS:**

- 31. Resolution approving support of Watershed Improvement Review Board (WIRB) and State Revolving Fund (SRF) water resource restoration-sponsored project grant applications
- 32. Resolution setting March 25, 2014, as date of public hearing for authorization to enter into State Revolving Fund (SRF) planning and design loan for sanitary sewer rehabilitation program in an amount not to exceed \$375,000 for the purpose of planning and designing the Sanitary Sewer Rehabilitation Program

**ORDINANCES:**

- 33. Third passage and adoption of ORDINANCE NO. 4171 exempting fraternities and sororities from Rental Housing Code
- 34. Third passage and adoption of ORDINANCE NO. 4172 eliminating *Ames Municipal Code* Sections 13.403(1.c) and 13.802(5) of Rental Housing Code (Fire Alarm System Retrofitting)

**COUNCIL COMMENTS:**

**HUMAN RESOURCES:**

- 35. Motion to hold closed session as provided by Section 20.17(3), *Code of Iowa*, to discuss collective bargaining strategy:
  - a. Resolution ratifying contract with IUOE Local 234 (Blue Collar Unit)
  - b. Resolution ratifying contract with IUOE Local 234 (Power Plant Unit)
  - c. Resolution ratifying contract with IAFF Local 625 (Firefighters)

**ADJOURNMENT:**

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

**MINUTES OF THE REGULAR MEETING OF THE  
AMES CONFERENCE BOARD**

**AMES, IOWA**

**JANUARY 28, 2014**

**REGULAR MEETING OF THE AMES CONFERENCE BOARD**

The regular meeting of the Ames Conference Board was called to order by Chairman ProTem Matthew Goodman at 6:30 p.m. on January 28, 2014. Present from the Ames City Council were Gloria Betcher, Amber Corrieri, Tim Gartin, Chris Nelson, and Peter Orazem. Story County Board of Supervisors present were Rick Sanders and Paul Toot. Representing the Ames School Board were Jane Acker and Bill Talbot. Gilbert and United School Districts were not represented.

**MINUTES OF FEBRUARY 26, 2013, MEETING OF THE CONFERENCE BOARD:** Moved by Sanders, seconded by Orazem, to approve the minutes of the February 26, 2013, Meeting of the Ames Conference Board.

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

**REAPPOINTMENT OF CITY ASSESSOR:** Moved by Gartin, seconded by Talbot, to adopt RESOLUTION NO. 14-039 approving the reappointment of Greg Lynch as the City Assessor.

Board Member Sanders reported that there had been a substantial amount of conversation at the Mini Board meeting regarding moving back to a one-assessor system. It was noted that Bill Talbot, representing the Ames Community School Board; Rick Sanders, representing the Story County Board of Supervisors, and Peter Orazem, representing the Ames City Council, serve on the Mini-Board. Mr. Sanders clarified that appointment of a City Assessor is exclusively under the purview of the Ames City Council; it is not a decision of the Conference Board. The question as to whether there would be cost savings in combining the two assessors was also addressed by Mr. Sanders. He advised that "it would depend on how you look at it." However, after looking at the numbers, even if there were to be dramatic savings, e.g., 20%, from combining the two offices, the reality is that any savings would not impact the taxpayers of the City of Ames. Any savings would be realized by residents living outside of the City of Ames. Mr. Sanders said that, after those facts were known, it was fairly clear to him that there would continue to be an Ames City Assessor. Mr. Sanders also referenced a report prepared by City of Ames staff in September 2005, which provided a lot of information germane to this issue. With the information that has now been gleaned, Mr. Sanders shared that he would support the reappointment of Greg Lynch as the City Assessor. Mr. Sanders complimented City Assessor Lynch for doing a "phenomenal job" and stated that he was impressed with his knowledge base.

Board Member Orazem pointed out that the City of Ames provides approximately 80% of the business. If the decision were to be made to eliminate the City Assessor position, Ames would be only 1/16th of the vote regarding operations; which would be disproportionately small. He believes that, with the split of population in Story County, having an Ames City Assessor is the most reasonable way of doing business.

Roll Call Vote: 3-0. Motion declared carried unanimously.

**ASSESSOR'S BUDGET PROPOSALS:** Ames City Assessor Greg Lynch highlighted information from the City Assessor's 2014/15 Annual Report. Mr. Lynch specifically addressed the July 1, 2013, enactment of Senate File 295 (SF295), which deals with property tax reform. A brief description of each of the four components of the law were given, as follows:



1. Business Property Tax Credit (effective January 2013). This Credit is funded by the State and establishes a phased-in credit for commercial and industrial properties.
2. New rollbacks or assessment limitation and replacement claims for commercial, industrial, and railroad properties (effective 95% for 2013 Assessment and 90% for 2014 Assessment)
3. Changes to taxable value growth for residential and agricultural property, which was reduced from 4% to 3% effective January 2013
4. New classification of Multi-Residential (effective January 2015). This basically gives all the properties that are now commercial and used as residential components a roll-back.

Department activities were highlighted by City Assessor Lynch. He reported that the New Construction segment of the residential market continued its recovery. Overall sales volume for new homes increased 25% from 2012 to 2013. Also, the overall sales volume for existing homes rose significantly in 2013 (14.2%).

City Assessor Lynch complimented his staff members for their willingness to work extra hours and the teamwork displayed in implementing the provisions of Senate File 295. Staff identified 1,076 units that were qualified to receive the Tax Credit. Applications were mailed to those owners on November 6, 2013. After receiving only a 71% return rate as of December 15, reminder postcards had to be sent. Ultimately, a 91% return rate was realized by January 15, 2014.

Mr. Lynch explained the tax base changes for assessed and taxable values from 2012 to 2013. He advised that when a rollback increases, the taxable value increases. Mr. Lynch brought the Board members' attention to the tables showing Assessed Values by Class and Taxable Valuations by Class. He noted that, excluding railroads and utilities, the overall change for the upcoming fiscal year is 1.2% more taxable value. According to Mr. Lynch, included in SF295 is a provision for the State to reimburse the revenue lost due to the new Commercial and Industrial rollbacks. Converting the reimbursed revenue to taxable value, the overall taxable value change for the upcoming fiscal year would actually be 3.3%, which is more in line with the 3.8% and 3.3% that was experienced in 2012 and 2011, respectively.

According to Mr. Lynch, the Iowa Department of Revenue conducts a sales ratio study every year. That study is used to determine whether or not equalization orders are necessary. Equalization orders may only be issued in odd years. Median Sales Ratio for residential properties was explained by City Assessor Lynch. He advised that as long as the median sales ratio is between 95% and 105%, no equalization is required. If the ratio is outside that range, equalization orders will be issued. Mr. Lynch stated that it is estimated that Ames' current 2013 residential median sales ratio is 92.%. The Median Sales Ratio for 2012 was 99.3%. The Department of Revenue doesn't publish its final Median Sales Ratio until March. Mr. Lynch said even though the equalization study takes place in the summer, staff needs to know now to ensure that they do not receive equalization orders. It is evident that Ames is going to be approximately 5% lower on assessed values compared to market activity. Because of that, residential properties need to be revalued this year. Mr. Lynch explained that Ames uses models to accurately portray the market value. It currently uses "Adaptive Feedback Models," which are no longer supported by the current software. The 2014/15 budget proposal includes the hiring of a multiple regression specialist to convert four existing models to the SPSS software.

Mr. Lynch advised that, regarding commercial properties, based on information provided by the Iowa Department of Revenue through May 2013 and on other sales that have occurred since then, it is estimated that the median sales ratio will be 94%. While the 94% ratio is just under the 95% threshold, Mr. Lynch said he felt it prudent to wait and see what the ratio does this year and then plan a course of action.

Dawn Tank, who recently resigned after nine years of service to the Ames City Assessor's Office, was publicly thanked by Mr. Lynch for her outstanding work.

It was noted that that the proposed budget contains an overall 3% increase in staff salaries based on 2% cost of living and 1% merit. Health insurance is going up by 6% this year, which is lower than in past years.

The major components of the data processing and software line item were highlighted by Mr. Lynch. There will be ongoing expenses for GIS and mapping.

In summary, Mr. Lynch noted that the FY 2014/15 Proposed Budget equates to \$966,926, which is a 6.3% increase. Without the capital expenses, it equates to a 3.3% increase.

Board Member Sanders pointed out that, in terms of tax levy rates required to sustain the City Assessor's budget, the proposed budget actually reduces the levy rate by one-half cent.

The annual survey, as required by the Conference Board, was summarized by Mr. Lynch. The Board's attention was brought to the comments that were contained within the Report.

Moved by Toot, seconded by Corrieri, to approve the recommendations of the Assessor's report, as above-discussed.

Roll Call Vote: 3-0. Motion declared carried unanimously.

Moved by Nelson, seconded by Sanders, to receive the proposed budget (adoption of the budget will occur after the hearing is held).

Roll Call Vote: 3.0. Motion declared carried unanimously.

Moved by Toot, seconded by Betcher, to set 6:30 p.m. on February 25, 2014, as the date of public hearing on the proposed FY 2014/15 City Assessor's budget.

Roll Call Vote: 3-0. Motion declared carried unanimously.

**ADJOURNMENT:** Moved by Sanders to adjourn the Ames Conference Board at 7:02 p.m.

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

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Diane R. Voss, City Clerk

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Ann H. Campbell, Chair

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Greg Lynch, City Assessor

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

**AMES, IOWA**

**FEBRUARY 11, 2014**

**SPECIAL MEETING OF THE AMES CITY COUNCIL**

The Ames City Council met in Special Session for the budget wrap-up at 5:17 p.m., followed by its Regular Meeting, on the 11<sup>th</sup> day of February, 2014, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law with Mayor Ann Campbell presiding and the following Council members present: Gloria Betcher, Amber Corrieri, Tim Gartin, Matthew Goodman, Chris Nelson, and Peter Orazem. *Ex officio* Member Alexandria Harvey was also present.

**ARTS FUNDING (COTA):** Assistant City Manager Melissa Mundt introduced Fred Lewis, Chairperson of the Commission On The Arts (COTA), and Commission Members Jennifer Brockpahler and Malinda Cooper. It was noted that the Council had, at its Budget Guidelines meeting held November 26, 2013, approved a 2.5% increase over the 2013/14 Adopted. Ms. Mundt presented the 2014/15 budget recommendation from the COTA. Included in the recommendation was \$144,401 for annual grants to 17 different performing arts groups and \$4,171 for mini-grants that are allocated in the spring and fall.

Chairperson Lewis explained that the maximum funding allowed under Special Project Grants is \$750. These Grants are for unique performances not typically included in the annual grants. Mr. Lewis stated that two new organizations, Dancecenter Dance Company and Good Company, had requested funding this year. He said Good Company had requested funding in the past; however, this was the first time Dancecenter Dance Company had submitted a request.

**HUMAN SERVICES FUNDING (ASSET):** Assistant City Manager Mundt reported that the City Council had set its FY 2014/15 ASSET priorities in July 2013. She noted that the City Council, at its meeting of December 10, 2013, had approved a 5.0% increase over the current allocation for FY 2014/15.

Ms. Mundt noted that the ASSET volunteers had been given the priorities adopted by the City Council; those criteria were used to make the funding recommendations. It was reported by Ms. Mundt that the recommended allocation for 2014/15 for the overall ASSET budget equaled \$3,329,578 to be funded by Story County, United Way of Story County, the Government of the Student Body (GSB), and the City of Ames. That number represents an increase of 5% from the current 2013/14 allocation. The City's share of the 2014/15 allocation would be \$1,139,226. Two new agencies, Raising Readers and Visiting Nurses, were being recommended for funding in 2014/15.

Ms. Mundt reported on notable changes in City funding for FY 2014/15: added Senior Food Program funding for Heartland Senior Services in the amount of \$4,000; provided increased funding to The Salvation Army for food pantry in the amount of \$1,873; provided increased funding for rent and utility assistance to The Salvation Army in the amount of \$1,900; and provided increased funding for budget/credit counseling services to The Salvation Army in the amount of \$7,979. Assistant City Manager Mundt also provided information about the notable changes for Story County, United Way, and the GSB. According to Ms. Mundt, Story County's contribution to mental health services funding was down (Panel 1) because of the

implementation of the Affordable Care Act. Story County increased funding by over 7% for Children's Services and Prevention/Support Services (Panels 3 and 4) and by 2.7% to assist with Basic Needs (Panel 2). United Way increased its overall funding by 9.27%. The GSB increased its contribution by 10.44% to the ASSET process. In summary, all funders increased funding in Panels, 2, 3, and 4. Only Panel 1, Health Services, saw a decrease with the City no longer allocating any funding to Eyerly Ball services and the County reducing its services due to provisions of the Affordable Care Act.

Council Member Betcher noted the large increase in allocation to MICA and asked for more information pertaining to the dental services included in that request. Ms. Mundt advised that MICA receives Community Block Grant funding in its Marshalltown office. The Ames dental clinic had been subsidized with those funds for some time; however, MICA needed to reallocate those dollars to keep programs going in other parts of its agency.

Council Member Gartin specifically asked how the City was able to determine who is being served by the Emergency Residence Project (ERP). Ms. Mundt explained that, currently, there is a problem with the ERP collecting and reporting data to the correct entity as to whom they are serving. Because of that, it is not accurately collecting the data on the number of individuals who qualify for state- or federal-distributed funds; thus, distorting the dollars available to this area for those persons. According to Ms. Mundt, there are several agencies being impacted by the ERP's lack of accurate reporting. She said that the ASSET Administrative Team is having conversations with the ERP as to how the data can be collected accurately in the Service Point Software. Council Member Corrieri pointed out that the ERP is not benefitting from other funding streams either because the data are not being reported to the state. In addition, that could be affecting other organizations' ability to get funded or impacting the level of funding by ASSET. It was stated by Ms. Mundt that continued discussions will occur with the ERP as to how they can remedy the reporting issues. Mr. Gartin expressed his desire to treat all service providers the same; the ERP needed to bring its performance into alignment with ASSET's expectations. He requested that Ms. Mundt and the ASSET volunteers create a reasonable schedule for the ERP to bring their data reporting into alignment with what is required by other ASSET organizations. He would like a report back to Council when that has been done. Mr. Gartin noted that the ERP plays a very important role in the community; however, its failure to provide the data has significant implications.

Council Member Goodman expressed his opinion that more money should be provided for Human Services. He referenced the results of past Residential Satisfaction Surveys, which had consistently shown the taxpayers' desire to spend more on Human Services. Mr. Goodman shared that he had asked Assistant Manager Mundt today which compliant organizations have consistently drawn down the former allocations and would be able provide additional needed services if they could be fully funded. He said that a list of ten organizations that met that criteria had been given to him by Ms. Mundt.

Mayor Campbell expressed her concerns over changing the ASSET budget at this late date. She stressed that the ASSET organization, which is comprised of four funders, had been set up and a process agreed upon. She noted that the funding guidelines had been given to the ASSET volunteers back in November, and the funding recommendations had been made based on those guidelines and budget. The Mayor said she felt it would be very detrimental to the integrity of the ASSET process to change the funding levels at this point in time.

Mr. Goodman suggested that the City meet last year's funding for the ERP, but after establishing a method of reporting, the allocation move from the recommended level to the requested level (i.e., \$82,000 versus the recommended \$66,000).

Moved by Goodman, seconded by Corrieri, to fully fund the following groups:

ACCESS

Boys and Girls Clubs

CCJ

Good Neighbor

Heartland Senior Services

HIRTA

Homeward

Legal Services

MICA

NAMI

with the total difference being an increase of \$35,328 to the Recommended Allocation.

Council Member Corrieri pointed out that it would take a small increase in the amount of the proposed funding allocation, e.g., \$300 or \$400, to fully fund some organizations; however, some organizations had requested large increases for 2014/15, and some had actually received significant increases last year. Ms. Corrieri stated that she would not be comfortable changing the allocation for every single one of them.

Council Member Orazem stated that he was not in a position to re-evaluate the requests after 30 - 40 people had gone through a thorough evaluation process based on established priorities and funding guidelines. However, he suggested that the applicants who had provided all the required information should perhaps receive a reward or incentive of a little more funding, e.g., \$1,000 or \$1,500. Ms. Mundt noted that ASSET Administrative Team just began asking for more data so there is nothing on which to make that comparison.

Council Member Gartin expressed his concern about setting a precedent in increasing the funding allocations at this point in the process. He did offer that he would like to have additional conversation on increasing the overall ASSET allocation for next year.

Vote on Motion: 1-5. Voting aye: Goodman. Voting nay: Betcher, Corrieri, Gartin, Nelson, Orazem. Motion failed.

Moved by Goodman, seconded by Gartin, to have the allocation for ERP be last year's allocation, but increase its allocation to its request (\$82,350) if it can satisfy staff and the ASSET panel pertaining to the reporting process.

Vote on Motion: 1-5. Voting aye: Goodman. Voting nay: Betcher, Corrieri, Gartin, Nelson, Orazem. Motion failed.

**PUBLIC ART COMMISSION (PAC):** Assistant City Manager Bob Kindred introduced Greg Fuqua and Allison Sheridan, Co-Chairpersons of PAC. Mr. Fuqua presented a funding request in the amount of \$44,500 for FY 2014/15, which is an increase of \$11,000 over the FY 2013/14 Budget. Mr. Fuqua and Ms. Sheridan highlighted the accomplishments of the PAC over the past year. Mr. Fuqua also explained the projects planned for the future. He summarized the 2014/15 Budget request, which included a \$10,000 increase for the Neighborhood Sculpture Program,

a decrease of \$500 for Archive/Maintenance, and an increase of \$1,500 for the newly formed IT and Electronic Resources Committee.

Pertaining to the Neighborhood Sculpture Program, Council Member Orazem asked what the scope of fund-raising would be. Likening this Program to the Neighborhood Improvement Program, he felt it would be fair to ask residents to contribute to something that they really want to remain in their neighborhood.

Mayor Campbell noted that not only would \$44,500 be a sizeable increase in funding from the City, but an increase in the amount of time and energy that would be needed from the members of the Commission.

**OUTSIDE FUNDING REQUESTS:** Brian Phillips, Management Analyst, said that 12 applications for funding had been received.

In summary, Mr. Phillips noted that the 2014/15 Recommended represented an increase of \$24,300 (17.9%) compared to the FY 2013/14 Adopted. He listed the organizations that had requested the same amount for 2014/15 as had been requested in 2013/14. Two new requests were as follows: Ames 150<sup>th</sup> Steering Committee in the amount of \$31,500 with \$20,000 being drawn down by March 31, 2014, and Iowa Youth Basketball Foundation in the amount of \$15,000. According to Mr. Phillips, the Review Team felt that the tournaments would primarily benefit non-Ames residents and recommended that this organization not be funded. The organizations that had requested amounts higher than last year's request were identified, and the recommended funding allocations were reported for each.

Terry Stark, 63284-260th Street, Nevada, Iowa, said that he and Director Cari Hague were present as representatives of the Main Street Cultural District (MSCD). Mr. Stark noted that the MSCD had requested \$45,000, and they were shocked to find out that the Review Team had not recommended any increase. He highlighted the major events and the costs to the MSCD to sponsor them. Ms. Hague said that the additional monies are needed because they plan to increase the number of events, i.e., BBQ and Craft Beer, Halloween Costume Ball, Small Business Seminar, Snow Magic, and the Ames Sesquicentennial. At the inquiry of Council Member Betcher, Ms. Hague advised that the MSCD is not receiving any of the Ames 150 funding that was being donated to the Ames Foundation for the celebration.

Ryan Jeffrey, Past-President of the Campustown Action Association (CAA), thanked the Council for its past support of Campustown. He advised that the CAA is working at expanding its summer events.

Sara Buss, representing the Young Professionals of Ames (YPA), noted that the YPA had, on January 14, 2014, received a letter awarding it \$7,000 from the Committee to help pay for fireworks. However, on February 3, 2014, the YPA received another letter stating that that was not permissible. According to Ms. Buss, the YPA consists of 110 members who pay \$60 in annual dues; that goes to its operating budget; thus, the YPA budget is 100% out of membership dues. Ms. Buss requested that the Council consider funding fireworks. She stated that the YPA would be willing to provide "sweat equity" on the day of the fireworks. Many of the community outreach and networking activities performed by members of the YPA were summarized by Ms.

Buss. Mayor Campbell pointed out that the City currently has a contract with the Ames Convention & Visitors Bureau to fund smaller community grants, and that includes fireworks.

Karl Kerns and Nick Morton, VEISHEA 2014 General Co-Chairs, were present. Mr. Kerns requested that the Council wait to decide on the cost to be charged for pancakes until after the conclusion of this year's VEISHEA event. By doing so, the results of this year's pancake feed will be known. According to Mr. Kerns, if only \$2 were to be charged, there would not be any money to go towards Campus events. It was noted by Mr. Kerns that all VEISHEA events are open to the general public with the exception of the VEISHEA concerts. Mr. Morton invited the public to attend the VEISHEA events.

Jim Black and Sheila Lundt, Ames 150 Steering Committee Members, noted that the Committee was requesting \$20,000 of its \$31,500 allocation during this fiscal year. That allocation would allow the booking of a second entertainment group for the July 4 weekend.

**PUBLIC INPUT ON CAPITAL IMPROVEMENTS PLAN (CIP) AND BUDGET:** Merlin Pfannkuch, 1424 Kellogg Avenue, Ames, suggested that, to make the budget process more understandable, the staff should estimate the amount of increase in the general levy that would be necessary to raise \$100,000. That figure would then be out there for the public to have at the start of the Town Budget process. The millage rates, etc., "get lost very easily" in terms of trying to understand the budget, and if can be reduced to that, it would be much more understandable to the public. Mr. Pfannkuch said that, in the case of the Convention Center, he had asked to know how much the general levy would need to be raised in order to raise equivalent amounts. He believed that the figure should be less than 57 ½ cents.

Secondly, Mr. Pfannkuch recommended that the City set aside \$20,000 in the Special Revenue Account - Hotel/Motel Tax page - as a line item under the Ames Convention & Visitors Bureau (ACVB) for a Special Election, if necessary, to change the terms of the Agreement with ACVB. He noted his dismay that the ACVB would not be paying for the Special Election that will be held on March 4, 2014. Mr. Pfannkuch referenced the 2005 ballot language that gave 5% directly to the ACVB. He asked what oversight the City or Council provides to the ACVB. Mr. Pfannkuch also questioned if there were any other organizations who received money that freely (without strings attached). Mr. Pfannkuch expressed his desire that more oversight over the ACVB be provided by the City.

According to Mr. Pfannkuch, he had asked the City Attorney's Office if the ACVB Board meetings were subject to the Open Meetings Law; however, the City Attorney has not responded. Mr. Pfannkuch noted that the ACVB receives over \$1,000,000/year. He believes that the ballot language should not have been phrased in that manner. Mr. Pfannkuch thinks that the money should have been given to the City Council to be given out to groups who promote conventions and visitors, rather than directly to a group who are apparently not part of the City. Any oversight over the ACVB by the City needs to be increased and more formalized.

Lastly, Mr. Pfannkuch stated his opinion that the March 4 (convention center) Election is a debacle and the past Council should be ashamed that it approved it for a vote in this manner.

**SALARIES FOR COUNCIL APPOINTEES:** Council Member Goodman stated that he and Council Member Chris Nelson had been appointed by the Mayor to conduct the evaluation process for City Council appointees Steve Schainker, City Manager; and Judy Parks, City Attorney. Mr. Goodman reported that the evaluation team had requested feedback from the Mayor, other Council members, and the *ex officio* member on the performance of those two individuals.

Moved by Goodman, seconded by Corrieri, that the Base Pay for City Manager Steve Schainker be increased by \$3,767.17 for FY 2014/15 (a 2% increase) and the Base Pay for City Attorney Judy Parks be increased by \$3,000 for FY 2014/15 (a 2% increase).  
Vote on Motion: 6-0. Motion declared carried unanimously.

**AMENDMENTS TO 2014/19 CAPITAL IMPROVEMENTS PLAN (CIP):** Moved by Nelson, seconded by Corrieri, to add East Industrial Area Sewer Extension with funding in the amount of \$2,000,000 from Sewer Utility revenue abated General Obligation Bonds with \$30,000 from the Sewer Utility Fund in FY 2015/16.  
Vote on Motion: 4-2. Voting aye: Corrieri, Gartin, Nelson, Orazem. Voting nay: Betcher, Goodman. Motion declared carried.

Moved by Betcher, seconded by Corrieri, to add the Campustown Facade Improvement Pilot Program with funding in the amount of \$30,000 from Local Option Sales Tax in FY 2014/15.  
Vote on Motion: 5-0-1. Voting aye: Betcher, Corrieri, Gartin, Nelson, Orazem. Voting nay: None. Abstaining due to a possible conflict of interest: Goodman. Motion declared carried.

**APPROVAL OF 2014/19 CIP, AS AMENDED:** Moved by Goodman, seconded by Nelson, to approve the Capital Improvements Plan for 2014/19, as amended.  
Vote on Motion: 6-0. Motion declared carried unanimously.

**AMENDMENTS TO FY 2013/14 BUDGET:** Moved by Gartin, seconded by Corrieri, to add funding in the amount of \$20,000 for the Campustown Facade Improvement Pilot Program from the Local Option Tax Fund.  
Vote on Motion: 5-0-1. Voting aye: Betcher, Corrieri, Gartin, Nelson, Orazem. Voting nay: None. Abstaining due to a possible conflict of interest: Goodman. Motion declared carried.

Moved by Goodman, seconded by Orazem, to add a portion of the funding in the amount of \$20,000 for the Ames 150 Steering Committee to allow early draw-down of its FY 2014/15 grant request (out of Local Option Sales Tax fund).  
Vote on Motion: 6-0. Motion declared carried unanimously.

**APPROVAL OF BUDGET FOR FY 2013/14, AS AMENDED:** Moved by Goodman, seconded by Orazem, to approve the FY 2013/14 budget, as amended.  
Vote on Motion: 6-0. Motion declared carried unanimously.

**SET PUBLIC HEARING DATE ON BUDGET AMENDMENTS FOR FY 2013/14:**  
Moved by Goodman, seconded by Corrieri, to set March 4, 2014, as the date of public hearing on the proposed budget amendments for FY 2012/13.  
Vote on Motion: 6-0. Motion declared carried unanimously.

**AMENDMENTS TO PROPOSED FY 2014/15 BUDGET:** Moved by Orazem, seconded by Corrieri, to allocate \$30,000 for the Campustown Facade Improvement Pilot Program, out of Local Option Tax Fund.  
Vote on Motion: 5-0-1. Voting aye: Betcher, Corrieri, Gartin, Nelson, Orazem. Voting nay: None. Abstaining due to a possible conflict of interest: Goodman. Motion declared carried.

Moved by Betcher, seconded by Orazem, to allocate \$11,500 to the Ames 150 Steering Committee.



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

Moved by Orazem, seconded by Corrieri, to allocate funding to the Commission on The Arts (COTA) in the amount of \$144,401, as recommended.

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

Moved by Goodman, seconded by Nelson, to allocate funding to ASSET in the amount of \$1,139,227, as recommended.

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

Moved by Orazem, seconded by Corrieri, to allocate funding to the Public Art Commission (PAC) in the amount of \$37,000.

There was discussion about the possibility of using funds from the Neighborhood Improvement Program (NIP) Grant to purchase neighborhood art. Council Member Goodman clarified that the motion on the floor did not include any stipulations. Council Member Orazem stated that he was using the NIP as an example of neighborhood residents being asked to contribute in order to get City funds. Mayor Campbell reiterated her concern over the level of time and energy already necessary from the PAC volunteers. At the inquiry of Council Member Gartin, Assistant City Manager Kindred provided the history behind the Public Art Commission's recommendation to lease art rather than to purchase art.

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

Moved by Goodman, seconded by Corrieri, to allocate funding in the amount of \$5,000 to the Ames International Partner Cities Association (AIPCA).

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

Moved by Corrieri, seconded by Orazem, to allocate funding in the amount of \$7,500 (sharing total cost of \$15,000) to the Ames Economic Development Commission for one more year of Buxton analysis software to be paid out of the Hotel/Motel Tax Fund.

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

Moved by Goodman, seconded by Betcher, to allocate \$24,000 to the Ames Historical Society.

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

Moved by Orazem, seconded by Nelson, to allocate \$25,000 to the Campustown Action Association.

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

Moved by Orazem, seconded by Nelson, to allocate \$1,000 for ISU Homecoming activities.

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

Moved by Goodman, seconded by Orazem, to allocate \$26,000 to the Hunziker Youth Sports Complex (HYSC).

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

Moved by Orazem, seconded by Betcher, to approve a one-year funding allocation of \$39,000 to Main Street Cultural District, with \$32,000 as its annual allocation and \$7,000 being allocated to expenses associated with the Ames 150 Celebration.

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

Moved by Orazem, seconded by Goodman, to approve \$8,000 for the VEISHEA Pancake Feed.

It was clarified that no stipulations were being placed on that funding allocation at this time. Discussion of what students will be charged for the pancakes will need to occur some time in June 2014.

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

In relation to the request of Young Professionals of Ames for \$7,000 for 4<sup>th</sup> of July Fireworks. City Manager Schainker provided the history of funding allocations for fireworks. He noted that the understanding was, after the Hotel/Motel Tax was increased to 7 cents, that the ACVB would take on community grant requests. Future annual 4<sup>th</sup> of July fireworks displays were to be financed out of the ACVB's community grant program. Last year, the Ames Jaycees decided not to take on coordinating the 4<sup>th</sup> of July fireworks display anymore, and the YPA stepped up. It was at the last minute, and the YPA did not realize that they had to raise half the funds, which was the arrangement with the Jaycees. Last year, due to those circumstances, the Council approved a one-time allocation of \$10,000 so the fireworks display could occur. The YPA, not knowing that history, only asked the ACVB for a portion of the cost for the fireworks and then asked the City for the remainder.

Council Member Corrieri stated that she looked at the contract language and the fireworks display was specifically referenced as an item that the ACVB would be responsible for. Council Member Goodman noted that the details have changed, specifically, liability issues have increased the costs of fireworks dramatically in communities. He feels that there had been enough of a change that a conversation should be held again.

Moved by Goodman, seconded by Nelson, to allocate \$7,000 to the Young Professionals of Ames (YPA) for 4<sup>th</sup> of July 2014 fireworks with the addition of asking staff to connect with the YPA and ACVB to come up with a mutual agreement for the 2015/16 budget.

Council Member Betcher asked if it were possible to budget \$7,000 and have the discussions now to see if issues could be resolved during this budget year. City Manager Schainker advised that he was not advocating for the community to go without 4<sup>th</sup> of July fireworks. He noted that the Council would not have to budget it at this time; however, there would be money available in the Contingency Account if Council did decide to allocate some funding after a conversation is held with the ACVB.

Vote on Motion: 2-4. Voting aye: Goodman, Nelson. Voting nay: Betcher, Corrieri, Gartin, Orazem. Motion failed.

**APPROVAL OF PROPOSED BUDGET FOR FY 2014/15, AS AMENDED:** Moved by Orazem seconded by Gartin, to approve the proposed 2014/15 Budget, as amended.

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

**SET PUBLIC HEARING DATE ON PROPOSED BUDGET FOR FY 2014/15:** Moved by Nelson, seconded by Betcher, to set March 4, 2014, as the date of public hearing on the proposed budget for FY 2014/15.

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

The meeting recessed at 8:00 p.m. and reconvened at 8:09 p.m.

**REGULAR MEETING OF THE AMES CITY COUNCIL**

Mayor Campbell announced that the Council would be working from an Amended Agenda. An item had been added under Human Resources to go into Closed Session to discuss collective bargaining strategy.

**CONSENT AGENDA:** Council Member Nelson asked to pull Item No. 1, payment of claims, for separate consideration. Council Member Corrieri asked to pull Item No. 19, Final Plat for Baptist Acres Subdivision, for discussion.

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

1. Motion approving Minutes of Special Meetings of January 31, February 4, 5, and 6, 2014, and Regular Meeting of January 28, 2014
2. Motion approving Report of Contract Change Orders for January 16-31, 2014
3. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
  - a. Class C Liquor & Outdoor Service - Cy's Roost, 121 Welch Avenue
  - b. Class C Liquor & Outdoor Service - Mickey's Irish Pub, 109 Welch Avenue
  - c. Class E Liquor, C Beer, and B Wine - Fareway Store #386, 619 Burnett Avenue
  - d. Class E Liquor, C Beer, and B Wine - Fareway Store #093, 3619 Stange Road
  - e. Class C Liquor - El Azteca, 2727 Stange Road
  - f. Class B Liquor - Holiday Inn Ames, 2609 University Boulevard
  - g. Class C Beer and B Wine - Gateway Expresse, 2400 University Boulevard
  - h. Class C Liquor - The 5 & Dime, 115 5<sup>th</sup> Street
4. RESOLUTION NO. 14-069 accepting the 2013 Resource Recovery Annual Report
5. Motion approving submission of application for 2014/15 Governor's Traffic Safety Bureau Grant, and if awarded, authorizing participation by Police Department
6. RESOLUTION NO. 14-070 setting March 4, 2014, as date of public hearing and notice of intent to issue Essential Corporate Purpose General Obligation Bonds in an amount not to exceed \$10,750,000; \$2,500,000 General Obligation Refunding Bonds, and associated tax levy for debt service
7. RESOLUTION NO. 14-071 setting date of public hearing for February 25, 2014, on vacating easement in Ringgenberg Subdivision, Fourth Addition
8. RESOLUTION NO. 14-072 approving preliminary plans and specifications for Fuel Oil Pipe Installation at Combustion Turbine Site; setting March 12, 2014, as bid due date and March 25, 2014, as date of public hearing
9. RESOLUTION NO. 14-073 waiving City's Purchasing Policy requirement for formal bidding procedures and awarding contract to Open Systems International, Inc., Medina, Minnesota, for the Power Plant SCADA Upgrade project in the amount of \$213,722, with applicable sales taxes to be paid directly by the City
10. RESOLUTION NO. 14-074 approving contract and bond for 2013/14 CyRide Route Paving Improvements Program #1
11. RESOLUTION NO. 14-075 approving contract and bond for 2012/13 Traffic Signal Program (Lincoln Way and Hayward Avenue)

12. RESOLUTION NO. 14-076 approving contract and bond for Furnishing Control Panels for Haber Road Substation
13. RESOLUTION NO. 14-077 approving Change Order Nos. 1, 2, and 3 for 2010/11 Airport Improvements (West Apron Rehabilitation)
14. RESOLUTION NO. 14-078 accepting completion of 2013/14 Resource Recovery Process Area Sprinkler System Replacement (Phase I)
15. RESOLUTION NO. 14-079 accepting completion of South River Valley Softball Fencing and Lighting Project
16. RESOLUTION NO. 14-080 accepting completion of public utilities and erosion control required for Four Seasons Park Subdivision - Phases 2 and 4, and releasing security being held therefor
17. RESOLUTION NO. 14-081 approving Plat of Survey for 633-18th Street, 1916 Grand Avenue, and 1924 Grand Avenue  
Roll Call Vote: 6-0. Resolutions/Motions declared adopted/approved unanimously, signed by the Mayor, and hereby made a portion of the Minutes.

**PAYMENT OF CLAIMS:** Moved by Goodman, seconded by Orazem, approving payment of claims.

Vote on Motion: 5-0-1. Voting aye: Betcher, Corrieri, Gartin, Goodman, Orazem. Voting nay: None. Abstaining due to a conflict of interest: Nelson. Motion declared carried.

**FINAL PLAT FOR BAPTIST ACRES SUBDIVISION (3333 STANGE ROAD):** Council Member Corrieri said she had pulled this item in order to get more information regarding the agreement for Public Improvements, and specifically, the recommendation of a sidewalk/shared trail deferral.

Planning and Housing Director Kelly Diekmann explained that, typically, public improvements must be completed within two years. Sidewalk deferrals are periodically approved. Financial security in the form of cash or a Letter of Credit is provided to the City to guarantee the completion of public improvements. Council Member Gartin expressed his opinion that the delay in installing the shared-use trail would remain a major challenge for pedestrians and bicyclists on that portion of Stange Road. City Manager Schainker noted the past practice of the City Council. He said that, in staff's discussions with the applicant, the past practice to defer the sidewalk installation was indicated.

At the inquiries of Council Member Nelson, Mr. Diekmann noted that the south parcel of this property will be developed sooner than the Baptist Church and that a shared-use path would cost approximately half of what the expansion of Stange Road would cost.

Moved by Goodman, seconded by Gartin, to request staff to include this issue and others as part of the discussion of requirements for the installation of short-term infrastructure (sidewalks, shared-use paths).

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

Moved by Goodman, seconded by Orazem, to adopt RESOLUTION NO. 14-082 approving the Final Plat for Baptist Acres Subdivision (3333 Stange Road).

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

**PUBLIC FORUM:** Merlin Pfannkuch, 1424 Kellogg Avenue, Ames, spoke on the upcoming Referendum to be held on March 4, 2014, regarding improvements to and expansion of the Convention Center. He expressed his dismay in the erroneous information being provided by the ACVB staff. Mr. Pfannkuch added that he had checked with the County Auditor, and she had said that the Referendum had to move forward. Regardless of what the vote is, Mr. Pfannkuch hopes that the City will not issue the bonds.

Susie Petra, 2011 Duff Avenue, Ames, also spoke on the March 4, 2014, Election pertaining to the convention center. Ms. Petra alleged that there is no demand for increased convention space in Ames. She referenced information that cities had been overbuilding convention centers for the past 20 years. According to Ms. Petra, the amount of square footage available for exhibition centers has increased by nearly 75% from 1990 to the present. She reported that the facts show that attendance at convention centers has plummeted. Ms. Petra believes that if investing in convention centers were such a good idea, private investors would be building them without taxpayer money. She stated her opinion that Ames taxpayers are being “hoodwinked” with inaccurate “rosy” rhetoric to subsidize construction of another center for which there is no measurable demand.

Jerry Stark, 63184-206th Street, Nevada, acknowledged that he was a relatively new member to the Ames Convention and Visitors Bureau Board, and he has not seen any dishonesty on the part of the ACVB Board. There was never any intention to be dishonest. As soon as it was found out that figures about a new convention center were inaccurate, an immediate apology was made; there was no intent to deceive or be dishonest. Mr. Stark offered his opinion that the ACVB has been a fantastic organization for this community. It is a well-established entity that has brought thousands of people to Ames. Many groups would like to hold their events in Ames. Many have outgrown the space. In Mr. Stark’s opinion, it is a “win-win” for Ames and Iowa State.

**HEARING ON 1200 AMP SWITCHGEAR FOR VET MED FEEDER EXTENSION:** Mayor Campbell opened the public hearing. There being no one who wished to speak, the hearing was closed.

Moved by Betcher, seconded by Orazem, to adopt RESOLUTION NO. 14-083 approving final plans and specifications and awarding a contract to WESCO Distribution of Des Moines, Iowa, in the amount of \$17,334 (inclusive of sales tax).

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

**HEARING ON WATER TREATMENT PLANT TREE REMOVAL PROJECT:** The public hearing was opened by the Mayor. She closed the hearing after no one came forward to speak.

Moved by Orazem, seconded by Nelson, to adopt RESOLUTION NO. 14-084 approving final plans and specifications and awarding a contract to Aspen Land Clearing of Dows, Iowa, in the amount of \$54,910.

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

**2014 URBAN REVITALIZATION TAX ABATEMENT REQUESTS:** Moved by Goodman, seconded by Orazem, to adopt RESOLUTION NO. 14-085 approving the following requests for tax exemption: 313 - 5<sup>th</sup> Street, 123 Main Street, and 2035 Sunset.

Mr. Goodman clarified that by that motion the request of 2650 Lincoln Way would be denied because it did not meet the criteria.

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

**REVIEW OF PLANNING AND HOUSING DEPARTMENT WORK PLAN:** Assistant City Manager Kindred recalled that, during the Council’s budget hearings held on February 6, staff presented a spreadsheet showing the referrals made by the City Council that had been assigned to the Planning and Housing Department. It was pointed out that the City Council faces a key decision regarding the time frame within which staff can accomplish the 26 tasks. Mr. Kindred stated that staff will be unable to accomplish all 26 within the next two years, as per the Council’s goal. In addition, there will be additional referrals to Planning staff made by the Council over the upcoming months. Mr. Kindred added that it was not staff’s intention to prioritize any of the past referrals at this meeting.

Mr. Kindred advised that the first question the Council needed to answer was whether or not the it was satisfied with the extended time frame needed to accomplish the tasks. If so, no additional action would be needed, and staff would continue to address the items in the priority order to be later established. However, if the Council desires to accomplish the priority referrals within the next two years, additional resources would be needed. Additional resources could mean hiring a part-time Planner, hiring a full-time Planner, or hiring a consultant. The Council was told that if Council elected to hire a part-time Planner, it would be dependent on staff’s ability to identify an experienced Planner who would work on a part-time basis. Funding could come from \$47,000 already included in the 2013/14 Adjusted Budget for Outside Contractual Services as well as \$10,000 currently budgeted for a Planning Intern. If such an individual could be hired, additional funding during 2014/15 could be taken from the \$200,000 included in the 2013/14 Adjusted Budget for contractual assistance with the Land Use Policy Plan (LUPP) update. If Council chose to hire an additional full-time Planner, it would require an estimated \$84,773, which could be reduced by the \$10,000 budgeted for an intern. This option would equate to a 3- to 4-cent increase in the 2014/15 General Property Tax Levy. If Council directed that staff contract with a consulting firm to assist, the annual funding could range between \$50,000 and more than \$100,000 depending on the firm’s capabilities and the urgency of the Council’s goals. This option would be at a higher cost, and staff time would have to be redirected to bring the firm up to speed on each referral and then guide and direct the firm’s work.

Planning and Housing Director Diekmann brought the Council’s attention to the explanation of each of the 26 Long-Term Planning projects currently assigned.

City Manager Schainker said that he was not recommending that a full-time Planner be hired at this time. He explained that this could be a “blip” in the workload, which could change after the updated LUPP has been approved, and he would not want to lay off that person when the workload decreases. Preferably, a contract for a part-time Planner could be entered into. Initial funding could come from \$57,000 already included in the 2013/14 Adjusted Budget, and additional funding would be taken, as needed, from the \$200,000 currently allocated to begin the LUPP update.

Moved by Goodman, seconded by Orazem, to direct staff to contract on a temporary basis with a planning professional to help accomplish Council’s goals and referrals over the next two years. Vote on Motion: 6-0. Motion declared carried unanimously.

City Manager Schainker told the Council that it is important for the Council members to become very familiar with the list of 26 projects. He advised that, when another referral is made to staff, the Council will be asked where, in that list of 26, the new referral fits in. Council Member Goodman requested that an updated list of referrals to the Planning and Housing Department be included in each Council meeting packet.

Council Member Goodman cited his desire to move up the "LUPP 101" work session. Mr. Kindred noted that the workshops already scheduled were time-sensitive, so May was the first date available for the LUPP work session. Mr. Goodman would also like to see the Zoning Code evaluation to improve housing stock affordability moved up. Council Member Betcher concurred. Director Diekmann advised that, realistically, that discussion would occur in July. City Manager Schainker advised that he would be handling the referral on possible revision to the Economic Development Policy. Mr. Goodman said he would like to have that done as soon as practical.

Regarding the referral to develop neighborhood engagement process to proactively address community issues, Assistant City Manager Kindred asked for the Council's direction specifically pertaining to the referral of the Greek House parking requirements. Director Diekmann said that staff members were planning to use their traditional approach; that was the reason for placing 20 hours of staff time needed behind that referral. He advised that it is not a clear-cut issue, and there would be multiple options as well as multiple interested parties. Mr. Diekmann defined "traditional approach" as staff performing research and then coming back to Council and presenting options to get direction on how staff should proceed. He told the Council that it might what to flip that process and have staff do research, go out to the community with a range of options to get input, and then bring that information to the City Council. It was pointed out that if staff were to come to Council for options, it would proceed straight to a text amendment with no outreach prior to that point. In that way, the Council members would narrow down the options that would be acceptable to them before staff takes those to the public.

Discussion ensued as to the public engagement process to be used. Director Diekmann advised that, in this case, staff would prefer to generate viable options, not just go out for public comment. Council Member Gartin said the main thing is that the City is engaging with the public. Council Member Betcher offered that it might be possible for the public to suggest an option that staff had not thought of before that discussion. Council Member Gartin cited his preference to "lean on the staff to think" through the universe of options and find a subset of those that are viable. He feels that is respectful not only of the staff's time, but also of the community's time so that they are engaging only with viable options.

City Manager Schainker clarified what he thought he had heard the Council saying: start with the public with viable options, then come to the Council with the options plus the feedback

received from the public. The Council would see the options for the first time after they had been presented to the public.

Discussion ensued about how the Council defined "engagement process" and to whether or not it was issue-based. It was concurred that it was more about issues.

Council Member Goodman offered his opinion that staff should always come to Council with the viable options on the issue to receive direction as to what it wants and then seek public input. He doesn't want to go out back and forth to the public and to Council when some of the options

might not even be viable. City Manager noted that what Council Member Goodman was saying was opposite of what he thought had been earlier preferred by the Council. Council Member Betcher again said she would rather see staff take the issue to the public, get input from those most connected to the issue, and then bring that information to the City Council.

Council Member Gartin reiterated his opinion that what was most important was that the City would be engaging with the public; there is no right or wrong answer. He stated his preference for what Council Member Goodman was suggesting - City Council has initial conversation with the staff before taking it out to the public.

*Ex officio* Member Alexandria Harvey requested that a memo be sent to the Greek Community explaining that the parking issue was going to be brought before the Council.

Council Member Goodman pointed out that the Council had not given definite direction on the engagement process, so it should just be left to be a decision of the staff.

**ORDINANCE EXEMPTING FRATERNITIES AND SORORITIES FROM RENTAL HOUSING CODE:** Moved by Goodman, seconded by Corrieri, to pass on second reading an ordinance exempting fraternities and sororities from the Rental Housing Code.

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

**ORDINANCE ELIMINATING AMES MUNICIPAL CODE SECTIONS 13.403(1.c) AND 13.802(5) OF RENTAL HOUSING CODE (FIRE ALARM SYSTEM RETROFITTING):**

Moved by Betcher, seconded by Orazem, to pass on second reading an ordinance eliminating *Ames Municipal Code* Sections 13.403(1.c) and 13.802(5) of Rental Housing Code (Fire Alarm System Retrofitting).

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

**COUNCIL COMMENTS:** Moved by Goodman, seconded by Corrieri, to refer to staff the letter from FOX Engineering dated January 24, 2014, requesting to purchase soil from the Airport on behalf of Brian Hoyle to be used on his property at 1204 S. 4<sup>th</sup> Street (Riverside Manor).

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

**HUMAN RESOURCES:** Moved by Orazem, seconded by Goodman, 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.

Council Member Corrieri left the meeting at 9:31 p.m.

The Regular Meeting reconvened at 9:50 p.m.

**ADJOURNMENT:** Moved by Orazem to adjourn the meeting at 9:51 p.m.

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Diane Voss, City Clerk

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Ann H. Campbell, Mayor





## REPORT OF CONTRACT CHANGE ORDERS

<b>Period:</b>	<input checked="" type="checkbox"/> 1 <sup>st</sup> – 15 <sup>th</sup>
	<input type="checkbox"/> 16 <sup>th</sup> – End of Month
<b>Month &amp; Year:</b>	February 2014
<b>For City Council Date:</b>	February 25, 2014

Department	General Description of Contract	Contract Change No.	Original Contract Amount	Contractor/ Vendor	Total of Prior Change Orders	Amount this Change Order	Change Approved By	Purchasing Contact (Buyer)
Public Works	Resource Recovery Plant New Fire Valve Control Room Addition	1	\$194,300.00	Woodruff Construction, LLC	\$0	\$5,626.00	J. Joiner	MA
Electric Services	Power Plant Unit #8 Dump Grate Parts	1	\$76,476.16	Detroit Stoker Company	\$0	\$2,250.00	D. Kom	CB
Public Works	2012/13 West Lincoln Way Intersection Improvements (Dotson)	1	\$49,699.00	Manatt's, Inc.	\$0	\$-(2,763.13)	T. Warner	MA
Public Works	Hickory Drive (Lincoln Way - Westbrook Drive)	2	\$167,500.48	Manatt's, Inc.	\$7,650.00	\$6,963.83	J. Joiner	MA
			\$		\$	\$		
			\$		\$	\$		



# MEMO

*Caring People  
Quality Programs  
Exceptional Service*

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**4 a-d**

**TO:** Mayor Ann Campbell and Ames City Council Members

**FROM:** Lieutenant Jeff Brinkley – Ames Police Department

**DATE:** February 19, 2014

**SUBJECT:** Beer Permits & Liquor License Renewal Reference City Council Agenda  
February 25, 2014

The Council agenda for February 25, 2014, includes beer permits and liquor license renewals for:

- Class E Liquor, C Beer, and B Wine – Wal-Mart Supercenter #4256, 534 S Duff Ave
- Class C Liquor & Outdoor Service – Buffalo Wild Wings, 400 S Duff Ave
- Special Class C Liquor & Outdoor Service – Stomping Grounds, 303 Welch Ave #101
- Class C Beer & B Native Wine – Casey's General Store #2905, 2612 Stange Rd

A routine check of police records for the past twelve months found no violations for any of these establishments. The Police Department would recommend renewal of these four licenses.

ITEM # 5  
DATE: 02-25-14

### **COUNCIL ACTION FORM**

**SUBJECT: TRANSPORTATION SAFETY IMPROVEMENT PROGRAM GRANT FOR MORTENSEN ROAD IMPROVEMENTS**

#### **BACKGROUND:**

This project is shown in the 2014/15 Capital Improvements Plan (CIP). Work will include the widening of Mortensen Road between South Dakota Avenue and Dotson Drive to accommodate turn lanes, a bus acceleration lane, and consolidation of redundant bus stop. This section of roadway has experienced increasing traffic congestion due to on-street Cy-Ride stops in the area, commuter traffic from Iowa State University employees and students, ingress/egress traffic to the Ames Middle School, and increased traffic due to additional housing being constructed in the West Ames area. This widening project is included in the Long Range Transportation Plan. A plan view of the project layout is attached.

Congestion will continue to increase as Dotson Drive is eventually extended northward to Lincoln Way unless improvements are made. A development agreement for the Middle School specifies that the Dotson Drive extension will be completed by the Ames Community School District within two years after the South Fork section of Dotson Drive is constructed. It is unknown at this time when the South Fork section will be constructed.

The City submitted a Traffic Safety Improvement Program (TSIP) grant application in 2013 to help cover the cost of materials for this project, which equates to \$391,334. After reviewing the grant application, Iowa Department of Transportation officials have approved the request and submitted the funding agreement. The TSIP grant requires a local match of 20 percent, which is shown in the 2014/15 CIP through funding in the amount of \$110,000 from Road Use Tax, bringing the total program funding to \$501,334.

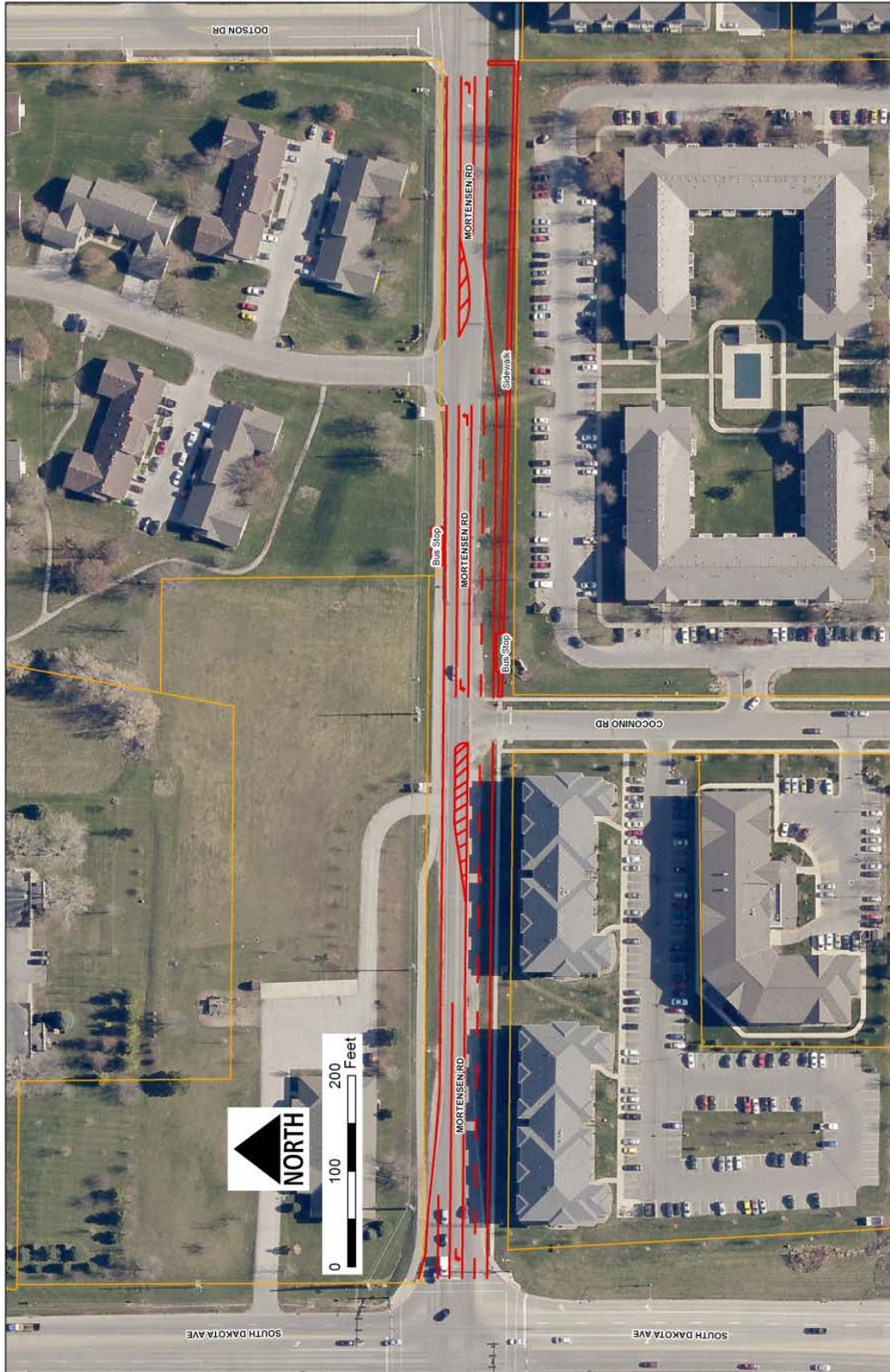
#### **ALTERNATIVES:**

1. Approve the TSIP agreement with the Iowa DOT in the amount of \$391,334.
2. Reject the agreement and fund the project locally.

#### **MANAGER'S RECOMMENDED ACTION:**

Approving the TSIP grant agreement will offset the amount of local funds needed for this project. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.

**Plan View:**





February 18, 2014

Mayor Ann Campbell  
Members of the City Council  
City of Ames  
515 Clark Avenue  
Ames, IA 50010

Dear Mayor and City Council,

The Public Art Commission seeks your approval of a recent passed vote regarding a new acquisition of artwork being donated to the City by Francis Wilke. The piece is a 3 ft. tall (approximation) metal painted sculpture called Purple Dragon by Dave Johnson. Francis and Dave have graciously worked together to refurbish the piece for us. We are interested in placing the piece alongside its bigger brother dragon on the South side of City Hall. Included are two pictures of the piece in its pre-refurbished state. Thank you for your consideration on this matter.

Sincerely, Co-chairs, Greg Fuqua and Allison Sheridan





ITEM # 7  
DATE: 2-25-14

**COUNCIL ACTION FORM**

**SUBJECT: CLOSURE OF PARKING SPACES ON CHAMBERLAIN STREET  
AND LOT Y DURING VEISHEA**

**BACKGROUND:**

In conjunction with this year's VEISHEA celebration, the Police Department has requested the closure of parking spaces on both sides of Chamberlain Street from Welch Avenue east to the Fire Station #2 driveway, as well as Chamberlain Lot Y. The closure of these spaces would occur from 4:00 pm on Friday evening, April 11, until 6:00 am on Saturday morning, April 12. Parking would again be prohibited in these spaces from 4:00 pm on Saturday evening until 6:00 am Sunday morning.

Closure of these spaces will allow for the parking of law enforcement vehicles and other City equipment as may be necessary. Lost meter revenue is estimated at less than \$5.

**ALTERNATIVES:**

1. The City Council can approve the closure of parking spaces on Chamberlain Street between Welch Avenue and the Fire Department Station #2 driveway and Chamberlain Lot Y as requested on April 11-13 during VEISHEA.
2. The City Council can deny this request.

**MANAGER'S RECOMMENDED ACTION:**

This closure is needed to facilitate staging of law enforcement vehicles and related equipment during VEISHEA. The street will remain open the entire time.

Therefore, it is the recommendation of the City Manager that the City Council approve Alternative #1 and allow for the closure of parking spaces as described above.



**COUNCIL ACTION FORM**

**SUBJECT:**     **INTERMITTENT USE OF DEALERSHIP CARS BY AMES POLICE DEPARTMENT**

**BACKGROUND:**

During the course of Police operations, it is sometimes necessary to utilize vehicles that are not known to suspects or to the public and that do not resemble Police vehicles. Due to the short-term nature of many of these operations, it is financially impractical for the City to buy, sell, or trade vehicles for these short-term uses.

The Police Department has approached several local car dealerships about the possibility of using vehicles on a short-term basis specific to a police operation. Several local dealerships were willing to assist the City in fulfilling this need. In these situations, the City will insure and provide fuel for the vehicles, and will be responsible for any physical damage the vehicles sustain while in the Police Department's possession. The dealership will provide a contact person for the Police Department and will be responsible for any mechanical defects in the vehicles. City staff has developed a standardized written agreement that provides the participating dealers with a clear statement of responsibilities and liabilities. The department anticipates no new extra costs beyond the normal vehicle operations costs.

**ALTERNATIVES:**

1.    Approve the agreements for the intermittent use of dealership cars by the City of Ames Police Department.
2.    Do not approve the agreements and direct staff to identify other options for short-term use vehicles for police operations.

**MANAGER'S RECOMMENDED ACTION:**

The nature of police work means that on occasion the use of a vehicle not known to be, or that does not appear to be, a police vehicle is necessary. The proposed agreements will give the department access to a variety of vehicles on a short term basis while protecting both the City and the participating dealers by clearly setting forth the terms and conditions of that use.

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



**AGREEMENT FOR THE INTERMITTENT USE OF  
DEALERSHIP CARS BY THE  
CITY OF AMES POLICE DEPARTMENT**

**THIS AGREEMENT**, made and entered into effective February 21, 2014 by and between the CITY OF AMES, IOWA, a municipal corporation organized and existing pursuant to the laws of the State of Iowa (hereinafter called "City") and \_\_\_\_\_, a \_\_\_\_\_, organized and existing pursuant to the laws of the State of Iowa (hereinafter called "Provider");

**WITNESSETH THAT:**

**WHEREAS**, the City has determined that certain services to be provided to the City and its citizens by Provider, such services and products being hereinafter described and set out, should be provided in accordance with the terms of a written agreement as hereinafter set out;

**NOW, THEREFORE**, the parties hereto have agreed and do agree as follows:

**I. PURPOSE**

The purpose of this Agreement is to procure for the City certain services as hereinafter described and set out; to establish the methods, procedures, terms and conditions governing the procurement by the City for such services; and to establish other duties, responsibilities, terms and conditions mutually undertaken and agreed to by the parties hereto in consideration of the services to be provided.

**II. RESPONSIBILITIES OF THE PARTIES**

- A. The Provider shall be responsible for the following:
  - 1. Provide a vehicle(s) to the City upon request.
  - 2. Provider shall be responsible for any mechanical defects in any vehicle(s) provided to the City.
  
- B. The City shall be responsible for the following:
  - 1. The City shall, when possible, give the Provider a minimum of one (1) day notice when requesting a vehicle from Provider.
  - 2. The City shall be responsible for the cost of the fuel required to use the vehicle. The City shall also be responsible for refueling the vehicle upon return to the Provider.
  - 3. The City shall be responsible for body damage to the vehicle caused while in the City's possession.
  - 4. The City shall be responsible for providing dummy license plates for visual purposes only while the vehicle is in the City's possession.
  - 5. The City is responsible for insuring the vehicle while it is in the City's possession.

**III. PAYMENT**

Provider shall provide vehicles to the City at no cost.

**IV. INSURANCE**

A. The City shall maintain insurance on the vehicles while in the City’s possession. The City participates with other Iowa local government entities to provide risk sharing and risk protection in the Iowa Community Assurance Pool (ICAP) which is a local government risk pool formed pursuant to Chapter 670.7 of the Iowa Code. This protection includes Third Party Liability and Automobile Liability (including Medical Expenses, Uninsured and Underinsured Motorists) in accordance with ICAP’s risk sharing agreements, certificates, and coverage limits. The City agrees to maintain the ability to pay claims for which it is liable through insurance and/or self-insurance coverage, acknowledging that the City requirements will be partially met with a combination of self-insurance and risk protection through ICAP.

B. The City’s Risk Manager will forward Certificates of Coverage of commercial or self-insurance or ICAP insurance shown below and will notify the Provider of any changes in coverage thirty (30) days prior to the change:

<b>Commercial General Liability Insurance, Self Insurance, or Statutory ICAP Minimums</b>	
General Aggregate	\$5,000,000
Personal Injury and Adv. Injury Limit	\$1,000,000 each occurrence
Bodily Injury and Property Damage	\$1,000,000 each occurrence
Fire Damage	\$300,000 (any one fire)
Medical Expense	\$5,000 (any one person)
<b>Business Auto Liability Insurance, Self Insurance, of Statutory ICAP Minimums</b>	
Combined Single Limit Bodily Injury and Property Damage	\$1,000,000

C. At all times during the City’s sol operation or control of the vehicle, the physical damage to the vehicle itself, along with all of the contents and related equipment, shall be the responsibility of the City.

D. The provider shall maintain insurance coverage in scope and amounts acceptable to the City’s Risk Manager and will notify the City of any changes in coverage thirty (30) days prior to the change.

E. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the City, its officials, employees, or volunteers.

F. To the fullest extent permitted by law, the Provider shall indemnify and hold harmless the City, its agents, and employees from and against all claims, damages, losses, and expenses including, but not limited to, attorneys’ fees arising out of or resulting from the performance of the work, provided that any such claim, damage, loss, or expense (1) is attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of tangible property (other than the work itself), including the loss of use resulting therefrom; and (2) is caused in whole or in part by any negligent act or omission of the Provider, any Subcontractor, anyone directly or indirectly employed by any of them or any one for whose acts, any of them may be liable.

G. In no case will the Provider’s coverage be construed to provide coverage for acts of negligence alleged to be caused by the sole negligence of employees of the City.

**VI. PROPRIETARY RIGHTS AND CONFIDENTIAL INFORMATION**

Provider agrees to hold in trust and confidence any confidential and/or proprietary information or data relating to City business and shall not disseminate or disclose such confidential information to any individual or entity, except Provider's employees or subcontractors performing services hereunder (who shall be under a duty of confidentiality), and any other individuals specifically permitted in each instance by the City. Confidential information shall include the dissemination of the make, model, year, color, etc. of the vehicle provided to the City.

**V. TERMINATION**

The City of Ames or the Provider may terminate this Agreement without penalty at any time by giving written notice to the Provider at least thirty (30) days before the effective date of such termination. In any case where the Provider fails in whole or in part to substantially perform its obligations or has delivered nonconforming services, the City shall provide a Cure notice. If after notice the Provider continues to be in default, the City may terminate this agreement immediately. The City shall only be obligated to compensate the Provider for compliant services performed prior to notice of termination.

**VI. INDEPENDENT CONTRACTOR STATUS**

Provider agrees that the relationship between Provider and the City is that of an independent contractor for employment tax purposes. The Provider shall be solely responsible for all taxes relating to payments under this agreement including those of employees.

**VII. LAWS**

This contract is governed by the laws of the State of Iowa with venue in Story County District Court.

**VIII. ASSIGNMENT**

This Agreement may not be assigned or transferred by the Provider without the prior written consent of the City.

**IX. AFFIRMATIVE ACTION**

Provider shall place on file with the City a statement of nondiscrimination policy in the form of a completed Assurance of Compliance with the City of Ames, Iowa, Affirmative Action Program satisfactory to the Affirmative Action Officer of the City.

**X. DURATION AND AUTOMATIC RENEWAL**

This Agreement shall be in full force and effect from and after \_\_\_\_\_, 2014 until \_\_\_\_\_, 2015, and shall automatically renew for a yearly term on \_\_\_\_\_ of each year thereafter, or until terminated by the City or the Provider.

**IN WITNESS WHEREOF**, the parties hereto have, by their authorized representatives, set their hand and seal as of the date first above written.

**CITY OF AMES, IOWA**

**DEALERSHIP**

By: \_\_\_\_\_  
Ann H. Campbell, Mayor

By: \_\_\_\_\_  
, Owner

Attest by: \_\_\_\_\_  
Diane R. Voss, City Clerk

STATE OF IOWA, COUNTY OF STORY, ss:

STATE OF IOWA, COUNTY OF STORY, ss:

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, a Notary Public in and for the State of Iowa, personally appeared Ann H. Campbell and Diane R. Voss, to me personally known and who, by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Ames, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation; and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in Resolution No. \_\_\_\_ adopted by the City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and that Ann H. Campbell and Diane R. Voss acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

This instrument was acknowledged before me on \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_ and \_\_\_\_\_, as \_\_\_\_\_ and \_\_\_\_\_, respectively, of \_\_\_\_\_.

\_\_\_\_\_  
Notary Public in and for the State of Iowa

\_\_\_\_\_  
Notary Public in and for the State of Iowa

**COUNCIL ACTION FORM**

**SUBJECT: WATER POLLUTION CONTROL FACILITY  
ELECTRICAL TRANSFORMER REPLACEMENT PROJECT**

**BACKGROUND:**

The electrical transformer that serves the City's Water Pollution Control (WPC) Facility was manufactured in June of 1988 and is now almost 26 years old. The age and style of the transformer are both issues that need addressed. The current unit is a "substation" style of transformer which is very uncommon in the existing size. In the event of a catastrophic failure, a replacement unit could be difficult to locate in a short period of time. The existing unit could be rewound in the event of most failures, but the fastest rewind time is estimated to be 90 days under ideal conditions and could extend to almost a year depending on the backlog at rewind facilities.

The proposed project will install a new "pad-mounted" transformer, which is more common in the size needed. This different style of transformer would make finding a replacement much easier in the future, possibly even having one available from the City's Electric Services. The design of the new transformer will also make it safer to de-energize the plant for maintenance work in the future.

The WPC Facility will need to operate off its standby generator during the installation of the new transformer. This will necessitate detailed planning and coordination between the contractor and City staff.

This project is included in the 2013/14 Adjusted Budget as part of the CIP's WPC Electrical System Maintenance Project at \$120,500. The engineering consultant's contract has already been awarded in the amount of \$9,500. The anticipated cost for the general contractor and any possible subcontractors is \$100,000.

**ALTERNATIVES:**

1. Grant preliminary approval to the plans and specifications and issue a Notice to Bidders, setting April 10, 2014, as the bid due date and April 22, 2014, as the date for public hearing and award.
2. Do not approve plans and specifications at this time.

**MANAGER'S RECOMMENDED ACTION:**

This electrical transformer is an integral and vital component of the Water Pollution Control Facility and is necessary for the operation of the plant. It is in the City's best interest to maintain this unit in a high degree of reliability. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.

**COUNCIL ACTION FORM**

**SUBJECT: 2013/14 DOWNTOWN STREET PAVEMENT IMPROVEMENTS  
(5<sup>TH</sup> STREET – DUFF AVENUE TO BURNETT AVENUE)**

**BACKGROUND:**

The annual Downtown Street Pavement Improvements program is for rehabilitation or reconstruction of streets within the downtown area. **The 2013/14 program location is 5<sup>th</sup> Street from Duff Avenue to Burnett Avenue.** The project includes removal and replacement of the existing pavement, storm sewer improvements and sanitary sewer improvements, as well as ornamental street lighting and a ribbon of colored sidewalk concrete to match the previously constructed areas of downtown.

City staff and the engineering consultant, Snyder & Associates, held a project information meeting with area businesses and the Main Street Cultural District (MSCD). The project will be staged to maintain access to all businesses during construction and is scheduled for completion in fall 2014. Staff has also coordinated to avoid having street closures during the July 4<sup>th</sup> Parade, Midnight Madness, Ames Public Library grand opening, and the Sesquicentennial Celebration activities.

Plans and specifications for this project have been completed by Snyder & Associates, and costs are estimated below:

Engineering and Construction Administration	\$ 200,000
Construction	
Street Costs	\$ 734,561
Sanitary Sewer Costs	\$ 200,000
Sidewalk Safety Costs	\$ 25,974
<b>Total Estimated Costs</b>	<b>\$1,160,535</b>

The project funding is summarized below:

General Obligation Bonds (FY 2013/14 for street)	\$1,000,000
Sanitary Sewer Funds (FY 2013/14)	\$ 200,000
Sidewalk Safety Program Funds (FY 2013/14)	\$ 30,000
<b>Total Funding</b>	<b>\$1,230,000</b>

**ALTERNATIVES:**

1. Approve the 2013/14 Downtown Street Pavement Improvements (5<sup>th</sup> Street – Duff Avenue to Burnett Avenue) by establishing March 19, 2014, as the date of letting and March 25, 2014, as the date for report of bids.

2. Direct staff to revise the project.

**MANAGER'S RECOMMENDED ACTION:**

This project represents City Council's continuing commitment to reinvest in Downtown infrastructure. By approving plans and specifications and setting the letting date, it will be possible to move forward with the reconstruction of 5<sup>th</sup> Street during the summer and fall of 2014. Delay of approval could delay the reconstruction until 2015.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the 2013/14 Downtown Street Pavement Improvements (5<sup>th</sup> Street – Duff Avenue to Burnett Avenue) by establishing March 19, 2014, as the date of letting and March 25, 2014, as the date for report of bids.



# MEMO

**To:** Mayor and Members of the City Council

**From:** City Clerk's Office

**Date:** February 21, 2014

**Subject:** Contract and Bond Approval

There are no Council Action Forms for Item Nos.   11   and   12  . Council approval of the contract and bond for these projects is simply fulfilling a *State Code* requirement.

/jr



**COUNCIL ACTION FORM**

**SUBJECT: ACCEPTANCE OF CONTRACT FOR CIRCUIT BREAKERS**

**BACKGROUND**

On June 11, 2013, City Council approved preliminary plans and specifications for the replacement of circuit breakers at the Power Plant. The total project is for the replacement of 69kV switchyard relay and controls at the Ames Plant substation. A budget of \$1,700,000 is included in the 2013/14 CIP for the entire project. This portion of the project was for the purchase of three circuit breakers. The Engineer's estimated cost for this material was \$160,000.

On June 26, 2013, a single bid was received and evaluated by Electric Services staff and an engineer from Dewild Grant Reckert & Associates (DGR). Council subsequently awarded the bid in the amount of \$169,131.75 to Mitsubishi Electric Power Products, Inc., Warrendale, PA.

All three of the circuit breakers in the contract have now been delivered, and the project engineer has provided a certificate of completion. The total contract amount is \$169,131.75.

**ALTERNATIVES:**

- 1) Accept completion of the contract for the SF6 Circuit Breakers with Mitsubishi Electric Power Products, Inc., at a total cost of \$169,131.75, and authorize final payment to the contractor.
- 2) Delay acceptance of this project.

**MANAGER'S RECOMMENDED ACTION:**

The contractor for furnishing these circuit breakers has delivered all of the material specified under the contract. The project engineer has issued a certificate of completion on the work, and the City is legally required to make final payment.

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

2-25-14

**Applicant**

Name of Applicant:	<u>City of Ames</u>		
Name of Business (DBA):	<u>Homewood Golf Course</u>		
Address of Premises:	<u>401 E. 20th St</u>		
City:	<u>Ames</u>	County:	<u>Story</u> Zip: <u>50010</u>
Business Phone:	<u>(515) 239-5363</u>		
Mailing Address:	<u>1500 Gateway Hills Park Dr</u>		
City:	<u>Ames</u>	State:	<u>IA</u> Zip: <u>50014</u>

**Contact Person**

Name:	<u>Joshua Thompson</u>		
Phone:	<u>(515) 239-5364</u>	Email Address:	<u>jthompson@city.ames.ia.us</u>

Classification: Class B Beer (BB) (Includes Wine Coolers)Term: 8 monthsEffective Date: 03/17/2014Expiration Date: 11/17/2014

Privileges:

Class B Beer (BB) (Includes Wine Coolers)Outdoor ServiceSunday Sales**Status of Business**

BusinessType:	<u>Municipality</u>		
Corporate ID Number:		Federal Employer ID #	<u>10-426004218</u>

**Ownership****Joshua Thompson**First Name: JoshuaLast Name: ThompsonCity: AmesState: IowaZip: 50014Position Parks and Facilities Super% of Ownership 0.00 %

U.S. Citizen

**Steve Schainker**First Name: SteveLast Name: SchainkerCity: AmesState: IowaZip: 50010Position City Manager% of Ownership 0.00 %

U.S. Citizen

**Insurance Company Information**

**Insurance Company:** Iowa Communities Assurance Pool

**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:**

2-25-14

**Applicant**

<b>Name of Applicant:</b>	<u>M2S2 Enterprises LLC</u>		
<b>Name of Business (DBA):</b>	<u>Ge' Angelo's</u>		
<b>Address of Premises:</b>	<u>823 Wheeler St Suite #9</u>		
<b>City:</b> <u>Ames</u>	<b>County:</b> <u>Story</u>	<b>Zip:</b> <u>50010</u>	
<b>Business Phone:</b>	<u>(515) 233-0959</u>		
<b>Mailing Address:</b>	<u>820 Grand Ave</u>		
<b>City:</b> <u>Ames</u>	<b>State:</b> <u>IA</u>	<b>Zip:</b> <u>50010</u>	

**Contact Person**

<b>Name:</b>	<u>Mitchell Saienga</u>		
<b>Phone:</b>	<u>(515) 450-9384</u>	<b>Email Address:</b>	<u>msaienga@yahoo.com</u>

**Classification:** Class C Liquor License (LC) (Commercial)**Term:** 12 months**Effective Date:** 03/01/2014**Expiration Date:** 02/28/2015**Privileges:**

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

**Status of Business**

<b>BusinessType:</b>	<u>Limited Liability Company</u>		
<b>Corporate ID Number:</b>	<u>471485</u>	<b>Federal Employer ID #</b>	<u>42-4626243</u>

**Ownership**

**Gene Saienga**First Name: GeneLast Name: SaiengaCity: Round RockState: TexasZip: 78681Position Partner Share Holder% of Ownership 35.00 %

U.S. Citizen

**Lisa Saienga**First Name: LisaLast Name: SaiengaCity: AmesState: IowaZip: 50010Position Partner Share Holder% of Ownership 10.00 %

U.S. Citizen

**Margaret Saienga**First Name: MargaretLast Name: SaiengaCity: Round RockState: TexasZip: 78681Position Partner Share Holder% of Ownership 30.00 %

U.S. Citizen

**Mitchell Saienga**First Name: MitchellLast Name: SaiengaCity: AmesState: IowaZip: 50010Position President Operating Partn% of Ownership 25.00 %

U.S. Citizen

***Insurance Company Information***Insurance Company: Le Mars Insurance CompanyPolicy Effective Date: 03/01/2014Policy Expiration Date: 02/28/2015

Bond Effective Continuously:

Dram Cancel Date:

Outdoor Service Effective Date:

Outdoor Service Expiration Date:

Temp Transfer Effective Date:

Temp Transfer Expiration Date:

**Applicant**

2-25-14

Name of Applicant:	<u>Best Luck Inc.</u>		
Name of Business (DBA):	<u>Almost Always Open</u>		
Address of Premises:	<u>419 Lincoln Way</u>		
City:	<u>Ames</u>	County:	<u>Story</u> Zip: <u>50010</u>
Business Phone:	<u>(414) 324-5291</u>		
Mailing Address:	<u>301 Water Street</u>		
City:	<u>Cambridge</u>	State:	<u>IA</u> Zip: <u>50046</u>

**Contact Person**

Name:	<u>Amritdeep</u>		
Phone:	<u>(414) 324-5291</u>	Email Address:	<u>rose.1502@yahoo.com</u>

Classification: Class E Liquor License (LE)Term: 12 monthsEffective Date: 02/28/2014Expiration Date: 02/27/2015

Privileges:

Class E Liquor License (LE)**Status of Business**

BusinessType:	<u>Privately Held Corporation</u>		
Corporate ID Number:	<u>0</u>	Federal Employer ID #	<u>46-3692998</u>

**Ownership****Amritdeep Kaur**First Name: AmritdeepLast Name: KaurCity: CambridgeState: IowaZip: 50046Position President% of Ownership 100.00 %

U.S. Citizen

**Insurance Company Information**

Insurance Company:	<u>State Farm Fire &amp; Casualty Company</u>		
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:	

# License Application ( )

## Applicant

Name of Applicant:	<u>Best Luck Inc.</u>		
Name of Business (DBA):	<u>Almost Always Open</u>		
Address of Premises:	<u>419 Lincoln Way</u>		
City: <u>Ames</u>	County: <u>Story</u>	Zip: <u>50010</u>	
Business Phone:	<u>(414) 324-5291</u>		
Mailing Address:	<u>301 Water Street</u>		
City: <u>Cambridge</u>	State: <u>IA</u>	Zip: <u>50046</u>	

## Contact Person

Name:	<u>Amritdeep</u>		
Phone:	<u>(414) 324-5291</u>	Email Address:	<u>rose.1502@yahoo.com</u>

Classification: Class C Beer Permit (BC)

Term: 12 months

Effective Date: 02/28/2014

Expiration Date: 02/27/2015

Privileges:

Class B Wine Permit  
Class C Beer Permit (BC)  
Sunday Sales

## Status of Business

BusinessType:	<u>Privately Held Corporation</u>		
Corporate ID Number:	<u>0</u>	Federal Employer ID #	<u>46-3692998</u>

## Ownership

### Amritdeep Kaur

First Name: Amritdeep

Last Name: Kaur

City: Cambridge

State: Iowa

Zip: 50046

Position President

% of Ownership 100.00 %

U.S. Citizen

## Insurance Company Information

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:

2-25-14

**Applicant**

Name of Applicant:	<u>CORPORATION</u>		
Name of Business (DBA):	<u>TAKING IT EASY LOUNGE</u>		
Address of Premises:	<u>129 LINCOLN WAY</u>		
City: <u>Ames</u>	County: <u>Story</u>	Zip: <u>50010</u>	
Business Phone:	<u>(515) 460-1583</u>		
Mailing Address:	<u>P.O. BOX 208</u>		
City: <u>AMES</u>	State: <u>IA</u>	Zip: <u>IOWA</u>	

**Contact Person**

Name:	<u>RODNEY HIBBS</u>		
Phone:	<u>(515) 460-1583</u>	Email Address:	<u>ROD3708@AIM.COM</u>

Classification: Class C Liquor License (LC) (Commercial)Term: 12 monthsEffective Date: 02/26/2014Expiration Date: 02/25/2015

Privileges:

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

**Status of Business**

BusinessType:	<u>Privately Held Corporation</u>		
Corporate ID Number:	<u>451782</u>	Federal Employer ID #	<u>463004154</u>

**Ownership****RODNEY HIBBS**First Name: RODNEYLast Name: HIBBSCity: AMESState: IowaZip: 50010Position DIRECTOR% of Ownership 100.00 %

U.S. Citizen

**Insurance Company Information**

Insurance Company:	<u>Sentry Insurance &amp; Mutual Co</u>		
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:**     **CY STATUE PROJECT**

**BACKGROUND:**

In 2013, City staff was approached about a project to place life-sized Iowa State University mascot “Cy” statues throughout the community. These fiberglass statues would be decorated by artists. This project, led by participants in the Chamber of Commerce’s Leadership Ames XXVII class, would serve as a fundraiser for local non-profits and was named “CyclONE City.” The statues will only be placed temporarily (six months) and then will be auctioned off with proceeds going to charity.

The CyclONE City leadership team recently inquired about placing some of the statues in public areas (right-of-way and parks). The project was discussed with the Public Art Commission; and at its December 4, 2013, meeting, the Public Art Commission voted to support the project in public spaces if a representative from the Public Art Commission was involved in the design and location selections.

The City has a process for handling temporary placements with the Temporary Obstruction Permit. However, since the locations and numbers are not yet determined, a contractual agreement may allow the project to move forward and allow City staff, the Public Art Commission, and the Leadership Ames class to find the best public spaces for the project. This agreement would cover the requirements of temporary obstruction including the issue of liability. It would also clearly state the responsible parties for installation, maintenance, and removal of the statues.

Representatives of CyclONE City and City staff will be present at the City Council meeting to further describe this proposed collaboration. **Should Council approve of this concept, the parties’ respective roles and responsibilities will be confirmed in an agreement for approval by the City Council at a later date.**

**ALTERNATIVES:**

1.     Authorize staff to develop a contract with the CyclONE City group, which is under the umbrella of the Chamber of Commerce, for the placement of Cy statues on City property.
2.     Do not authorize development of this agreement.
3.     Direct staff to pursue modifications to the project.

**MANAGER'S RECOMMENDED ACTION:**

This project will create a public/private partnership that will add function to and beautify the community. While the “Cy” statue is a unique sculpture to Ames, many other cities have had great success using temporary fiberglass displays to generate interest and enthusiasm for their community. These temporary exhibits are successful only through collaboration between the many stakeholders.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby authorizing staff to develop a contract with CyclONE City (Ames Chamber of Commerce) for the temporary placement of Cy statues on City property throughout the City.

This agreement would cover the requirements of temporary obstruction including the issue of liability. It would also clearly state the responsible parties for installation, maintenance and removal of the statues.

**COUNCIL ACTION FORM**

**SUBJECT: KINGLAND CAMPUS PROPERTIES REQUEST TO PLACE  
TEMPORARY SECURITY CAMERA ON CITY PROPERTY**

**BACKGROUND:**

On January 14, 2014, City Council referred a request from Kingland Campus Properties in Campustown to temporarily mount a security camera on the Southeast traffic signal pole at Lincoln Way and Welch Avenue. This camera is part of Kingland's security plan for the demolition and reconstruction of their properties. The camera would be in use for the duration of the project, which is estimated to begin early spring 2014 and take 18 to 24 months.

Public Works and Police Department staff met with Jeff Gorball, Kingland's Managing Director, to discuss the security plan in greater detail. There are important items to note that were identified at that meeting. One is that the need to place a camera on City property is due to the fact that buildings in Campustown are built up to their property lines. Therefore, a camera facing the exterior of the building cannot be mounted on-site. Additionally, the camera would primarily be facing inward towards the Kingland project itself, since it is intended for security of the work site. Mr. Gorball also stated in the meeting that Ames Police staff would have access to video recordings if needed.

Kingland has agreed to pay the City for the cost of power used by the camera while in use. Considering the small amount of power necessary to run the camera, staff will estimate the power consumption and invoice Kingland periodically through the course of the project. The City would require similar insurance and liability protection as is used in issuing standard City encroachment permits.

**ALTERNATIVES:**

1. Approve the request from Kingland Campus Properties to place a temporary security camera on City property and approve issuance of a temporary encroachment permit for this purpose.
2. Reject the request from Kingland Campus Properties.

**MANAGER'S RECOMMENDED ACTION:**

By approving this request, the City would be helping ensure the safety on the Kingland project site and for other Ames citizens and visitors who frequent this area. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.

# Kingland Campus Properties

January 9, 2014

The Honorable Mayor Ann Campbell and City Council Members  
City of Ames  
City Hall  
515 Clark Ave.  
Ames, IA 50010

RE: Kingland Campustown Redevelopment Security Plan

Dear Mayor Campbell and City Council Members:

Per the development agreement between Kingland Campus Properties and the City of Ames, we are required to submit a security plan for our construction site. With the long-term nature of our project, part of our security plan includes a plan for video cameras and recorded video encompassing the entire site. However, our current locations available for placement of cameras leave a hole in the northwest corner of our coverage plan.

Discussions with city staff traffic engineer have identified a potential to use the stoplight pole at the corner of Welch and Lincoln Way. While there are no identified ordinances against the use of a stoplight pole for this purpose and the traffic engineer supports this, we desire to raise the question to the Council as we believe this would be a precedent.

Our proposed use of the pole would be to clamp a mounting bracket to the pole, so no structural integrity of the pole would be compromised. The mounting bracket would hold a small domed camera and wireless repeater with combined weight of an estimate of 5 pounds. The wireless adapter would require access to 110VAC electrical power (available at the pole), and would include low voltage connection to the camera. We would work with city staff to ensure any electrical power consumption (estimated to be very minimal) would be paid by us.

The view area of the camera would include the edges of our construction area bordering the pedestrian area of the far east side of Welch Avenue and the far south edge of the pedestrian area of Lincoln Way, both views extending from the corner of Welch and Lincoln Way. Exhibit A provides a visual depiction of the proposed coverage area.

We have also discussed this plan with the Ames Police Department and they are supportive of our plans. We have made known to them our planned coverage area, along with our recording plans and indicated that we would make these recordings available to the Ames PD in the event our coverage were to capture an event of interest to them. Our primary intent for this coverage is to ensure that we have adequate and complete coverage of our entire construction site for safety and security purposes.

We are hopeful that you'll agree that the security plan should provide complete coverage of the area and allow our non-intrusive use of the stoplight pole and respectfully request your support and direction to city staff for review and subsequent approval. Our construction project is scheduled to begin March 3<sup>rd</sup> and we would like to have the cameras installed in advance.

Thank you.  
Sincerely,



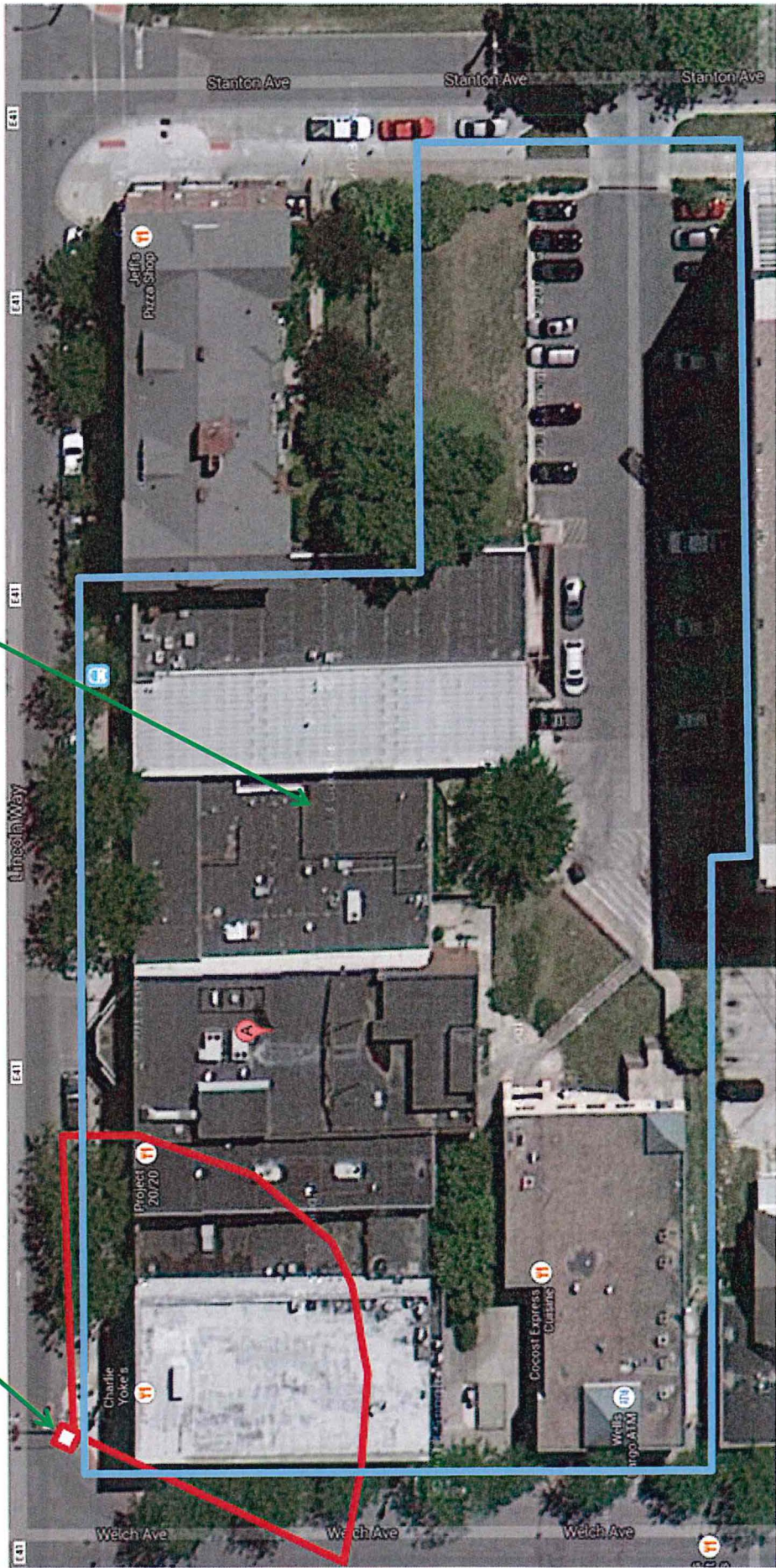
Jeff Gorbail  
Managing Director

Cc: Damion Pregitzer, Traffic Manager  
Lt Dan Walter, Ames Police Department



Proposed location of camera  
on stoplight pole

Construction zone



ITEM # 20  
DATE: 02-25-14

## COUNCIL ACTION FORM

**SUBJECT: REQUEST TO PURCHASE SOIL FROM AIRPORT PROPERTY**

### **BACKGROUND:**

On January 24, 2014, City Council referred the attached letter from FOX Engineering requesting permission to purchase soil from Airport farm property on the north side of Airport Road west of Sam's Club, and to move that soil to property at 1204 S. 4<sup>th</sup> Street owned by Brian Hoyle. As letter mentions, the Airport farm property has already been affected by construction of a warehouse by Ag Leader Technologies along the west side of the property during the 2013 farming season. It should be noted that, at this time, the farm property has not yet been fully restored after the Ag Leader project due to weather constraints that occurred in Fall of 2013.

The original disruption to the Airport farm was related to conditions of the approved site plan for Ag Leader's facility built along the east side of Airport Court. The development required some off-site grading onto the Airport farm ground in order to construct the foundation of the building. Some photos of the current state of the Airport Farm Property have been included with this document. **Ag Leader has already paid for the crop loss and cash rental loss for the 2013 season. However, they are still operating under a temporary occupancy permit until the farm ground is restored. If City Council would approve this most recent request, Ag Leader's obligation to restore the Airport farm would be transferred to Mr. Hoyle, thereby fulfilling that particular condition of Ag Leader's site plan approval.**

Mr. Hoyle's proposal is to take approximately 50,000 cubic yards of fill soil material from the northern Airport farm parcel. Proposed conditions of the agreement are as follows:

- Mr. Hoyle will pay \$1.00 per cubic yard for the soil as measured by FOX Engineering by survey.
- A minimum of 6 inches of topsoil will be removed from the site, stockpiled, and reapplied at the completion of the removal. It should be noted that the borrow area is highly eroded and does not have much topsoil. All topsoil will be preserved in the excavation. It is our estimation that less than 6 inches exists on average across the site.
- The site will be flattened to allow for ease of farming. A grading plan has been prepared for the site and will be used to plan the excavation.
- The site will be scarified to a depth of 12 inches before reapplication of the topsoil. This will be done to improve water retention and to facilitate farming.

- Any additional lost revenue due to being unable to farm will be compensated by Mr. Hoyle. It is hoped this work will be completed in early 2014. This compensation will not be required if the work is accomplished before the 2014 planting season.
- In the event the site is not cropped in 2014, then a cover crop of oats or annual rye will be planted to prevent erosion of the site.

The proposed area of impact to the Airport farm ground is approximately 8.6 total acres. For the 2014 farm season the City has a farm lease that specifies \$335 per acre in cash rent. This would equate to \$2,881 in lost cash rent plus whatever is estimated for crop loss, which would be determined at harvest time in the fall. Income from the sale of the fill soil is estimated to be around \$50,000. This would be an addition to the anticipated total farm cash rent of \$102,600 from all of the City-owned farmland surrounding the Airport.

**Staff is generally supportive of the proposal, since it will remove the large mound of soil on the north farm property and provide additional income to the Airport Construction Fund. This project can benefit the City in three ways. First, as stated in the letter, it would improve the ground for farming purposes, which ensures the long-term profitability of the property. Second, it would save some future expense if Grand Avenue were extended south across US Highway 30 to connect to Airport Road, since similar grading would be necessary as part of that project. Third, by lowering the hill it would help with clear zone requirements of the Runway 19 approach to the main runway at the Airport.**

The conditions noted above will be incorporated into an agreement and be brought back to the City Council for approval.

#### **ALTERNATIVES:**

1. Direct staff to work with Brian Hoyle to develop an agreement for removal of fill soil from the Airport farm property.
2. Reject the proposal, and direct staff to continue restoration of the affected farm property with Ag Leader.

#### **MANAGER'S RECOMMENDED ACTION:**

This proposal will have various benefits to the City's Airport farm property as described above. Most importantly, it will provide additional income to the Airport Construction Fund, which will increase the amount available for future improvements.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby directing staff to work with Brian Hoyle to draft an agreement for removal of fill soil from the Airport Farm Property.



**Airport Farm Property Photos (2/20/2014):**



January 24, 2014

Honorable Mayor and City Council  
City of Ames  
515 Clark Avenue  
Ames, Iowa 50010

RE: Request to Buy Soil from Airport Property  
FOX Ref. No. 5370-13a.

Honorable Mayor and City Council:

In 2014 Ag Leader Technologies borrowed approximately 20,000+ cubic yards of soil from airport property to construct their new warehouse/shipping facility west of the airport. Reference the attached map for the location of the City's property. This work was done as an exchange where Ag Leader removed large trees that were within the airport's clear zone and a hazard to airplanes. Due to wet weather in the spring of 2013 and farm obligations the site was left partially graded. Rather than regrade the site at some expense I am requesting on the behalf of an Ames property owner, Brian Hoyle, to buy approximately 50,000 cubic yards of soil to be used on his property at 1204 S. 4th Street (Riverside Manor).

The advantages to the City are:

- The site will be graded to a more farmable condition.
- Revenue will be generated for the airport.
- Any future extension of Grand Avenue will be pre-graded.

The current site is relatively hilly and rocky and difficult to farm. The removal of the soil will allow the site to be re-graded in a manner that facilitates farming. Rocks and other debris from the old farmstead will be removed.

FOX Engineering "brokers" dirt between interested parties at no cost. The going price for borrow is \$1.00 per cubic yard of borrow plus the soil borrower pays the costs for topsoil removal & replacement, regrading, erosion control and reimbursement for farm rent.

In discussions with Damion Pregitzer, the City's Airport Manager, he felt he needed the Council's permission to conduct this sale and accept revenue on the behalf of the airport. Therefore, on the behest of Mr. Hoyle we are requesting the City sell approximately 50,000 cubic yards of soil to Mr. Hoyle under the following conditions:

1. Mr. Hoyle will pay \$1.00 per cubic yard for the soil as measured by FOX Engineering by survey.
2. A minimum of 6 inches of topsoil will be removed from the site, stockpiled, and reapplied at the completion of the removal. It should be noted that the borrow area is highly eroded and does not have much topsoil. All topsoil will be preserved in the excavation. It is our estimation that less than 6 inches exists on average across the site.
3. The site will be flattened to allow for ease of farming. A grading plan has been prepared for the site and will be used to plan the excavation.
4. The site will be scarified to a depth of 12 inches before the reapplication of the topsoil. This is done to improve water retention and to facilitate farming.

- 
5. Any loss revenue due to being unable to farm will be compensated by Mr. Hoyle. It is hoped this work should be completed in early 2014 and this compensation would not be required if the work could be accomplished before planting season in 2014.
  6. In the event the site is not cropped in 2014, then a cover crop of oats or annual rye will be planted to prevent erosion of the site.

There may be additional conditions the City would like to add in discussions with Mr. Hoyle.

**We request you refer this back to Staff so an agreement can be reached and the work completed this spring.**

Mr. Hoyle will be using the soil to provide flood protection for the Riverside Manor and to fill portions of his site for future development.

If you have any questions, then please email me at [slr@foxeng.com](mailto:slr@foxeng.com) or call at 233-0000. Thank you for your time and consideration.

Sincerely,



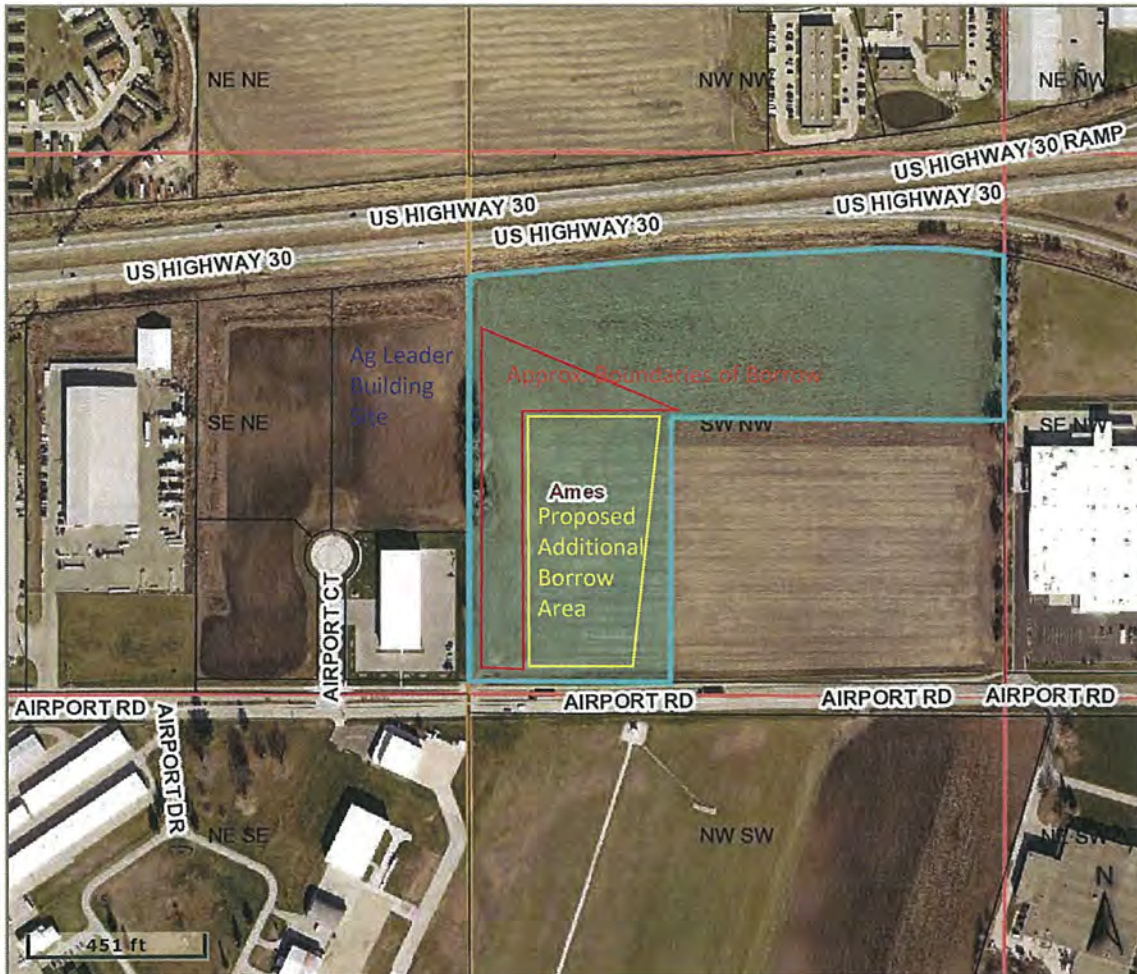
Scott Renaud, P.E.  
Project Manager

cc: Brian Hoyle  
Damion Pregitzer, Airport Manager  
Steve Schainker, City Manager

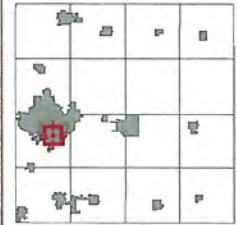
K:\proj\5000\5370-13A 1204 S 4th\Correspondence\2014 01 24 letter to Council.docx



Date Created: 1/23/2014



Overview



Legend

- Parcels
- Lots
- Townships
- Sections
- Quarter Quarters
- Corporate Limits
- Road Centerlines

<b>Parcel ID</b>	0914150010	<b>Alternate ID</b>	0914150010	<b>Owner Address</b>	AMES, CITY OF
<b>Sec/Twp/Rng</b>	14-83-24	<b>Class</b>	E - EXEMPT		PO BOX 811
<b>Property Address</b>	623 AIRPORT RD REAR AMES	<b>Acres</b>	18.49		AMES IA 50010-0811

**District** 01001 - AMES CITY/AMES SCH  
**Brief Tax Description** SECTION:14 TOWNSHIP:83 RANGE:24 83  
 SW NW S HWY EX  
 S650'E816.6'  
 (Note: Not to be used on legal documents)

Last Data Upload: 1/23/2014 5:32:43 AM

**Concerning Assessment Parcels and Platted Lots Within the City of Ames Jurisdiction:**  
 The solid parcel boundary lines represent the legal description as recorded and are not necessarily the official platted lot lines. Dashed lines are official platted lots. If a parcel contains dashed lines, please contact the Ames Planning & Housing Department (515-239-5400) to determine which lines can be recognized for building permit or zoning purposes. If you have questions regarding the legal description or parcel measurements, please contact the Story County Auditor's office (515-382-7210).

ITEM # 21  
DATE: 02-25-14

**COUNCIL ACTION FORM**

**SUBJECT: FIRST NATIONAL BANK REQUEST FOR TEMPORARY RENTAL OF METERED STALLS IN CAMPUSTOWN**

**BACKGROUND:**

On January 28, 2014, City Council referred the attached letter from First National Bank (FNB) asking to reserve three parking meter stalls located near the front of its temporary location at 119 Stanton Avenue – the Legacy Towers building. In the letter, FNB President Scott Bauer summarized the issue and that the need for the reserved parking has resulted from the bank moving to a temporary location while their current location at 2330 Lincoln Way is being reconstructed. The current site has been bought by the development company Gilbane Inc., which plans to conduct construction activities on the site for their redevelopment through June, 2015. FNB will move to their temporary location on March 1, 2014.

If City Council was to support the request from FNB, the three meters at 119 Stanton would be replaced with temporary reserved signs stating the dates and times the meters are reserved for FNB customers. Current City policy is that, when meters are reserved on a temporary basis, the individual or business pays for all nine hours of each day when meter fees are collected. Meters on the 100 block of Stanton are \$0.50/hour, which equates to \$4.50/meter/day. Therefore, the cost to FNB from March 1, 2014 to June 30, 2015 would be approximately \$4,685 (347 weekdays times three meters). This amount would be paid into to the City's Parking Fund.

There are four groups with frontage on the 100 block of Stanton that would potentially be impacted by FNB renting these meter stalls. This includes (1) Legacy Towers (currently being rented by ISU's Office of Residence), (2) Campustown (property management), (3) St. John's by the Campus Church, and (4) Jeff's Pizza. Staff received feedback from all four of these entities, as well as from the Campustown Action Association. ISU Residence, Campustown properties, and St. John's all expressed support for FNB reserving the meter stalls.

The management of Jeff's Pizza expressed significant concerns about losing the additional stalls. Jeff's Pizza had a parking arrangement with Kingland Systems to rent spaces for their delivery/staff vehicles, allowing the on-street stalls to remain open for customers. However, Kingland has ended that agreement in light of their upcoming reconstruction. The manager of Jeff's Pizza, Brenda Freeman, mentioned additional concerns related to future reductions in available parking that will occur with the other reconstruction projects that are planned in this area of Campustown.

To ensure that other local businesses had representation as part of this discussion, Campustown Action Association (CAA) was also approached to get feedback from their board on whether CAA supports the request from FNB. After discussion at a recent meeting, the CAA board voted not to support the request in its original form, and proposed an alternative to allow time limited parking of 10 to 15 minutes without the use of parking meters. From a fiscal perspective, staff's concern with this option is that there would be a significant loss of parking revenue. This complicates the decision, given the fact that the City's Parking System relies on user fees to pay for the enforcement and maintenance of its facilities.

Representatives from FNB and CAA next discussed this proposed alternative in greater detail, trying to balance the needs of FNB and the needs of other nearby Campustown businesses. These two parties mutually agreed to support a proposal to change the metered stalls to 15-minute, time limited parking. This would be intended to provide greater turnover for FNB customers while also allowing the stalls to be utilized by customers visiting other businesses in the area. A letter from CAA outlining this discussion is attached to this report.

This issue is made difficult by the desire to be responsive to the specific needs of one local business while maintaining fair policies affecting others within the business district. In light of this fact, staff has put together several possible options for City Council to consider in responding to this request.

### **ALTERNATIVES:**

1. Approve the **alternative proposal supported by CAA and FNB** to change the three parking meter stalls in front of 119 Stanton Avenue by **reducing the time limit of the metered stalls to 15-minute, but retain the meters so that fees are still collected by the Parking Fund.**
2. Approve the **original proposal by FNB** to change the three parking meter stalls in front of 119 Stanton Avenue by signing the **stalls as reserved for FNB customers** on Monday through Friday, 8:30 AM to 5:30 PM. **FNB would then be responsible to pay** the established rate of \$0.50/hr per space for all nine hours of each weekday.
3. Approve the **original proposal supported by CAA and FNB** to remove the three parking meters in front of 119 Stanton Avenue and reduce the time limit to 15-minutes. Under this alternative, signs would be installed and no meter fees or payment from FNB would be collected by the Parking Fund.
4. Do not approve any changes to the parking stalls along Stanton Avenue, thereby maintaining the current parking regulations and fees.



## **MANAGER'S RECOMMENDED ACTION:**

Given the intensive level of development in Campustown and Downtown Ames, most parking for the local businesses is provided as public parking in parking lots and on-street metered parking stalls. Because of this, the City has a longstanding expectation with those businesses that it will create parking policies that are fair to all businesses while maintaining fiscally responsibility in providing those services.

In order to provide a high level of service to specific businesses during special situations, the City has established procedures for providing Temporary Obstruction Permits. The City may also provide parking meter hoods to accommodate short-term activities that require the use of public spaces which cannot be contained on-site (such as remodeling, reconstruction of interior/exterior, moving, etc.). Typically these processes work well for activities taking from a few days to a week. **However, there is not a well established process for the extended time period of 18 to 24 months now being requested by FNB.**

Campustown Property Management and St. John's are supportive of providing dedicated FNB customer parking. Jeff's Pizza is concerned about losing spaces for their customers. In working to balance the concerns and parking needs, CAA and FNB have developed an alternative proposal that would change the three parking meter stalls in front of 119 Stanton Avenue to 15-minute, time limited parking. They have proposed that the City would not collect any revenue for those three parking stalls through June of 2015.

As stated in the letter from CAA, their agreed upon alternative with FNB for 15-Minutes parking would be done by removing the meters and installing signs – effectively waiving the collection of parking fees while the signs were in use. It should be noted that, in the past, City Council has only approved waiver of parking meter fees for City approved special events or community activities. This approach will also be more costly for City staff to enforce as it requires marking vehicles' tires prior to issuing a ticket. That cost would be in addition to the lost revenue by not charging for the stalls.

**Therefore, it is the recommendation of the City Manager that the City Council approve Alternative #1, which is based on the FNB/CAA proposal but would continue the collection of meter fees. That alternative would continue the management of these spaces by way of the existing parking meters, but would decrease the time those meters allow to a 15-minute maximum, thereby supporting the desire to have higher turnover in those stalls. It also has the advantage of requiring a similar enforcement effort as the existing conditions. Structuring Alternative #1 in this way may represent a possible compromise that fits the complex needs of this location and situation.**



LINCOLN WAY

2 153 157 158 159 160 161

168 169 170

173 174 175

53 52 51

**Requested Parking Meter Stalls**



60 59 58

STANTON AVENUE

40 39 38 37 36 35 34

19 18 17 16

133 134 135

148 149 150 151





January 22, 2014

Mayor Ann Campbell and the Ames City Council  
515 Clark Avenue  
Ames, IA 50010

On March 1, 2014, the First National Bank, Ames, University Office will be moving to a temporary location at 119 Stanton Avenue through June of 2015 while our new location on Lincoln Way is under construction. In reviewing the parking situation on Stanton, we have determined that parking will be challenging for our clients. In order to make the transition as convenient as possible for our clients, we would ask that you consider the following:

- First National Bank would like to reserve the three parking meters located in front of 119 Stanton Avenue. The meters are numbered B.58, B.59 and B.60.
- First National Bank is the closest business in the vicinity of these three meters. (No other businesses are located near this area that would need them for their customers.)
- First National Bank would reserve the meters, Monday through Friday, 8:30 a.m.–5:30 p.m.
- Meters would be used for First National Bank customers only.
- First National Bank is willing to pay a fee for use of meters through June 2015.

The new facility is scheduled to be complete by June 2015. In the event that the completion of the new location is delayed, we would like to have the option to extend this agreement on a month by month basis following the June 2015 date.

Thank you for your consideration. We are excited about the new developments and opportunities in the Campustown area and look forward to being part of the growth. The implementation of this parking proposal will assist our organization in maintain positive customer relationships during this transition.

Sincerely,

Scott T. Bauer  
President

**MAIN OFFICE**  
405 5th Street  
Ames, IA 50010  
515-232-5561  
Fax 515-232-5778

**UNIVERSITY OFFICE**  
2330 Lincoln Way  
Ames, IA 50014  
515-292-6157

**NORTH GRAND OFFICE**  
2406 Grand Avenue  
Ames, IA 50010  
515-233-2400

**ANKENY OFFICE**  
1205 N. Ankeny Blvd.  
Ankeny, IA 50023  
515-965-3969  
Fax 515-965-0125



campustown  
action  
association

Honorable Mayor Campbell and City Council  
Ames City Hall  
515 Clark Avenue  
Ames, IA 50010

February 19, 2014

RE: First National Bank Parking Request

Dear Honorable Mayor Campbell and City Council,

Campustown is about to undergo an enormous and exciting period of construction and change. While the upcoming construction along Lincoln Way is a large catalyst for the Campustown Renaissance, CAA wants to ensure that current residents to the area are not completely displaced by the upcoming 18-24 months of construction. Regarding the request of First National Bank to allot three parking spaces for their own use between the hours of 8:30am and 5:30pm Monday through Friday, CAA has been asked to weigh in. While they understand the need for parking for their customers in their temporary space, the CAA Board of Directors is concerned that allowing one business to purchase three parking spaces allotted only to them during business hours sets a dangerous precedent that could potentially lead to other businesses throughout the district (and other areas where parking is perceived to be at a premium) requesting similar parking spaces for their business only. **CAA staff has reached out to First National Bank staff to discuss other alternatives including keeping the parking available, but with a 10-15 minute time limit, which would allow customers the opportunity to park there, but could also be used for other businesses at that corner during the day. Both parties agreed that a fifteen minute parking allowance for the three spaces would be ideal, with no meters. Signage on those three spots would clarify that it is for 15 minute parking for anyone.** We understand that this request would be a loss of revenue from three meters for the City.

The 18-24 months of construction occurring in our district will require that considerations are made for businesses affected by the redevelopment projects. CAA asks that if the City does not wish to allow the meters to be removed and 15 minute parking enforced, that they also consider parking considerations for Jeff's Pizza Shop, St. John's by the Campus Episcopal Church, and The Singer Station, all of whose customers/congregation will be affected by construction equipment and blocked parking areas.

We look forward to working with the City of Ames and the Ames City Council throughout the entire construction process as we all work to make Campustown better for everyone.

Sincerely,

Anne Taylor

CAA Board  
President  
Dogtown U

Kim Hanna

CAA Director

PKts 2-07-14

# CAMPUSTOWN

To: City of Ames

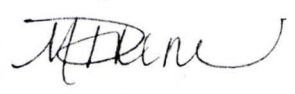
From: Campustown

Re: Meter Parking at 119 Stanton

To whom it may concern,

Campustown fully supports First National Bank's proposal to the City of Ames in regards to reserving three metered parking spaces in front of 119 Stanton Avenue. I do not feel this will be an inconvenience to our residents, vendors or guests and feel this would benefit First National Bank. If I can assist in anyway or answer any questions please do not hesitate to contact me directly at 515-598-9000 or at [mpierce@studenthousing.com](mailto:mpierce@studenthousing.com).

Thank you,



Melissa Pierce

General Manager

**COUNCIL ACTION FORM**

**SUBJECT: REZONING WITH MASTER PLAN FOR PROPERTY AT 321 STATE AVENUE (FORMER AMES MIDDLE SCHOOL SITE)**

**BACKGROUND:**

Breckenridge Group Ames Iowa, LLC has approached the City to develop/redevelop three parcels of land located at 205 S. Wilmoth Avenue, 321 State Avenue, and 601 State Avenue. **The site of this specific rezoning request is 10.8 acres at 321 State Avenue (Middle Parcel). (See Attachment A) The request is to change the zoning designation from S-GA (Special-Government/Airport) to RL (Residential Low-Density) for development of up to 78 dwelling units.** The development concept articulated by the applicant for 321 State is for a new student housing rental development of small individual buildings that differs from traditional apartment type student housing developments.

**To develop the site in conformance with the proposed RL zoning and submitted Master Plan, the applicant will be required to complete a preliminary and final subdivision plat for the property before development of the proposed residential units can occur. Because the proposed rezoning request is for single-family dwellings within the RL zone, no formal site plan approval will be required for the individual lots once platted. It should be noted that future development on individual lots within RL zoning districts does not require the sale of the homes individually, and the homes may be rented rather than sold.**

**The attached addendum provides the complete background and staff's analysis of this project.** In summary, based upon the Land Use Policy Plan (LUPP) land use designation of Low-Density Residential, the proposed request to rezone the property to Low-Density Residential is consistent with the LUPP and current zoning designations within the surrounding area. The City has a stated desire and need to create individual residential lots for development within the Ames Community School District, which is fulfilled to some degree by rezoning this site to RL. Staff notes that most public infrastructure is adequate to serve the site, with the exception of the preliminary findings of the traffic impact analysis (TIA) submitted by the applicant. Development of this site with the proposed development of 601 State (South Parcel, separate application) show incremental impacts to nearby intersections, specifically at the intersection of Mortensen Road and State Avenue. The applicant has not offered mitigation for traffic impacts with this rezoning request.

Consistent with the requirements of Section 29.1507(8), a protest of the zone change application signed by 19 property owners representing 25 of the 36 properties within 200 feet of the subject site has been submitted to the City. As a result this protest, any action to rezone the site will require 5 affirmative votes by the City Council.

## **ALTERNATIVES:**

1. The City Council can approve the rezoning of approximately 10.8 acres of land located at 321 State Avenue from “S-GA” (Government/Airport) to “RL” (Residential Low Density) with no Master Plan.
2. The City Council can approve the rezoning of approximately 10.8 acres of land located at 321 State Avenue from S-GA to RL, with a Master Plan and conditions on the Master Plan to eliminate the intended development range of 50-78 units.
3. The City Council can deny the request for RL zoning if it finds there is an interest in rezoning the 10.8 acres of land located at 321 State Avenue from S-GA to PRD in order to require a Major Site Development Plan review prior to subdivision. The applicant would then be required to submit a rezoning application to PRD with a Major Site Development Plan.
4. Action on this request can be postponed and referred back to City staff and/or the applicant for additional information or for an applicant’s response to comments from the City Council. This could potentially include a request for contract rezoning.
5. The City Council can deny the request for rezoning of approximately 10.8 acres of land located at 321 State Avenue from S-GA to RL.

## **MANAGER’S RECOMMENDED ACTION:**

**Staff has reviewed the proposed rezoning and finds that the proposed zoning change to RL is the best fit for the site and is consistent with the Residential Low-Density designation of the Land Use Policy Plan, Alternative #1. Staff also feels, however, that based on the information on the applicant’s Master Plan, adoption of the current proposed Master Plan is not warranted along with the rezoning.**

The applicant’s Master Plan conforms to the requirements of the Zoning Code to identify the developable areas of the site, types and intensities of use, and major street connections as required by the Code. However, it does not provide additional details beyond the basics of the underlying zoning, with the exception of showing a Tripp Street connection. Staff does not believe that the applicant’s interest for a development range of 50-78 units (5-7.26 units per net acre) is realistic without more details on layout. Final design and layout decisions should be reserved for subdivision review, which will determine the total units to be built on the site.

Planned Residential Development provides the most detail about individual developments, and in return allows for potentially wider latitude in development. With the intended use of the site as single-family homes on individual lots, it will require subdivision approval to consider the size and layout of lots along with street patterns. With subdivision requirements in place, staff does not believe it is necessary to require a PRD to address the subsequent design issues for the site.

If Council should determine that the proposed rezoning is consistent with the goals and

policies of the Land Use Policy Plan, the City Council can approve the request for rezoning to “RL” Residential Low Density as identified in Alternative #1. However, if the City Council feels that there are additional concerns related to the RL zoning, such as street connections of the Master Plan or traffic impacts, the Council could address those concerns in the form of **conditions to the Master Plan** (Alternative #2) or as interests to be considered in a **contract zoning** (Alternative #4).

Staff will be prepared to provide additional information and to address Council’s questions and concerns at the Public Hearing Tuesday night.

## ADDENDUM

### BACKGROUND INFORMATION:

Breckenridge Group Ames Iowa, LLC initially approached the City to develop/redevelop three parcels of land located at 205 S. Wilmoth Avenue, 321 State Avenue, and 601 State Avenue, respectively. See Attachment A. The three properties are currently designated as Low Density Residential or Village/Suburban Residential and all three are zoned Special-Government/Airport (S-G/A). See Attachment B. The development concept articulated by the applicant is for a new student housing rental development that differs from traditional apartment type student housing developments. The concept has been for small individual buildings rather than a development of larger apartment buildings. Development of the properties requires a rezoning to allow for development consistent with an underlying land use designation.

The applicant has filed two separate rezoning requests. **The first request is for rezoning of 321 State Avenue, the subject parcel, which is a 10.8 acres site and the location of the former Ames Middle School (referred to herein as the middle parcel).** See Attachment C – Existing Zoning Map. The request is to change the zoning designation from S-GA (Special-Government/Airport) to RL (Low-Density Residential) for development of up to 78 dwelling units. See Attachment D – Proposed Rezoning Map. The other pending rezoning request is for an undeveloped 28.9 acre site at 601 State Avenue (referred to herein as the south parcel). That request is to change the zoning designation from S-GA to FS-RM (Floating Suburban Residential Medium Density) for development of up to 432 dwelling units. Based on the applicant’s proposals, development of the two sites could yield up to approximately 510 dwelling units at their maximum development potential. Full development potential is unlikely to be realized once design and subdivision requirements are taken into account.

Breckenridge Group Ames Iowa LLC owns an additional third parcel, the former middle school athletic field, at 205 S. Wilmoth Avenue. That parcel lies along Lincoln Way and is referred to herein as the north parcel. That site is currently zoned as S-GA. The owner is not seeking a change of zoning designation at this time and has stated that this will be done in a later phase. There is a pending request dated October 25<sup>th</sup> to the City Council to consider initiating a Land Use Policy Plan Amendment for the north site.

In response to the applicant's request to initiate a rezoning of the middle and south parcels, the City Council determined a Master Plan was needed to accompany the rezoning request. City Council asked the applicant to consider a number of concerns related to development of all of the properties and specifically asked that all three parcels be included in a Master Plan, even though the north parcel had not yet been requested to be rezoned. See Attachment E for a list of zoning code requirements of a Master Plan and an excerpt of Council's requested Master Plan conditions. Council also recommended that staff work to facilitate a discussion with the neighborhood and the applicant to address concerns for the development sites and the integration of the proposed rental development into the neighborhood.

The applicant agreed to a series of facilitated neighborhood meetings with Iowa State University representatives and the College Creek/Old Ames Middle School Neighborhood Association representatives in an effort to identify community issues and concerns in relation to the proposed development. A series of four meetings were held in June and July, with a final Neighborhood Association meeting in August to present a collective Master Plan concept to the neighborhood and the general public. The discussions with ISU and the neighborhood representatives encompassed many concerns and issues for the sites including such items as: land use, density, storm water and utilities, impacts to the surrounding neighborhood, quality of life concerns, on-site amenities, traffic, parking, lighting, and safety. Neighborhood representatives also met with staff to discuss their various interests and to understand the many steps in a development review process. Upon completing these neighborhood meetings, the applicant finalized their rezoning applications in the fall of 2013.

### **Project Description**

The submittal of the Residential Low Density (RL) rezoning request with a Master Plan for the middle parcel constitutes a complete application for rezoning based upon the minimum submittal requirements of the Zoning Code. See Attachment G for the proposed Master Plan. However, the applicant has chosen not to provide the additional City Council requested information relating to the Middle Parcel and for the other two parcels at this time.

The rezoning request and Master Plan submitted for review for the middle parcel are for a RL development with 50-78 single family residential units. The Master Plan also includes a public street connection at Tripp Street connecting from Wilmoth to State Avenue. A Master Plan does not require the complete details of future development plans, such as a lotting pattern, local street circulation, and utility services. The Master Plan does note the intent for some alley accessed lots, but this type of detail will be reviewed as part a subsequent subdivision application and not as a Master Plan component.

The only allowed use within the proposed RL zoning is single-family homes on individual lots. To develop the site in conformance with the proposed RL zoning and Master Plan, the applicant will be required to submit a preliminary plat for subdivision of the property subsequent to approval of a rezoning. There is not individual site plan review for each lot or structure under RL development. Note that future development on

individual lots within RL zoning does not require the sale of the homes individually, and the homes may be rented rather than sold.

The Zoning Code-required information for a rezoning request is contained within the Master Plan; however, in evaluating the request staff has identified the potential for offsite traffic impacts from development of the project in combination with other pending development in the area. The Planning and Zoning Commission requested a traffic analysis to evaluate these potential impacts. A draft traffic impact analysis (TIA) with technical appendices was submitted to the City on January 7<sup>th</sup>, and a final TIA was submitted on February 18<sup>th</sup> (Attachment I). Staff has not yet reviewed this TIA in detail.

**Project Analysis**

**Land Use Designation/Zoning.** The LUPP Future Land Use Map designation for the subject site is Low -Density Residential. The Low-Density Residential designation of the LUPP is intended for such uses as single-family residential and existing two-family residential units. The following tables provide the future land use designation and zoning of the subject property and other surrounding properties.

<b>Direction from Subject Property</b>	<b>LUPP Map Designation</b>	<b>Zoning Map Designation</b>
Subject Property	Low Density Residential	“S-GA” (Government/Airport)
North	Low Density Residential	“RL” (Residential Low Density)
East	Parks and Open Space	“S-GA” (Government/Airport)
South	Village/Suburban Residential	“S-GA” (Government/Airport)
West	Low Density Residential	“RL” (Residential Low Density)

The current zone of S-GA is intended for uses associated with federal, state, county, school districts, or municipal governmental authorities, such as publically owned facilities used for administration, services or general aviation functions. Any use associated with these types of entities would be allowable under S-GA zoning. S-GA zoning may occur in conjunction with any LUPP designation.

The proposed rezoning from Government/Airport (S-GA) to Low-Density Residential (RL) is the primary zoning district intended to implement the LUPP designation. Its purpose corresponds to the description of the LUPP designation. Note that RL does not have a minimum density requirement and the applicant has stated intent to develop at the high end of the maximum density for the site at 50-78 units at 5-7.26 units per net acre. Staff does not believe that this range of total units will be completely achievable once subdivision design requirements are taken into account for the site.

Planned Residential Development zoning is also provided for in the zoning code. Property developed according to the F-PRD (Planned Residence District) requirements



is to allow for innovative housing types and create a development pattern that is more aesthetic in design and sensitive to the natural features of the site and to surrounding uses of land than would customarily result from the application of the requirements of other residential zoning districts. Development is to include a mix of housing types, integrated design, open space, site amenities, and landscaping that exceeds the requirements that exist in other residential zone development standards.

**Existing Land Use.** Land uses that occupy the subject property and other surrounding properties are described in the following table:

Direction from Subject Property	Existing Land Uses/ Ownership of Properties
Subject Property	Former Ames Middle School Breckenridge Ames Iowa, LLC
North	Single-Family Homes Rental and Owner Occupied
East	Undeveloped Park and Open Space Iowa State University
South	Vacant/Undeveloped Breckenridge Ames Iowa, LLC
West	Single-Family Homes Rental and Owner Occupied

**Access.** The Master Plan submitted indicates the connection of Tripp Street west to east as a public street. The identification of public streets is not a required element of the Master Plan submittal by the zoning code and would typically be addressed at the time of subdivision. However, with Tripp Street shown on the Master Plan in relation to site access, it would be a requirement of future development with approval of the rezoning and Master Plan. However, at the time of subdivision some flexibility would be allowed for the actual design and connection points with State Avenue and South Wilmoth Avenue based on the requirements of the subdivision code for public streets.

**Infrastructure.** The subject area is already a developed lot with the former Middle School and served by all City infrastructure. Public utility mains and streets are immediately adjacent to the subject property with infrastructure capacity to serve the site, with the exception of off-site transportation impacts.

**Impacts.** The Long Range Transportation Plan (LRTP) currently does not plan for any new residential units within the areas of the previous school district owned sites as they were government owned and not expected for near term development when it was adopted. The traffic impact analysis submitted by the applicant is intended to identify areas of increased traffic for vehicular movements at surrounding major intersections based on the projected number of new residential units for the sites. The city considers operational capacity at intersections when evaluating the effectiveness of the transportation network. The LUPP Transportation Chapter targets Level of Service (LOS) C for intersections.

The applicant intends to demolish the existing school building, parking lots and open space for the development of potentially 50-78 residential units for student housing rentals at 321 State Avenue. The traffic study also partially accounted for the pending rezoning of 601 State Avenue and considered the combined impacts of both projects. The applicant used assumptions of trips per person rather than units because of the intention for the development as student housing. The applicant also utilized a 20% discount in trip generation due to expected lower car utilization based on a survey of parking utilization at Campus Crest Communities on South 16<sup>th</sup> Street in Ames.

Staff reviewed the preliminary conclusions of the traffic impact analysis that was submitted in January and responded to the applicant with comments. Staff has not yet fully reviewed the traffic study submitted on February 19<sup>th</sup>. When responding to the preliminary TIA, staff generally noted that portions of the study were incomplete and additional documentation was needed for staff to complete a review. **Staff did note specifically that the development identified in the Master Plans of both the Middle and South Parcel did not match the number of units described in the traffic study.** The TIA showed less development than the full range described in the Master Plans. Staff also commented that the 20% reduction of trips based on a parking study that estimated parking occupancy was not appropriate as proposed. Staff has requested clarification on the parking study to determine suitability of the study use to reduce the number of trips in the TIA.

The conclusions of the preliminary TIA found that the highest level of impact is to the intersection of Mortensen Road and State Avenue during the PM Peak Hour. Under current conditions, the unsignalized Mortensen and State intersection operates at the cusp of acceptable delay. With the proposed project there is a significant increase in the delay for certain traffic movements at the intersection and a worsening of conditions. The conclusions drawn by the applicant's engineer indicate that the decreased level of service shown from the inclusion of the proposed development increase is not a significant change from existing conditions to warrant any mitigation on behalf of the development.

A planned improvement identified in the LRTP for this intersection is a roundabout. This would mitigate the projected project impacts of both 321 and 601 State Avenue. The existing conditions of the intersection do show a need for improvement and it is identified on a LRTP priority list for improvement within the 10-year planning cycle. However the current priorities do not show the improvement planned in the current 5-year Capital Improvement Program (CIP). The development of these parcels as described in the TIA may cause a need for the City to accelerate the planned improvements before the City's planned LRTP timeline. Development of the subject site could be accountable for a portion of the improvement needed to mitigate the impact and a condition of the rezoning as the City has not planned for this improvement in the near term.

Additionally, it is noted that while there is existing transit service to the general area by way of existing routes and stops on Lincoln Way, the current CyRide service in the area is at full capacity. CyRide has indicated it would not alter its routes to provide service on State Avenue for direct service to the sites. CyRide does not currently have the financial

means necessary to increase the level of service to the area with bus capacity or routes to accommodate the cumulative increase of new development in the area.

**Goals of the Land Use Policy Plan (LUPP).** Several of the ten goal statements of the LUPP speak indirectly to this request for rezoning. However, Goal No. 5 seems to address the rezoning proposal most directly since it states that “it is the goal of Ames to establish a cost-effective and efficient growth pattern for development in new areas and in a limited number of existing areas for intensification.” Objective 5.C.states: “Ames seeks continuance of development in emerging and infill areas where there is existing public infrastructure and where capacity permits.”

**Applicable Laws and Policies.** The City of Ames laws and policies that are applicable to this proposed rezoning are included in (**Attachment F**).

**Applicant’s Statements.** The applicant has provided a description of the proposed rezoning request and a narrative for the proposed Master Plan (**See Attachment H**).

**Findings of Fact.** Based upon an analysis of the proposed rezoning and laws pertinent to the applicant’s request, staff makes the following findings of fact that may be incorporated into final decision on the project:

1. The subject site is zoned S-GA as the location of the former Ames School District Middle School. S-GA allows for uses associated with federal, state, county, school districts, or municipal governmental authorities, such as publically owned facilities used for administration, services or general aviation functions.
2. Ames *Municipal Code Section 29.1507(2)* allows owners of 50 percent or more of the area of the lots in any district desired for rezoning to file an application requesting that the City Council rezone the property. The property represented by the applicant is entirely under one ownership representing 100 percent of the property requested for rezoning.
3. The subject property has been designated on the Land Use Policy Plan (LUPP) Future Land Use Map as “Residential Low Density.” The City completed an analysis of government lands in 2008 and designated this site as low density to accommodate a desired increase in low-density single-family development and for compatibility with surrounding neighborhood.
4. The “Residential Low Density” land use designation supports the “RL” (Low Density Residential) zoning designation. Under “RL” zoning the proposed use as identified in the Master Plan is permitted. The applicant will be required to subdivide the property through a preliminary and final plat to allow for each residential unit to be located on individual lots.
5. Ames *Municipal Code Sec. 29.1507(5)* requires approval of a zoning agreement for an application with a Master Plan and that all subsequent development comply with the Master Plan.

6. Public infrastructure is generally available to serve the proposed development and pending development. The project contributes incremental negative impacts to intersection operations in the area of the site and contributes additional riders to the bus system that operates at capacity.
7. Development of the project would accelerate the need to implement traffic mitigation at the intersection of Mortensen and State that is not programmed within the City's Capital Improvement Plan.

**Public Notice.** Notice was mailed to property owners within 200 feet of the rezoning area and a sign was posted on the subject property.

**Planning and Zoning Commission Meeting.**

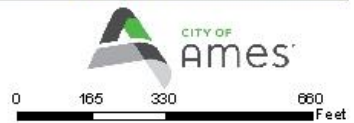
The Planning and Zoning Commission held a public hearing on the proposed rezoning on January 15, 2014. After much debate on the range of options and with a vote of 4-1, the Planning and Zoning Commission recommended that the City Council approve the rezoning with Master Plan for 321 State Avenue from "S-GA" (Government/Airport) to "RL" (Residential Low Density). At the meeting, the Commission heard from the applicant, Charles Vatterott, and his attorney and engineer, Brian Torresi, Davis Brown Law Firm, and Scott Renaud, Fox Engineering. The Commission also heard from many residents from the College Creek Old Ames Middle School Neighborhood Association and a representative from Iowa State University. Mr. Warren Madden, Iowa State University, stated that the University is not opposed to the rezoning, but stated they have concerns that have not been addressed by the applicant such as who will be responsible for improvements and maintenance to the surrounding streets. Mr. Madden also noted that there is concern over any bike path improvements that may be required as the path crosses University property. The neighborhood comments focused around concerns for flooding and storm water runoff, removal of wildlife habitat areas, the need for more owner occupied single-family homes in the community, concern for increased cut through traffic due to the connection of Tripp Street, the use of proposed alleys within the neighborhood as noted on the Master Plan, noise, littering, quality of life issues for the existing residents, and lack of on-site management from the Breckenridge Group as demonstrated at other locations across the Country.



# Attachment A Location Map

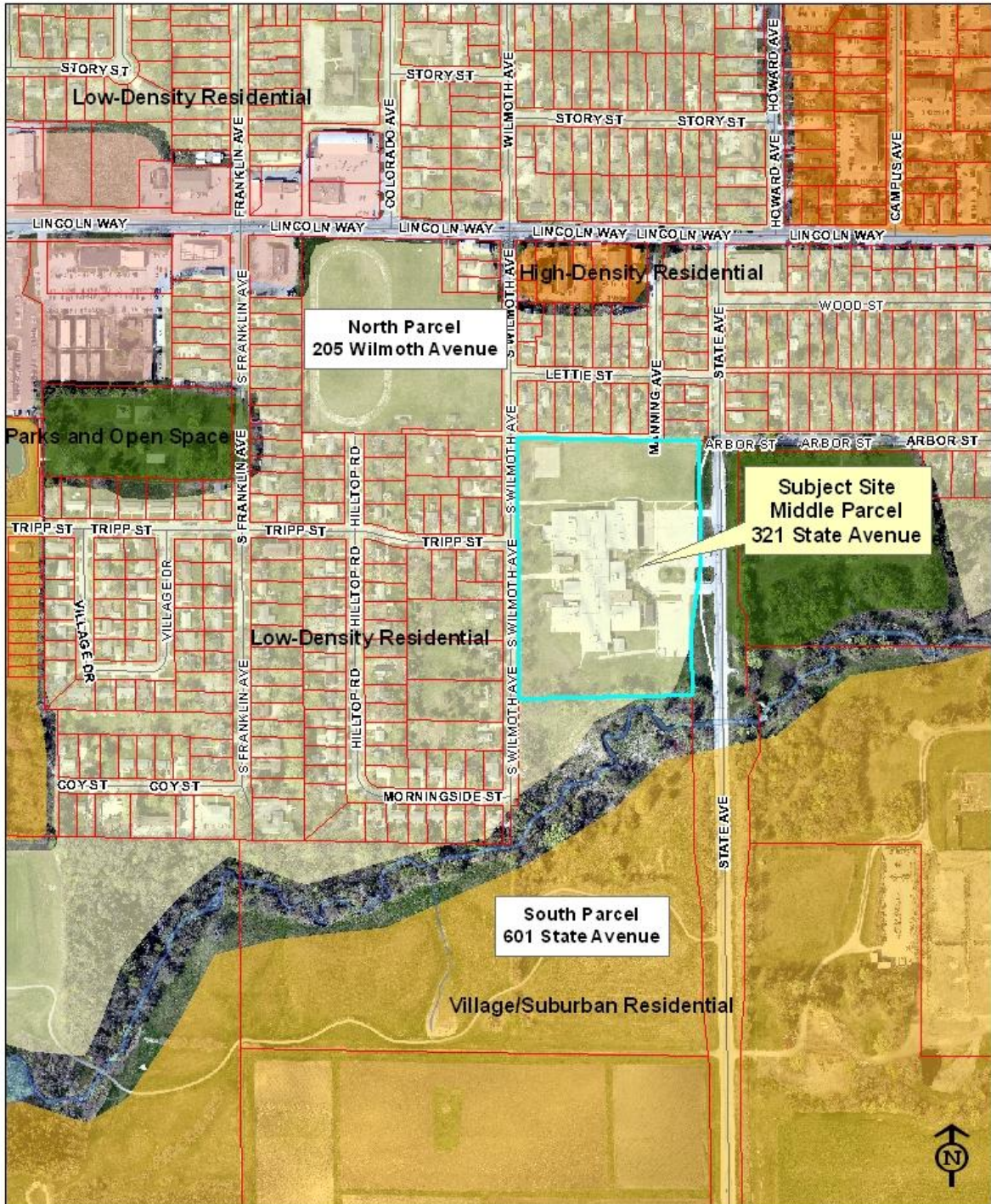


**Location Map  
Breckenridge Development Properties**

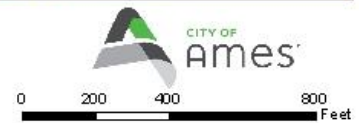




# Attachment B LUPP Future Land Use Map

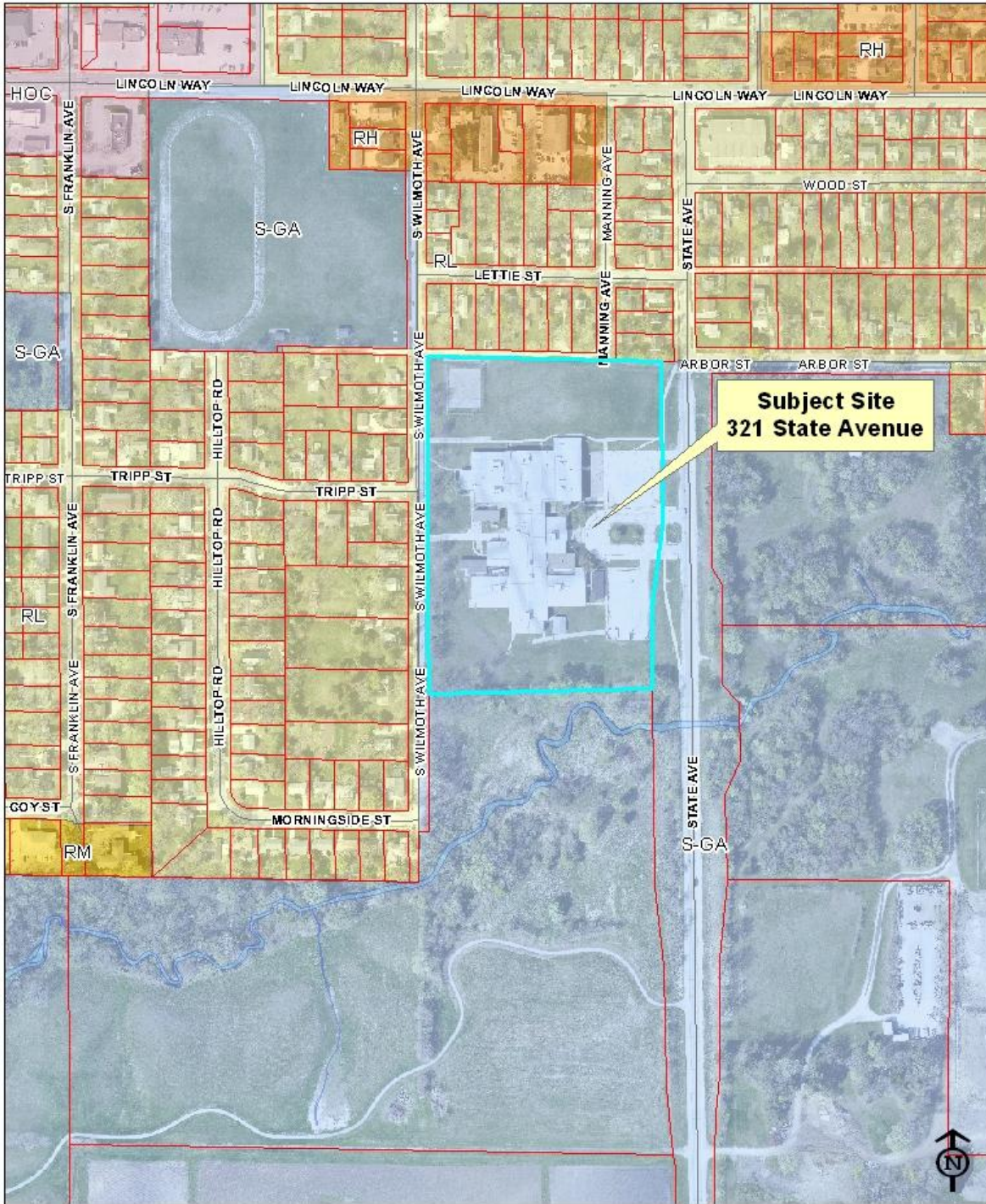


**Existing Land Use Policy Plan Map  
Breckenridge Development Properties**

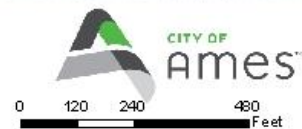




# Attachment C Existing Zoning



**Existing Zoning Map  
321 State Avenue**





# Attachment D Proposed Zoning



**Proposed Zoning Map  
Breckenridge Development Properties**





## **Attachment E**

### ***Code Requirements for a Master Plan and City Council Requested Conditions of the Master Plan for Old Middle School South, Middle, and North Sites***

#### **Per Section 29.1507(4): Master Plan Submittal Requirements:**

- a. Name of the applicant and the name of the owner of record.
- b. Legal description of the property.
- c. North arrow, graphic scale, and date.
- d. Existing conditions within the proposed zoning boundary and within 200 feet of the proposed zoning boundary: Project boundary; all internal property boundaries; public rights-of-way on and adjacent to the site, utilities; easements; existing structures; topography (contours at two-foot intervals); areas of different vegetation types; designated wetlands; flood plain and floodway boundaries; areas designated by the Ames Land Use Policy Plan as Greenways and Environmentally Sensitive Areas
- e. Proposed zoning boundary lines.
- f. Outline and size in acres of areas to be protected from impacts of development
- g. Outline and size in acres of areas proposed of each separate land use and for each residential unit type
- h. Pattern of arterial streets and trails and off-site transportation connections
- i. For proposed residential development provide the number of unit type for each area, expressed in a range of the minimum to maximum number to be developed in each area
- j. For proposed residential development provide a summary table describing all uses of the total site area, including the number of units per net acre for each unit type and each zoning area.

#### **City Council Conditions of Master Plan (April 9, 2013 Meeting):**

- a. In the RL zone consider locating each home on an individual lot as typical in a traditionally subdivision or alternatively consider requiring a Major Site Development Plan for a site with multiple single-family homes on a single lot.
- b. Descriptions of buffering and security. These should be physical design features that can be expected to be incorporated into the site and building designs, rather than employment of personnel which may be diminished over time.
- c. As part of the Master Plan, the City Council may wish to see a street connection of Tripp Street from Wilmoth Avenue to State Avenue. Such interconnectivity of residential neighborhoods is a consistent expectation of the City Council in reviewing other developments.
- d. As part of the Master Plan, the owner should identify the natural resources of the site, such as the flood plain, Greenway and Environmentally Sensitive Lands of the LUPP, conservation easements. Further, the owner should provide information as to how these resources will be protected as part of the project.

- e. As part of the Master Plan, the owner should identify any common facilities, such as open spaces or amenity buildings.
- f. As part of the Master Plan, the City Council asked that all three properties be included. Although a rezoning is sought only for the middle and south parcels at this time, it is the owner's expressed expectation that the north parcel would be a later phase.
- g. Items listed as part of the letter submitted from Iowa State University dated April 4, 2013:
  - 1. Impact on adjacent agricultural plot and field work, require adequate fencing
  - 2. Light pollution on adjacent experimental field plots
  - 3. College Creek watershed impact and downstream water management.
  - 4. Portions of State Street are in institutional road. Responsibility for funding road improvements. Who will pay for widening, signalization other possible improvements?
  - 5. This project may require traffic signalization or construction of a roundabout at State Street and Mortensen to safely manage traffic.
  - 6. Adequate parking in the area.
  - 7. CyRide cost increases for bus service. ISU and students fund ~70% of CyRide operations. Where will financial support come from for expanded service?
  - 8. Impact on Arboretum and Cross County Track on east side of State Street.
  - 9. Walking and bicycle paths from the housing area to campus and retail and residential development to the west.
  - 10. Impact on ISU recreations are to east.
  - 11. Law enforcement and fire protection impact.
  - 12. Campustown revitalization is higher priority for resource commitments and may be a better location for expanded student housing.
  - 13. Long term ISU enrollment trend. Is housing of this type needed and can it be converted to other uses if there are changes in enrollment trends?
  - 14. Impact on residential neighborhood and housing that many of our younger faculty and staff occupy. The neighborhood is opposed to the project.
- h. As part of the Master Plan, the City Council asked that the plan include the equivalency of subdividing the property so that every building is on a separate lot and meets all City requirements.

## **Attachment F**

### ***Applicable Laws and Policies***

The laws applicable to the proposed rezoning at 321 State Avenue are as follows:

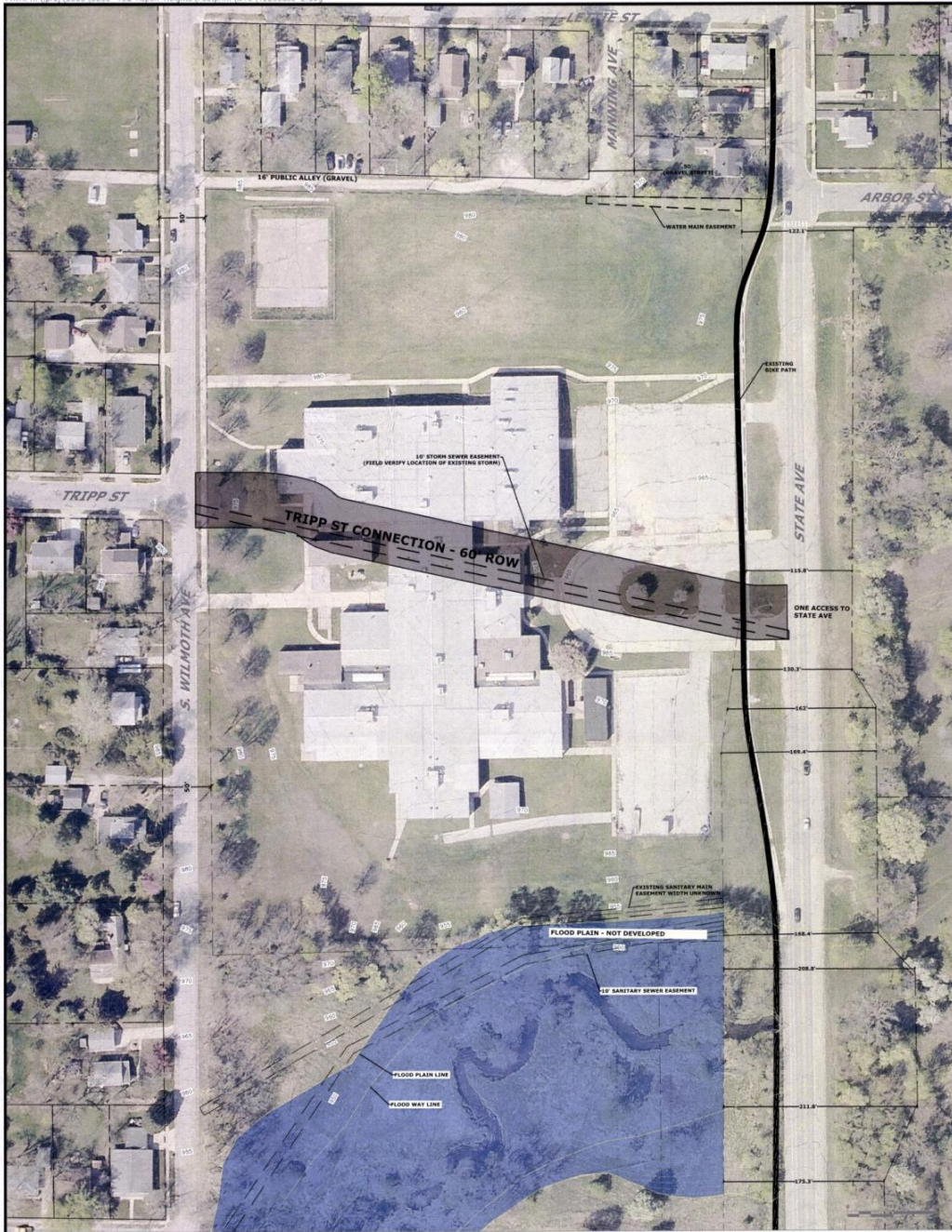
- Land Use Policy Plan (LUPP) Goals, Policies and the Future Land Use Map:

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

- *Ames Municipal Code* Chapter 29, Section 1507, Zoning Text and Map Amendments, includes requirements for owners of land to submit a petition for amendment, a provision to allow the City Council to impose conditions on map amendments, provisions for notice to the public, and time limits for the processing of rezoning proposals.
- *Ames Municipal Code* Chapter 29, Section 701, Residential Low Density (RL) Zone, includes a list of uses that are permitted in the Residential Low Density zoning district and the zone development standards that apply to properties in that zone.

# Attachment G Proposed Master Plan

PATH: n:\apps\5000\5360-13a Asesn Heights\Eastern\10\1275home 2.dwg



**MASTER PLAN SUBMITTAL REQUIREMENTS  
as per City Code Section 20-1307(A)**

(i) Name of the applicant and the name of the owner of the property  
 City Name: \_\_\_\_\_  
 Manager: \_\_\_\_\_  
 Development Group Ames Iowa, L.L.C.  
 1301 S. Capitol of Texas Highway  
 Suite 9-201  
 Austin, Texas 78746  
 Phone: \_\_\_\_\_

(ii) Legal description of the property  
 Reference attached boundary survey

(iii) North arrow, graphic scale, and date  
 Date: \_\_\_\_\_

(iv) Existing conditions within the proposed zoning boundary and within 200 feet of the proposed zoning boundary. Project boundary all internal property boundaries, public right-of-way on and adjacent to the site, utilities, easements, existing structures, topography (contour lines at two-foot intervals), areas of different vegetation types, designated wetlands, flood plain and floodway boundaries, areas designated by the Ames Land Use Policy Plan as Greenways and Environmentally Sensitive Areas.

**RECEIVED**  
 OCT 25 2013  
 CITY OF AMES, IOWA  
 DEPT. OF PLANNING & HOUSING

Easements are shown from available City record. Reference attached City utility maps. Location of utility and easement to be confirmed in design.

(v) Proposed zoning boundary lines  
 Zoning boundaries are same as the property boundary. Requested zoning is RL - Residential Low Density.

(vi) Outline and size in acres of areas to be protected from impacts of development by development in the flood plain. Size of the floodplain is 0.133 acres.

(vii) Outline and size in acres of the areas proposed of each separate land use and for each residential unit type  
 Single lot use within the boundary of the property. Residential unit type in conformance with zoning.

(viii) Pattern of arterial streets and trails and off-site transportation connections  
 Tripp Street is extended from Wilmoth to State Avenue. A single connection at State Avenue.

Distribution aligns with the current Tripp Street and Wilmoth Avenue. Alignment is based on the City storm sewer diagonally crossing the site (under the current Ames Middle School building). Revisions of interior connections to be shown. Connections to Tripp Street and the alley on the north edge of the property.

(ix) For proposed residential development provide the number of unit type for each area, expressed in a range of the minimum to maximum number to be developed in each area of development area. The minimum number of units expected is 50. The maximum number of units is 75.

(x) For proposed residential development provide a summary table describing all uses of the total site area, including the number of units per net acre for each unit type and each zoning area.

Total Site Area = 10.86 acres
Single Unit - Single Family Residential in accordance with RL Residential Low Density
Allowable Density at 7.28 units per net acre
Number of units allowed = 10.86 x 7.28 = 79.84 = 79 units allowed

(xi) For proposed commercial development, placement, size in square feet and approximate dimensions for all buildings, locations and approximate dimensions of all parking areas, areas of landscape, screening, buffer, plaza and open space; circulation pattern for all modes of transportation on the site.  
 Does not apply to this residential development.



**321 State Avenue  
 MASTER PLAN  
 October 24, 2013**

FIGURE:		A	
REVISION	NO.	DATE	
DRAWN	PROJECT NO.	DATE	
TJH	5360-13A	10/24/13	

## **Attachment H** ***Applicant's Statement***

**321 State Avenue**  
**Narrative to the Master Plan**  
**RL Rezoning**  
**Master Plan as per Ames Code 29.1507(4)**  
**October 1, 2013**

Reference Master Plan for detailed responses to the legal requirements of 29.1507(4).

All units are single family residential in conformance with zoning. The houses are a single type in conformance with zoning.

Tripp Street will be constructed as a public street connecting South Wilmoth Avenue to State Avenue as per the City's Transportation Master Plan. The location of Tripp Street is determined by the existing City storm sewer diagonally crossing the site. The existing storm sewer will be in the Tripp Street right of way.

Public alleys will be constructed to access the houses. There will not be lot access from S. Wilmoth, Tripp Street, State Avenue or the Marshall alley (along the north edge of the property). Houses will face the street or green areas. The rear of the houses will be to the alley. The alleys will be constructed to the standards necessary for fire protection as required by the Ames City Code.

Public sidewalks will be constructed as per the requirements for public streets except where trails have already been constructed on State Avenue.

### Utilities

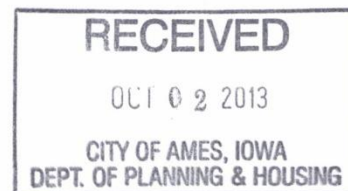
Water - Available adjacent to the site. Public mains will be run in the street and alleys as required to service the buildings and to provide fire protection.

Sanitary Sewer - Available adjacent to the site. Public mains will be run in the street and alleys as required to service the buildings.

Storm Sewer - Available adjacent to the site. Public mains will be run in the street and alleys as required to service the streets, alleys and lot drainage.

Gas/Electric/Phone - Available adjacent to the site.

K:\proj\5000\5360-13a Aspen Heights\Master Plan\2013 10 01 south parcel mp narrative.docx





## Attachment H, Cont.

Rezoning Narrative  
321 State Avenue, Ames, Iowa

### **Reasons for Requesting Rezoning**

The current zoning is S-GA – Government/Airport District is a Special Use District that is intended for governmental bodies and is not appropriate for private property ownership. Rezoning is necessary to redevelop the property for residential use.

### **Consistency of this Rezoning with the Land Use Policy Plan**

The Future Land Use Map identifies this area to be rezoned to Residential Low Density. This rezoning request is in conformance with the Land Use Policy Plan.

**Current Zoning** - Current zoning is S-GA – Government/Airport District.

**Proposed Zoning** - RL- Residential Low Density

**Proposed Use of the Property** – Proposed use will be in conformance with the RL zoning ordinance.

**Legal Description** – See attached Plat of Survey

**Land Area** – 10.86 Acres

K:\proj\5000\5360-13a Aspen Heights\320 Rezoning\Narrative Ver 1 2013 02 07.docx

# **Aspen Heights**

## Traffic Impact Analysis

Prepared for:  
FOX Engineering

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515-232-3202

February 19, 2014

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## I. Introduction

### A. Purpose

The purpose of this traffic impact analysis (TIA) is to forecast the travel demand and related traffic impacts associated with the proposed Aspen Heights development projects. This development is located on State Avenue, at the former Ames middle school site in Ames, Iowa.

The two (2) proposed Aspen Heights development projects discussed in this TIA are:

- the middle project located at the old Ames middle school site
- the south project located to the south of the middle project and north of Mortensen Road, on the west side of State Avenue.

The results of the TIA will identify acceptable levels of service (LOS) and provide input regarding traffic improvements that may be necessary to obtain acceptable levels of capacity in the future. Roadway capacity is evaluated on the basis of a Level of Service (LOS) analysis. Levels of Service are given letter designations of A through F, and are categorized based on driver perception and ease of traffic movements. LOS A represents free-flow conditions with no delays, while LOS E and F are generally considered unacceptable in urban areas.

### B. Analytical Process

A detailed technical process was used in order to achieve the above objectives. Key steps in the process include:

- Trip Generation – The product of the trip generation is the estimated number of trips to and from each proposed land use within a development or project. Input includes statistics on the proposed development (i.e. number of dwelling units, bedrooms, persons etc.), and trip generation for each proposed use, (i.e. trips per person, etc.).
- Trip Distribution – The prime output of trip distribution is the quantification of the “desire” to travel from one location (the origin) to another location (the destination). The % of trips generated in the cardinal direction of north, south, east and west are documented. No route or trip path is implied by the trip distribution process.
- Trip Assignment – The assignment process requires that a roadway network be identified such that each estimated trip generated can be assigned to a specific path (roadway) connecting each origin-destination pair. The aggregation of all trips assigned to a given link in the roadway link in the network is the final traffic forecast for the roadway network.
- Capacity Analysis – This step consists of determining physical requirements needed to accommodate the forecasted traffic volumes and the associated level of service (LOS). The *Synchro* traffic modeling software, utilizing the *Highway Capacity Manual (HCM)* methods, is a key tool in this step.

## II. Background

### A. Aspen Heights Development

The Aspen Heights development project has been detailed in the 321 and 601 State Avenue master plans. The development is designed to be student apartments. The reason, it is expected that approximately 85% of the residents will be ISU students.

#### *Trip Generation - Persons vs Dwelling Units*

There may be a question concerning using persons and automobiles for the trip generation analyses rather than the number of units. The following calculations illustrate that the number of trips generated are similar when considering that the ITE trip generation rates are a result of several studies and compiling data to establish those rates. The following calculations compare traffic generated by persons and by dwelling units for the middle project

#### *Persons Analysis:*

The master plan shows 54 units. If we assume 3 persons per unit on the average there would be 163 persons. Not everyone will have a vehicle and as a result, they will not be generating a vehicle trip. This report assumes that 20 % of the people will not have a vehicle. Therefore, we can reduce the number of persons by 20%. The calculations for daily trips would be:  
(54 units) (3 persons per unit) (0.80) = 129 (assume 130 persons)

The ITE Trip Generation Manual code 220 Apartment indicates 3.31 trips per day per person.  
(130 persons)(3.31) = 430 trips daily

#### *Dwelling Units Analysis:*

The master plan shows 54 units. The ITE Trip Generation Manual, code 220 Apartment assumes 6.65 trips per day per unit.  
(54 units)(6.65 trips per day) = 359 trips (assume 360)

If the number of trips is reduced by 20% because not all residents will have a vehicle, the number of daily trips is assumed to be:  
(360 trips)(0.80) = 288.

#### *Conclusion:*

The conclusion that we can draw is that using persons as a metric to calculate vehicle trips is more conservative than using dwelling units. As a result, this TIA will utilize the number of persons (autos) as the basis for the analysis.

#### *Establishing Maximum Number of Vehicles*

The first step will be converting the number of bedrooms to persons and then to automobiles. The middle site (321) is projected to include 150 bedrooms, and the south site (601) is projected to include 570 bedrooms. The TIA will assume there is one (1) person per bedroom. The TIA also assumes that there will be a maximum possible of one automobile for each person. Therefore, the analysis will use a base of 150 persons (autos) for the middle project and 570 persons (autos) for the south project.

### *Establish Vehicles for Trip distribution*

The next step was to determine the number of automobiles that will be used in the trip distribution analysis. We know that not all students will have a vehicle. This fact reduces the traffic impact the two developments will have on the adjacent street system. A study was completed on January 23 and 24, 2013 at the Campus Crest apartment complex. The Campus Crest study documents that approximately 20% of the occupants in that complex did not have a vehicle on the site. The results of this study were used to discount the number of vehicles at Aspen Heights by 20%. Therefore, the number of vehicles estimated for the Aspen Heights development is 120 ( $150 \times 80\% = 120$ ) for the middle project and 455 ( $570 \times 80\% = 456$ ) for the south project.

### **B. Location**

The Aspen Heights development is located at the old Ames middle school site on State Avenue in Ames, Iowa. It is divided into 3 projects. The north project is at the old track and field location on Lincoln Way. The middle site is at the old middle school site and the south site is located between the middle project and Mortensen Road on the west side of State Avenue. These projects are shown in Figure 1. Only the middle and south projects are included in this TIA.



**Figure 1 – Aspen Heights Project Locations**

### **C. Study Area**

The study area for this TIA was determined in consultation with the Ames City Traffic Engineer. It was concluded that the intersections that are most likely to be impacted by the Aspen Heights projects are: Lincoln Way and Wilmoth, Lincoln Way and State Avenue, Lincoln Way and Highland Avenue, Wilmoth and Tripp Street, State Avenue and Tripp Street, State Avenue and South Project entrance and State Avenue and Mortensen Drive. Surveillance cameras were used to record traffic data at these intersections. The cameras recorded traffic data on Decem-

ber 3, 2013. Figure 2 below shows the intersections of interest and the location of the 5 surveillance cameras.



**Figure 2 – Study Area**

#### D. Background Traffic Volumes

The traffic counts used for background volumes were recorded by 5 cameras on December 3, 2013. The digital data from the cameras was used to determine hourly volumes, turning movements and % cars and trucks at each intersection. In order to establish traffic peak flow periods, data from Iowa State University was used. Iowa State University had completed a study in April/May of 2013 at State Avenue and Mortensen Road. The ISU study identified the peak hours as 8:00 – 9:00 AM and 4:30 – 5:30 PM. In order to utilize the traffic data from the camera counts taken on December 3, 2013, the peak hours of 8:00 – 9:00 AM and 5:00 – 6:00 PM were established for this TIA.

### III. Site Trip Generation

Site trip generation refers to the relationship between vehicle trip making and land use activity. Trip generation rates were taken from statistical studies of similar land use categories and documented by the Institute of Transportation Engineers (ITE). The application of these rates for

proposed land uses results in a travel demand which is then distributed by direction and assigned to the adjacent road network.

ITE's *Trip Generation, Version 9* was used in this TIA to calculate expected trips generated by the middle and south projects. ITE Code 220 Apartment was used to calculate vehicle trips. Table 1 is a summary of the trip generation analysis.

**Table 1 - Site Generated Traffic**

Location	ITE Code	Persons	Daily Rate	AM Peak Rate		PM Peak Rate		Daily Trips	AM Peak Trips		PM Peak Trips	
				Enter	Exit	Enter	Exit		Enter	Exit	Enter	Exit
Middle Project	220 p.345-6	120	3.31	0.14	0.16	0.24	0.26	400	16	20	29	31
South Project	220 p.345-6	455	3.31	0.14	0.16	0.24	0.26	1506	64	72	110	118
<b>TOTAL</b>								<b>1906</b>	<b>80</b>	<b>92</b>	<b>139</b>	<b>149</b>

#### IV. Trip Distribution

Trip distribution is the process of allocating the site generated trips to the street network and is based on general location and direction of major population areas, employment, and commercial hubs, combined with the availability of roadways to connect these attractions to the proposed land development. The majority of the trips generated by the middle and south projects will be directed to the north and south along State Avenue. There is more of a desire to travel from the two projects south on State Avenue than to the north. The distribution shown in figure 3 illustrates that desire.

#### V. Traffic Assignment

Traffic assignment combines existing traffic volumes (the before condition) and the site generated traffic. The trips generated by the projects were added to the background volumes to estimate the future (total) build out traffic volumes. Figures 4-24 illustrate the three traffic volume components of traffic assignment; the existing, the site generated, and the combined traffic volume for each of the intersections included in this study.

#### VI. Capacity Analysis

Roadway capacity is evaluated on the basis of a Level of Service (LOS) analysis. Levels of Service are given letter designations of A through F, and are categorized based on driver perception and ease of traffic movements. LOS A represents free-flow conditions with no delays, while LOS E and F are generally considered unacceptable LOS in urban areas.

The capacity analysis was conducted using *Synchro* traffic modeling software which follows the *Highway Capacity Manual (HCM)* methods. For un-signalized intersections, LOS is given by minor street approach, and unlike signalized intersections, no overall level of service is given per intersection. The LOS letter designation is shown in each of the intersection combined traffic figures. The LOS designations appear as 

B
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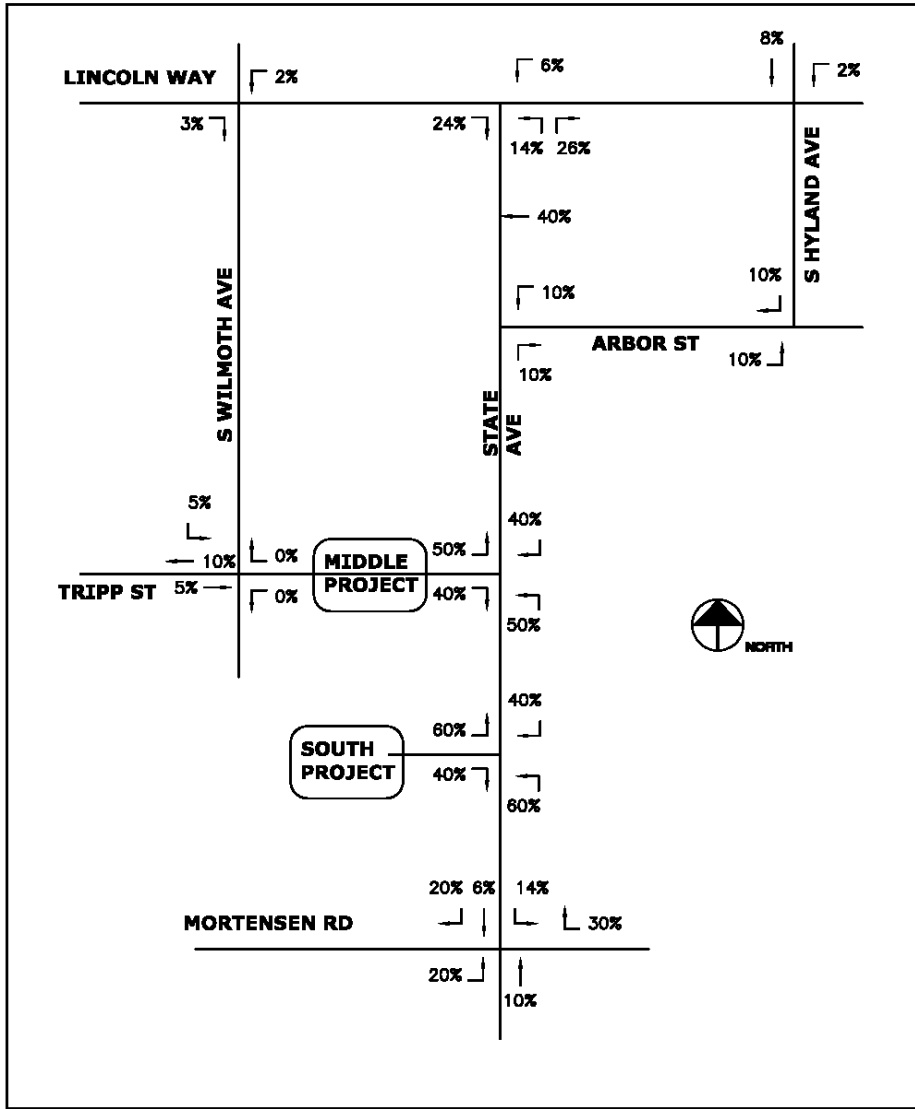


Figure 3. Trip Distribution Middle and South Projects

## Intersection Traffic Assignments

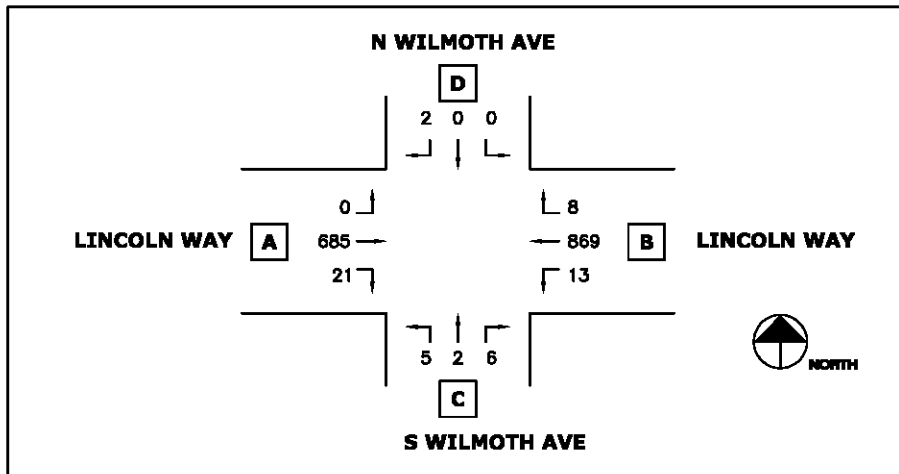


Figure 4 Lincoln Way – Wilmoth Avenue Existing Traffic Volumes

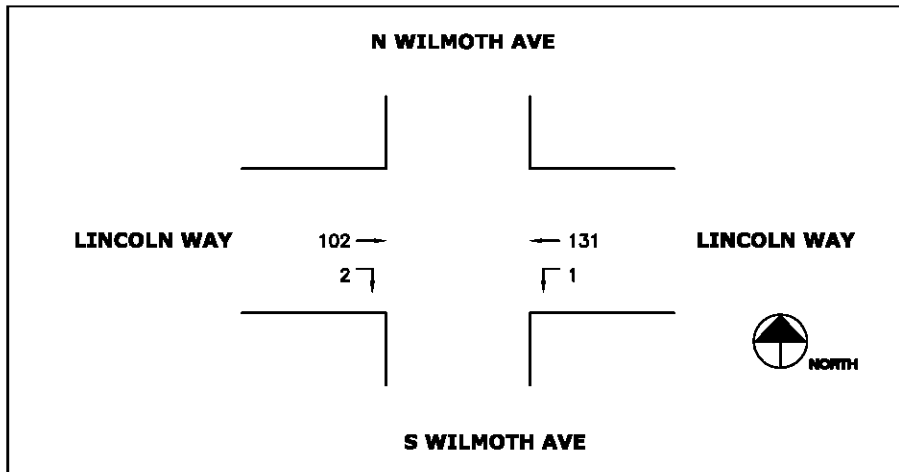


Figure 5 Lincoln Way – Wilmoth Avenue Site Generated Traffic Volumes

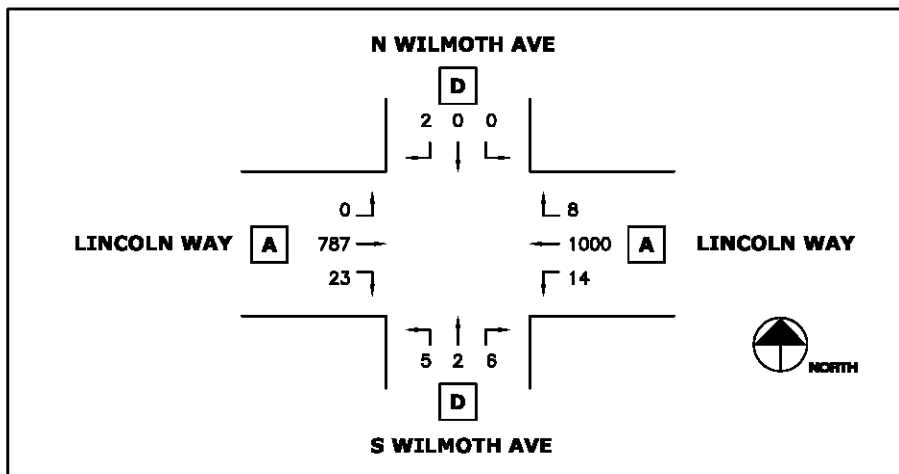


Figure 6 Lincoln Way – Wilmoth Avenue Combined Traffic Volumes



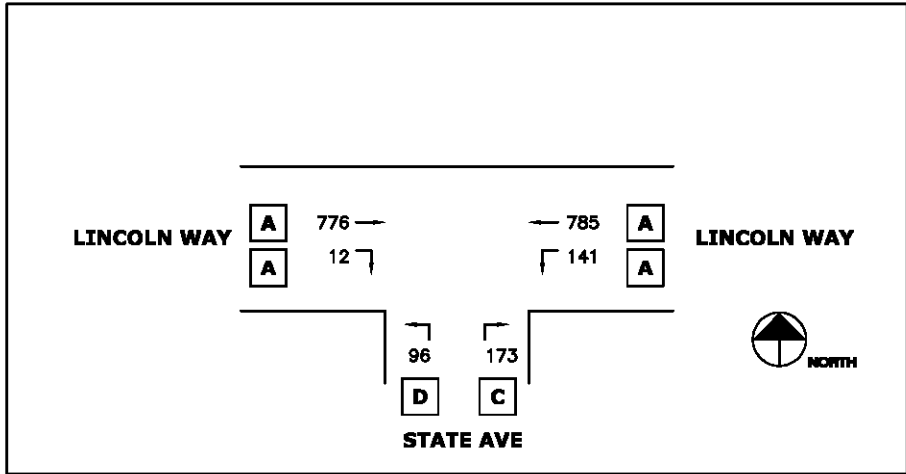


Figure 7 Lincoln Way – State Avenue Existing Traffic Volumes

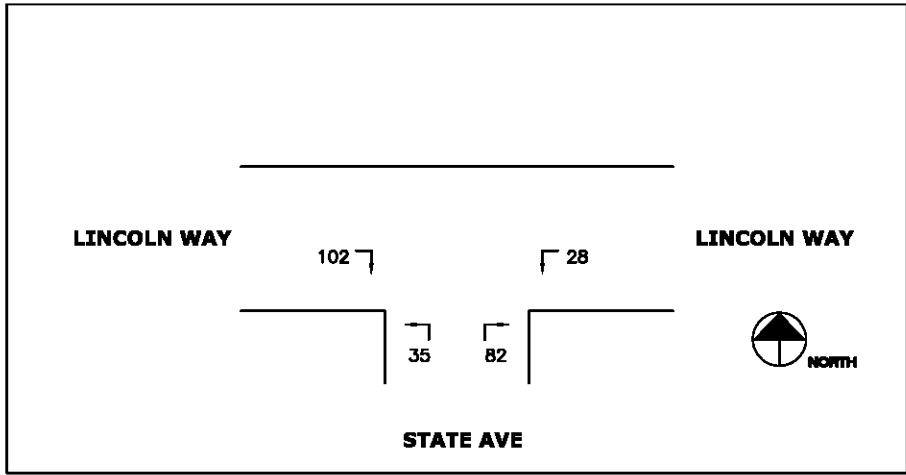


Figure 8 Lincoln Way – State Avenue Site Generated Traffic Volumes

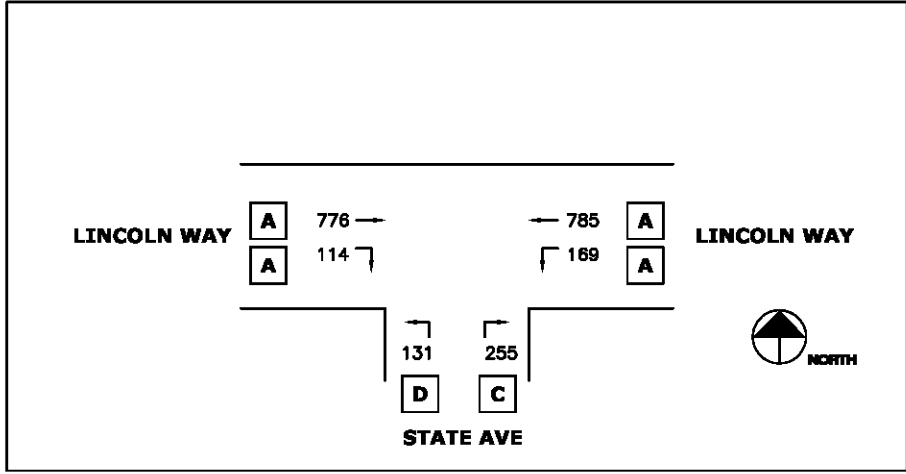


Figure 9 Lincoln Way – State Avenue Combined Traffic Volumes

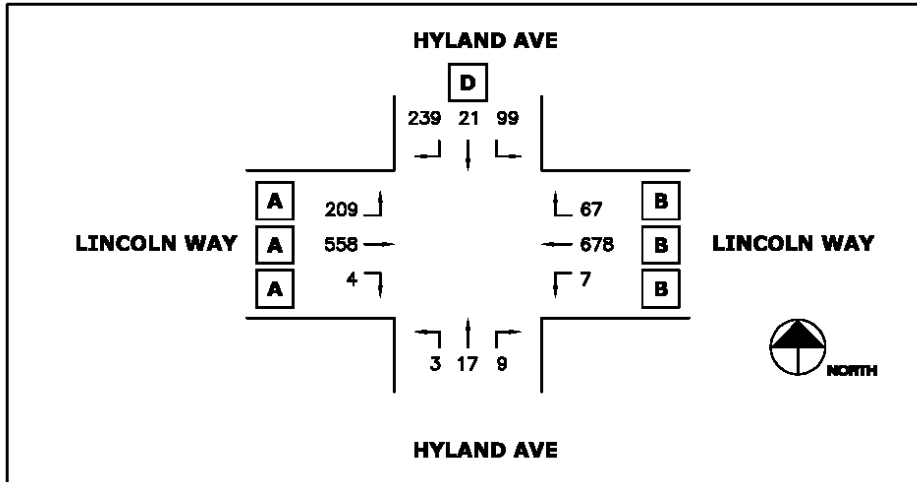


Figure 10 Lincoln Way – Hyland Avenue Existing Traffic Volumes

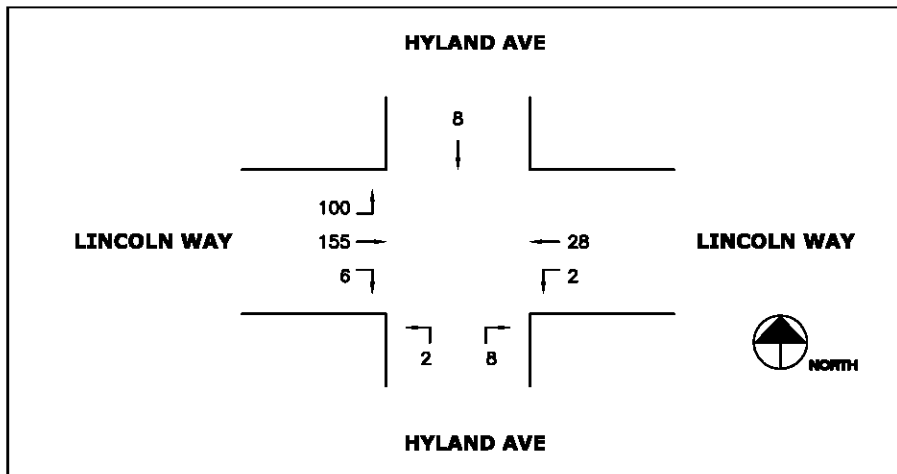


Figure 11 Lincoln Way – Hyland Avenue Site Generated Traffic Volumes

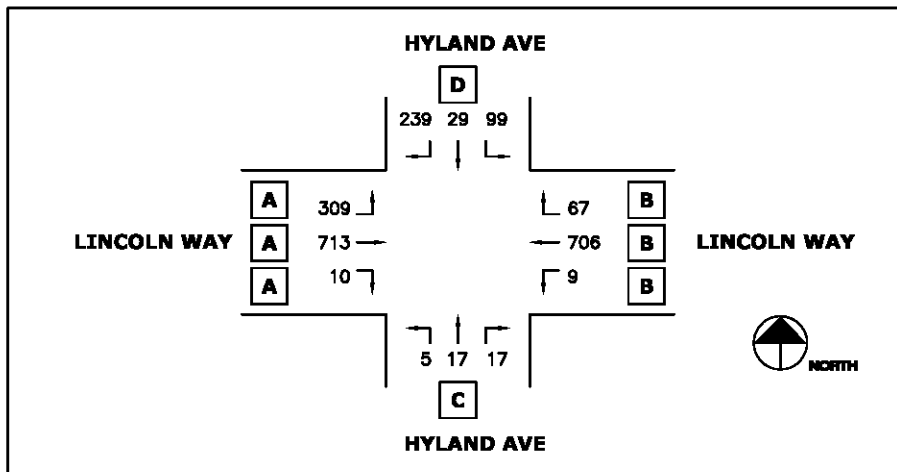


Figure 12 Lincoln Way – Hyland Avenue Combined Traffic Volumes

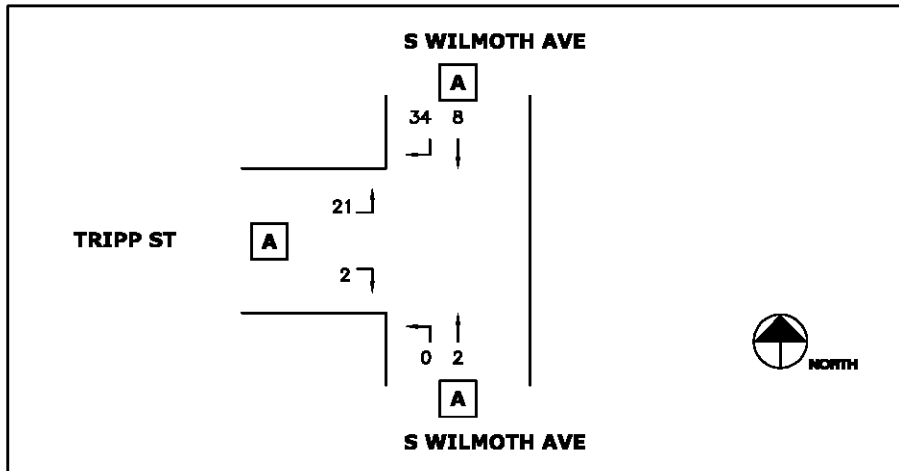


Figure 13 Wilmoth Avenue – Tripp Street Existing Traffic Volumes

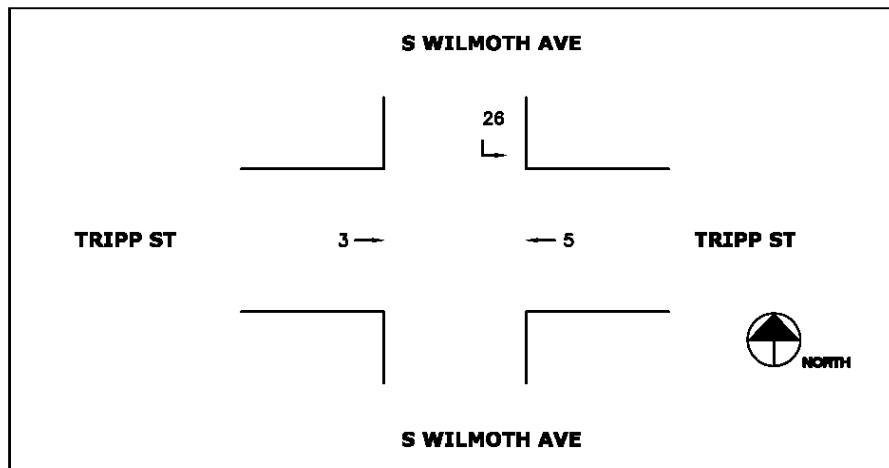


Figure 14 Wilmoth Avenue – Tripp Street Site Generated Traffic Volumes

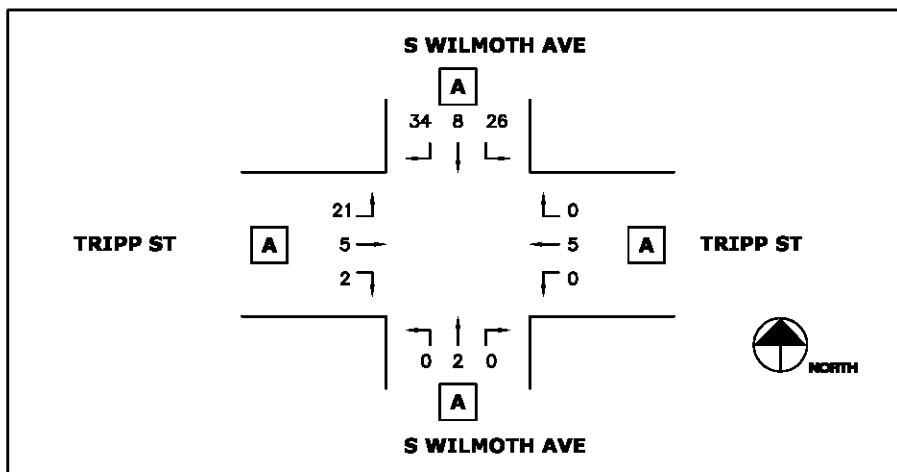


Figure 15 Wilmoth Avenue – Tripp Street Combined Traffic Volumes

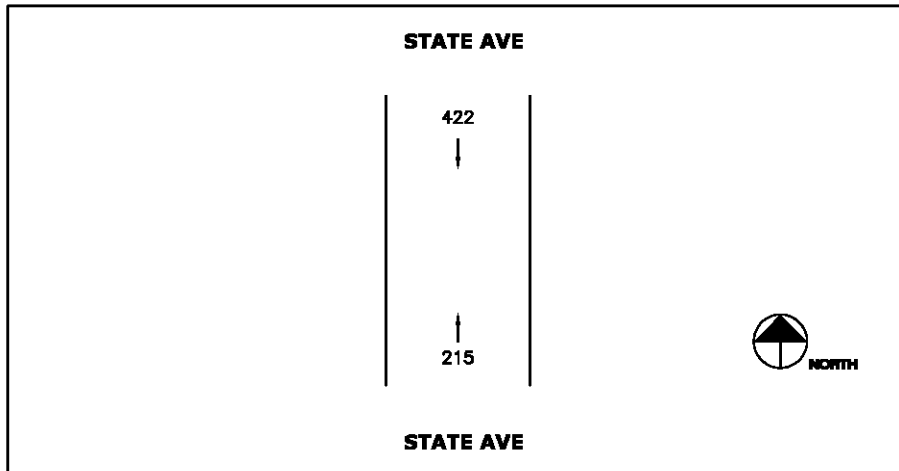


Figure 16 State Avenue – Tripp Street Existing Traffic Volumes

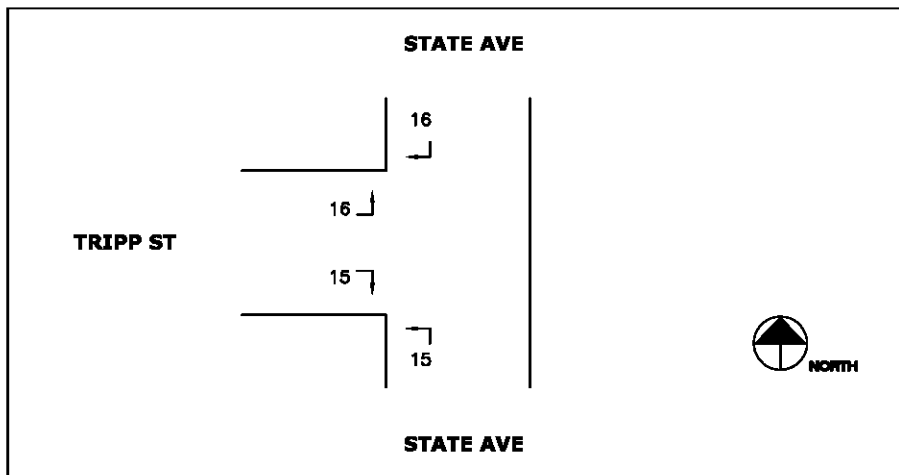


Figure 17 State Avenue – Tripp Street Site Generated Traffic Volumes

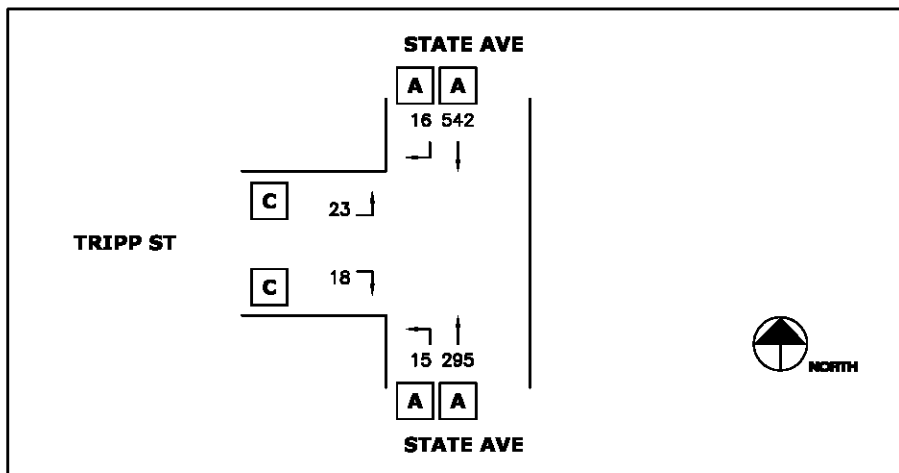


Figure 18 State Avenue – Tripp Street Combined Traffic Volumes

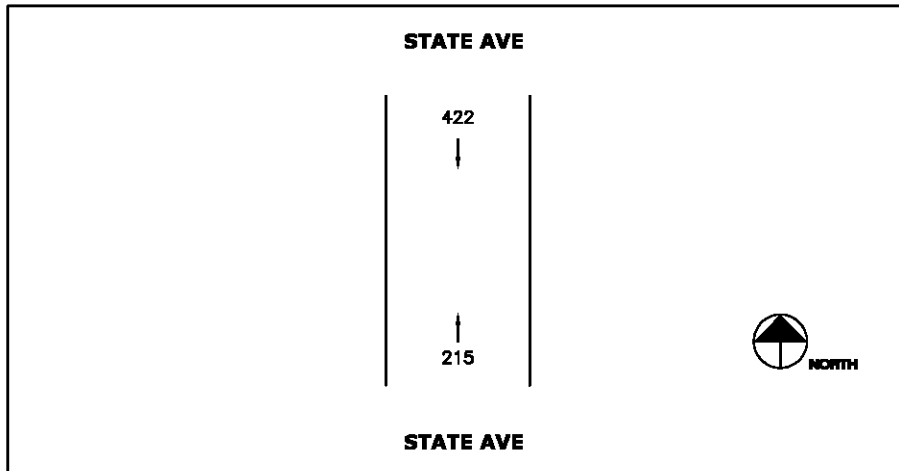


Figure 19 State Avenue – South Project Existing Traffic Volumes

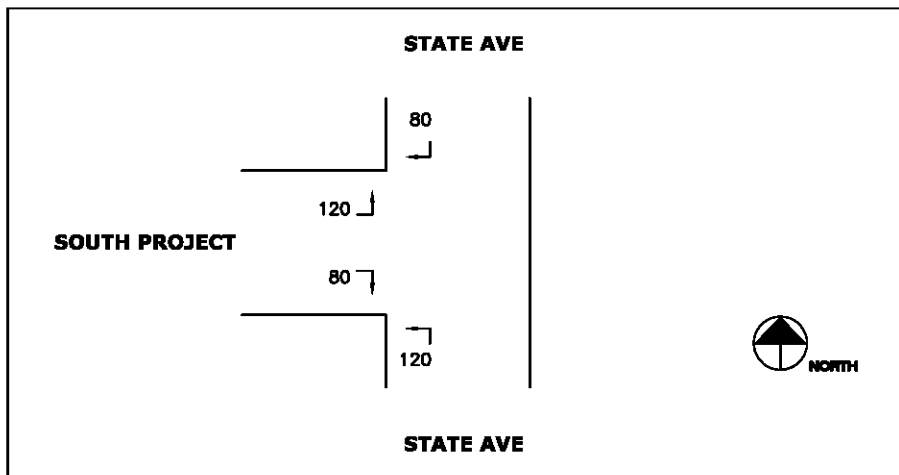


Figure 20 State Avenue – South Project Site Generated Traffic Volumes

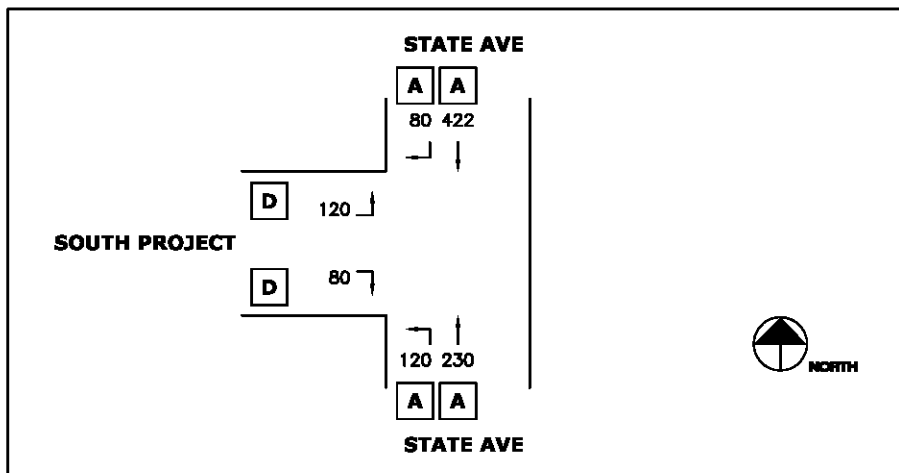


Figure 21 State Avenue – South Project Combined Traffic Volumes

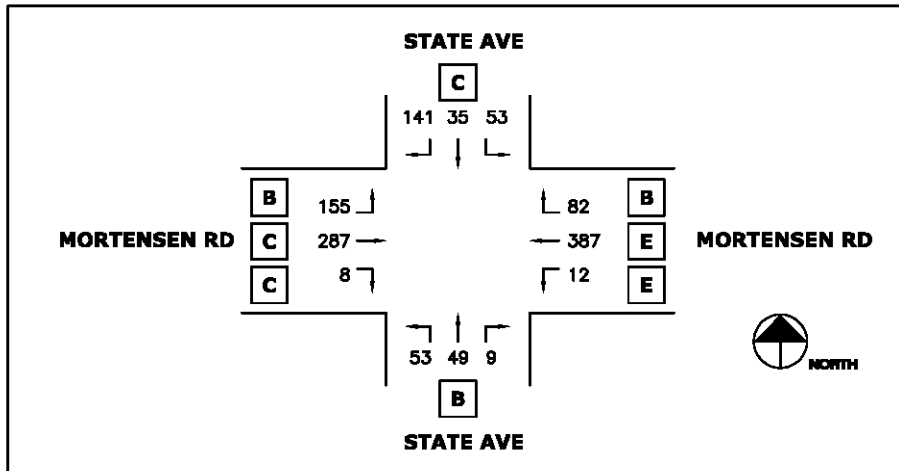


Figure 22 State Avenue – Mortensen Road Existing Traffic Volumes

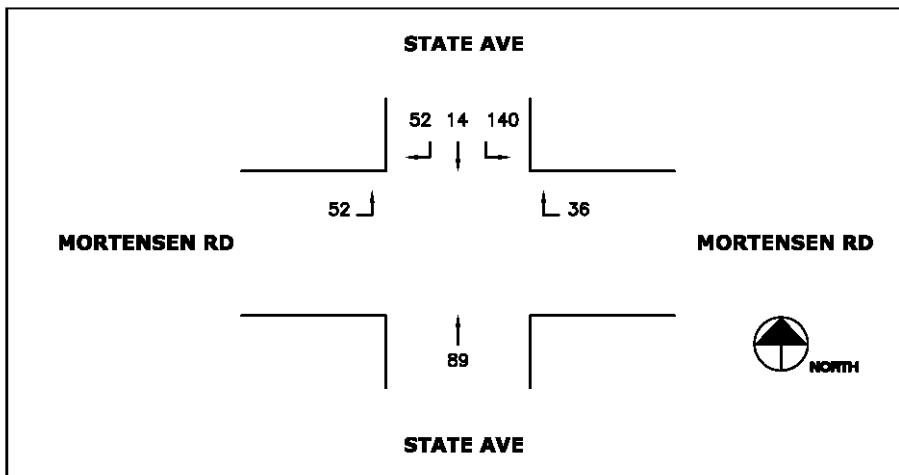


Figure 23 State Avenue – Mortensen Road Site Generated Traffic Volumes

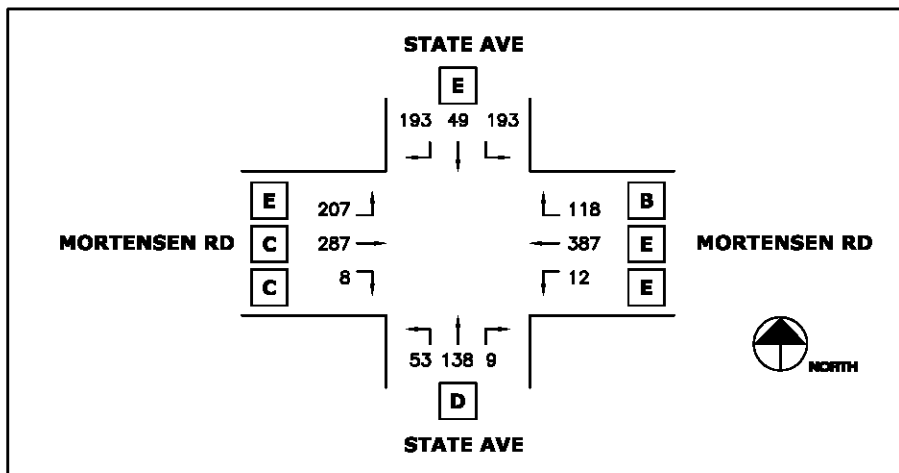


Figure 24 State Avenue – Mortensen Road Combined Traffic Volumes

## **VII. TIA Conclusions**

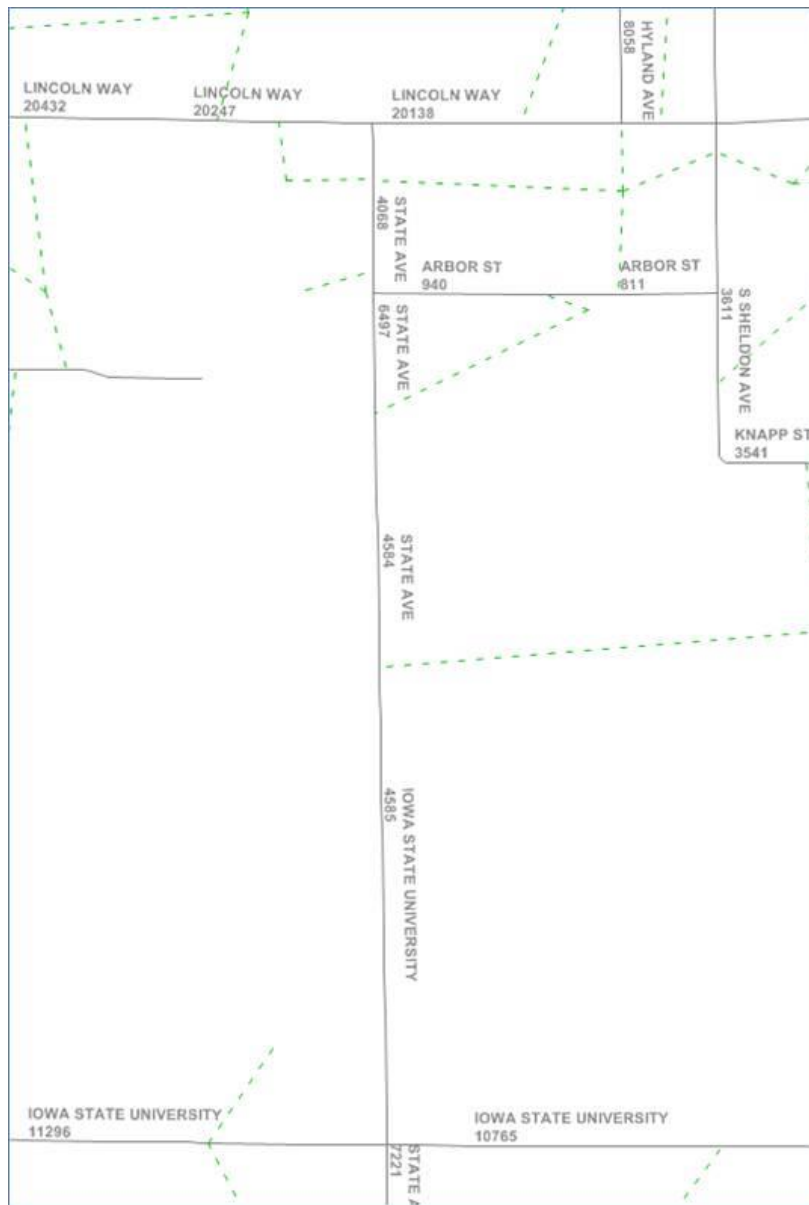
Most every intersection in the study area will experience some changes in traffic volumes as a result of these two projects. In almost all cases, changes in LOS are small and will not be noticed by the traveling public. The intersection movements that show the most changes are:

1. The signalized intersection of Lincoln Way and State Avenue is expected to have some movements that are at LOS D but those are not changes from the current condition. No improvements are recommended at this location.
2. The intersection of Lincoln Way and Hyland is expected to have some movements that are at LOS D but those are not changes from the current condition. No improvements are recommended at this location.
3. The un-signalized intersection of Lincoln Way and Wilmoth is expected to experience a LOS of D for the northbound movement. No improvements are recommended for this movement. If the traveling public perceives that this is an unacceptable LOS there are other routing options available.
4. The un-signalized intersection of State Avenue and the South Project entrance is expected to function at an excellent LOS level except for the eastbound left and right turn lanes. These two movements may function at a LOS of D. This should be acceptable since it is predicted to occur only during the highest travel time of the day and only the residents of the development will experience this lower LOS. In many urban areas LOS D is acceptable during peak traffic flow periods. No improvements on State Avenue are required for this intersection.
5. In the future, the un-signalized intersection of State Avenue and Mortensen Road is expected to experience low LOS for some traffic movements. Today, the intersection is experiencing low LOS conditions. The movements that are of concern for the future are the eastbound, northbound and southbound traffic movements. Please refer to figure 24. Major improvements to the entire intersection would be required in order to provide a higher LOS. Planning activities for these improvements may include constructing a traffic roundabout or the installation of traffic signals. No improvements are recommended as a result of this study since the lower LOS condition exists today. The intersection LOS is considered to be a regional issue and not an Aspen Heights project development driven issue.

## **VIII Transportation Model 2035**

The city of Ames utilizes a transportation model to estimate transportation demands for future dates. The Iowa Department of Transportation (DOT) manages this transportation model for the city of Ames. The DOT provided the transportation model values in the study area for the year 2035. Please refer to figure 25 which illustrate the 2035

transportation model values. The model includes the “Existing + Committed + Planned” roads. The model is showing adjusted traffic volumes for the Old Middle School location. The transportation modeling engineer at the DOT thought the traffic volumes weren't showing as much growth on Lincoln Way as he would expect. After further analysis he stated “I took a look at the counts from 1999 to 2011 in this area and there doesn't seem to be much growth of traffic in the north half of the study area. More of the growth from the base year counts seems to be towards the south part of the study area, which the model shows as well.” With the DOT transportation model engineer’s statement we can assume that the traffic volumes in the study area will show only modest, if any, growth in the future. Therefore the LOS values would not be significantly different than the values estimated in this TIA.



**Figure 25 Transportation Model 2035**



## IX Estimating Impacts in 2035

The following discussion will look at traffic projections for the target year 2035 and will make a conclusion about the impact the Aspen Heights development may have in that future year. The two intersections that will be most impacted by the Aspen Heights development are Lincoln way / State Avenue and State Avenue / Mortensen Road. These two intersections that were analyzed for the 2035 impacts.

The steps included in making the predictions for the target year of 2035 included:

1. Compare the existing traffic counts with the 2035 traffic model predictions and establish a traffic growth relationship between the two. The DOT has existing traffic counts in the study area and they were used to make the comparison. From figure 25 the 2035 projected volumes were established. These values are illustrated in figures 26 – 27. The percent change is shown in each of the figures. The values are shown as : (2011 / 2035) XX%.
2. The next step is to apply the growth scenarios shown in figures 26 and 27 to the estimated turning movements. The estimated turning movements are shown in figures 3 and 22. Please refer to figures 28-29 for the turning movements that have been estimated for the future year of 2035. A LOS has been calculated for each of the intersection legs.
3. The site generated traffic volumes shown in figures 8 and 23 were added to the 2035 estimated turning movements. The resulting values are shown in figures 30-31. A LOS has been calculated for each of the intersection legs.

It would appear from the estimates for the year 2035 indicate the Aspen Heights developments will have approximately the same traffic impact on the study intersections as they will when the projects are first developed. There will be a small increase in traffic as a result of this development but that increase will not reduce the LOS to unacceptable levels.

The intersection of State Avenue and Mortensen Road as illustrated in figure 31 will have several traffic movements predicted to be at LOS F. This condition will exist without the Aspen Heights development. The reason this intersection is at such a low LOS is because of it's role in the entire transportation system in southern Ames. The traffic issues at this intersection are regional issues and not issues driven by the Aspen Heights development projects.

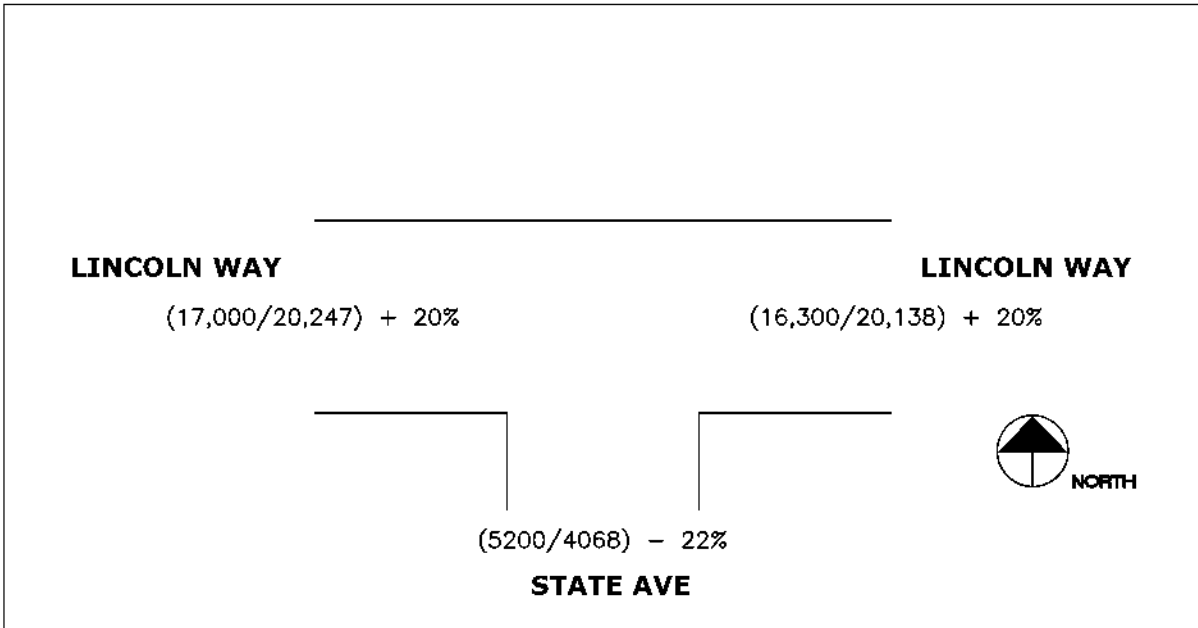


Figure 26 Lincoln Way and State Avenue percent growth

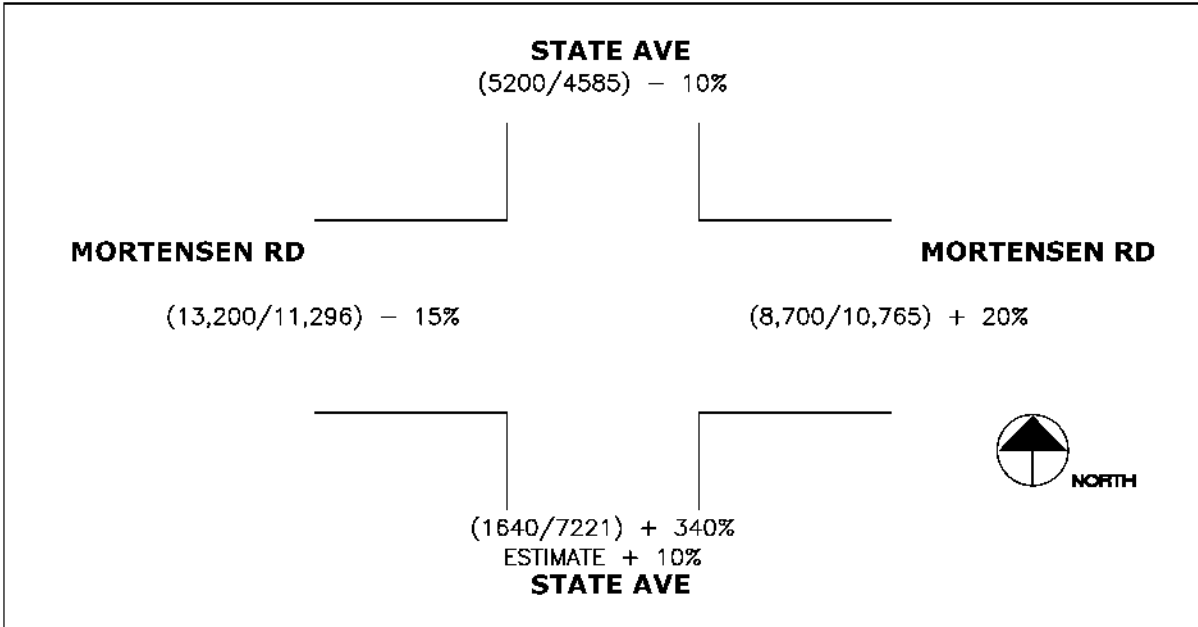


Figure 27 State Avenue and Mortensen Road percent growth

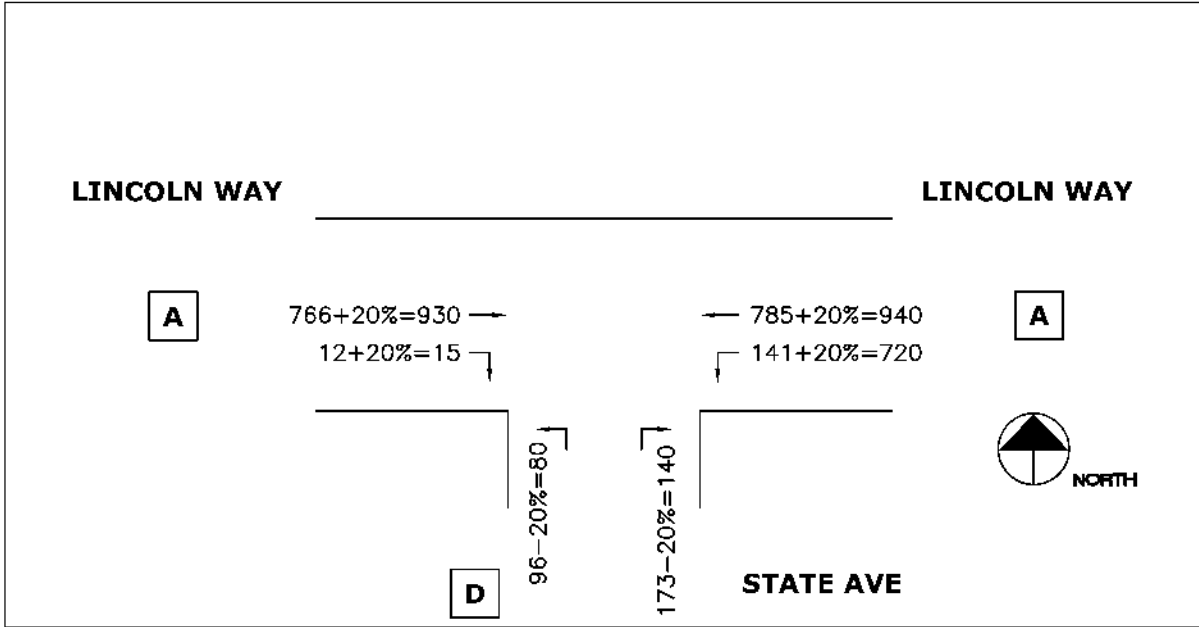


Figure 28 Lincoln Way and State Avenue 2035 Turning Movements

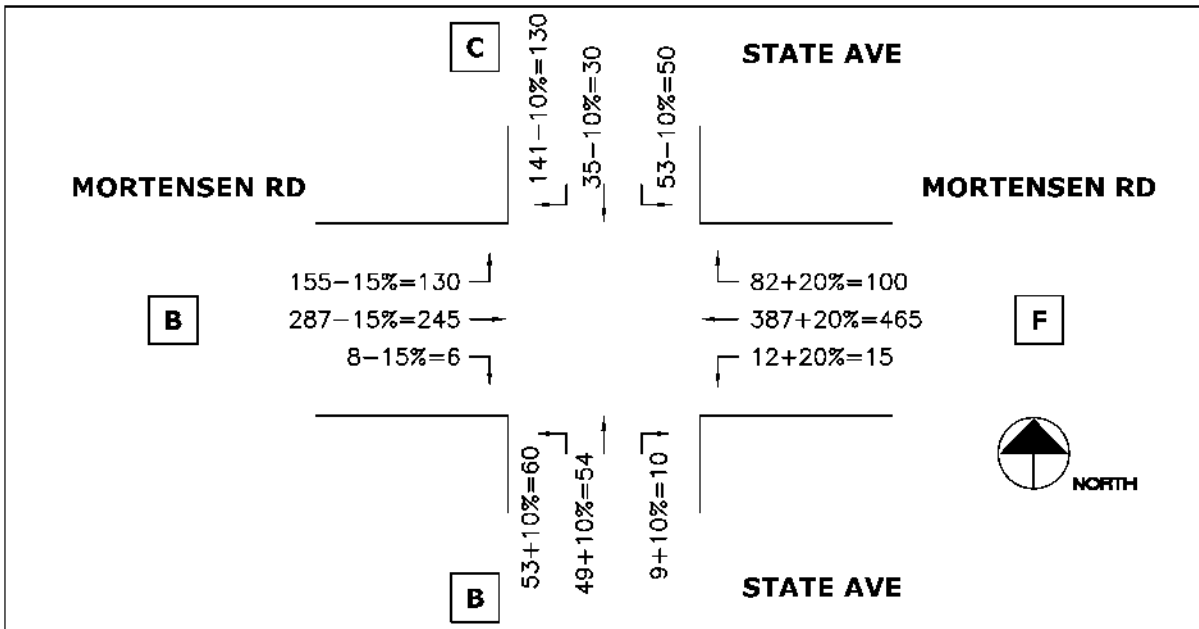


Figure 29 State Avenue and Mortensen Road 2035 Turning Movements

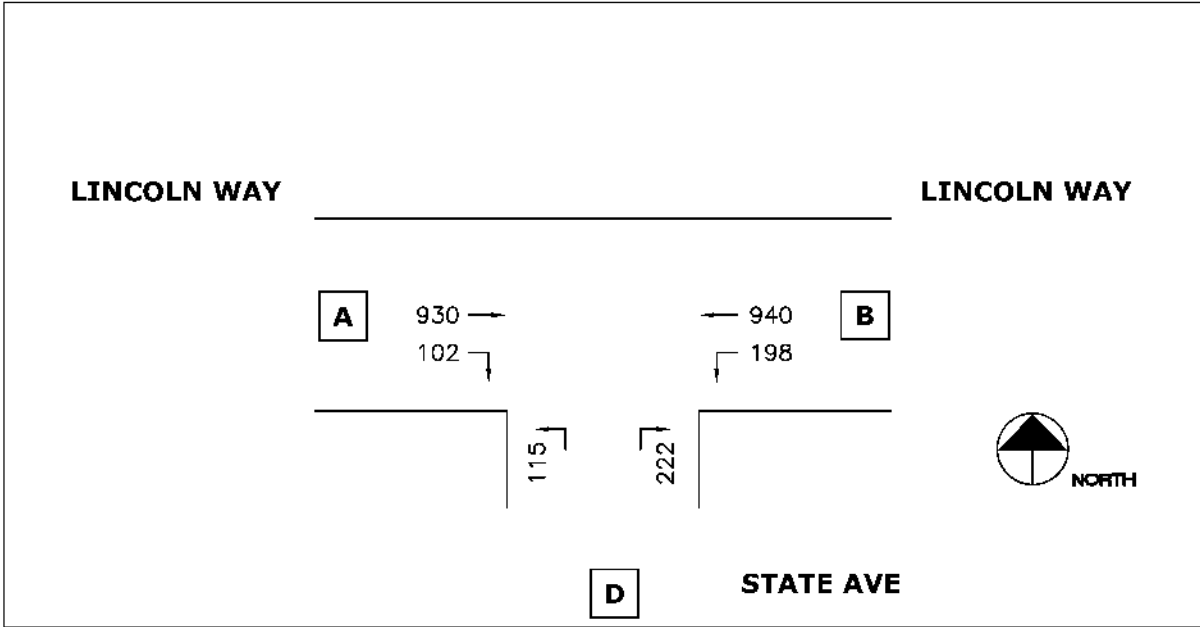


Figure 30 Lincoln Way and State Avenue 2035 Total Traffic

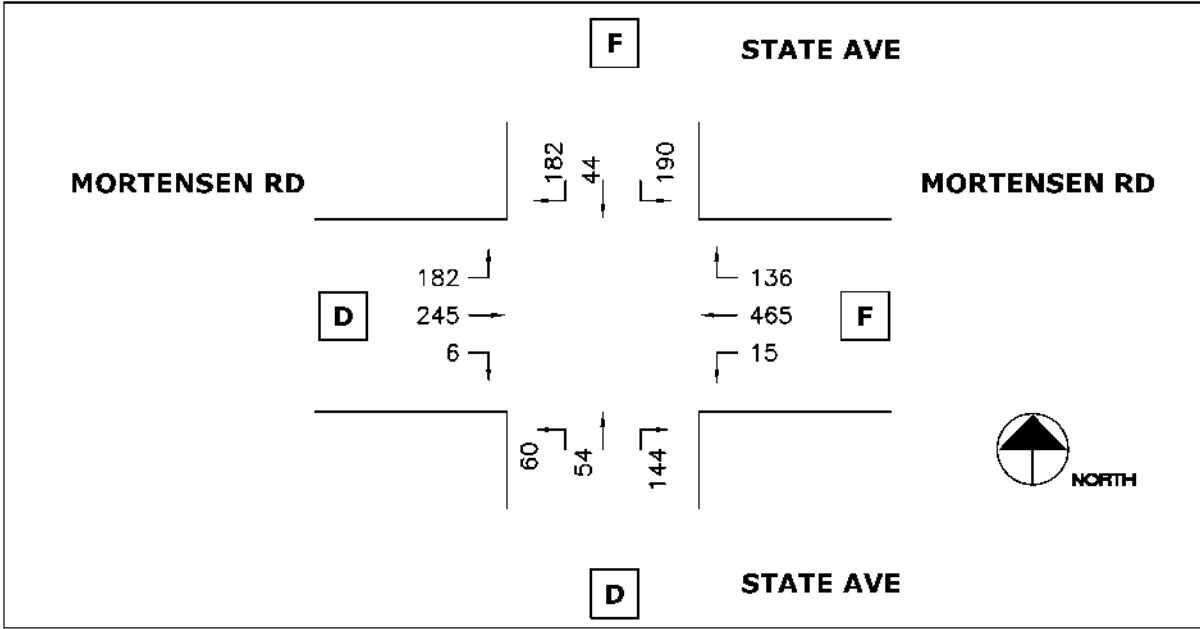


Figure 31 State Avenue and Mortensen Road 2035 Total Traffic

ITEM # 8  
DATE: 02-11-13

### COUNCIL ACTION FORM

**SUBJECT: RINGGENBERG PARK 4<sup>TH</sup> ADDITION – SANITARY SEWER EASEMENT VACATION**

#### **BACKGROUND:**

With the continued development in Ringgenberg Park Subdivision, a request has been received to vacate a portion of a sanitary sewer easement that was created as a part of Ringgenberg Park 1<sup>st</sup> Addition. It is not unusual with developing properties to find that easement locations need to be changed to work with the proposed building plans. When that happens, the City will vacate the easement and the developer will grant a new one for the same purpose but in a different location on the property. The present situation is more involved than the typical easement vacation because the easement being vacated contains an active main serving a residential property.

The vacation is necessary in order for the property owner to secure financing for the new Village Cooperative planned for this area. The current sanitary sewer alignment is in conflict with the proposed building's footprint, and financing cannot be secured for the project with the sewer and easement in their current location.

The developer desires to begin construction as soon as the weather allows this spring. The Final Plat related to the site is scheduled to be approved at the February 25, 2014 Council meeting to establish a new easement. It is also the developer's intent for the new sanitary sewer, as shown in Attachment A, to be installed in spring 2014. Should the Final Plat not be approved at the February 25, 2014 meeting, the easement vacation hearing will be delayed to coincide with Final Plat approval.

The developer has agreed to provide a Letter of Credit prior to February 25, 2014, in the amount equal to the proposed relocation costs to secure the promise to relocate the sewer line that is in the easement presently. Should the Village Cooperative not be developed, the City would have the options to require the developer to install the new sanitary sewer main as proposed, to install the new sanitary sewer main utilizing the developer's financial security, or to re-establish the easement in its current location and return the letter of credit. The City's Legal staff is creating a development agreement for the proposed relocation of the sanitary sewer main that will also be presented at the February 25 Council meeting for approval.

With the easement being specified for sanitary sewer, no additional outreach to other utilities was necessary, since Public Works is the only utility stakeholder in the easement. Staff sees no problems with the relocation of the easement and sanitary sewer main.

**ALTERNATIVES:**

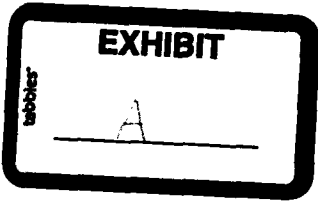
1. Set February, 25, 2014 as the date of public hearing for the proposed vacation of the sanitary sewer easement as shown on Attachment A.
2. Direct staff to pursue other options.

**MANAGER'S RECOMMENDED ACTION:**

By moving forward with the process to approve vacation of this easement, Council will facilitate this property owner's ability to secure financing and move forward with the Village Cooperative development.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby setting February 25, 2014 as the date of public hearing for the proposed vacation of the sanitary sewer easement as shown on Attachment A.





R. BRADLEY STUMBO P.O. BOX 1664 AMES, IOWA 50010 515-233-3689

### VACATION EXHIBIT

OAKWOOD ROAD

NE CORNER LOT 12

Survey Description-Sanitary Sewer Easement to be Vacated:  
 A strip 20.00 feet in width across Lot 12, Ringgenberg Park Subdivision, Fourth Addition to the City of Ames, Story County, Iowa, being more particularly described as follows: Commencing at the Northeast Corner of said Lot 12; thence S01°13'07"E, 320.85 feet along the East line of said Lot 12, thence S86°56'58"W, 21.86 feet to the point of beginning thence S86°56'58"W, 300.13 feet; thence S24°01'18"E, 14.25 feet; thence S19°32'28"E, 6.98 feet; thence N86°56'58"E, 291.02 feet; thence N02°44'19"E, 20.10 feet to the point of beginning.

S01°13'07"E 320.85'

CEDAR LANE (ROW VARIES)

LOT 12 RINGGENBERG PARK SUBDIVISION, FOURTH ADDITION

EXISTING SANITARY SEWER EASEMENT

EXISTING SANITARY SEWER EASEMENT TO BE VACATED

S86°56'58"W 21.86'

S86°56'58"W 300.13'

N86°56'58"E 291.02'

S24°01'18"E 14.25'

S19°32'28"E 6.98'

NEW SANITARY SEWER EASEMENT

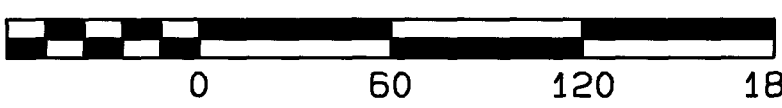
BOBCAT DRIVE (40')

EXISTING SANITARY SEWER EASEMENT

N02°44'19"E 20.10'

OUTLOT B

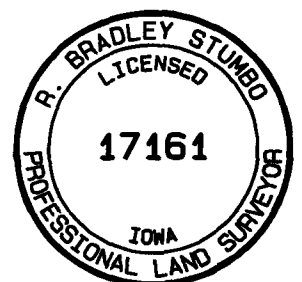
GRAPHIC SCALE 1"=60'



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

*R. Bradley Stumbo*  
R. Bradley Stumbo License #17161  
My license renewal date is December 31, 2015

Date: 1-29-14



**COUNCIL ACTION FORM**

**SUBJECT: 2013/14 ARTERIAL STREET PAVEMENT IMPROVEMENTS  
(LINCOLN WAY – THACKERAY AVENUE TO HICKORY DRIVE)**

**BACKGROUND:**

This annual program is for the reconstruction or rehabilitation of arterial streets to restore structural integrity, serviceability and rideability. Locations are chosen in accordance with the City's most current street condition inventory.

The 2013/14 project location is Lincoln Way from Thackeray Avenue to Hickory Drive. Work will involve a mill and overlay of the existing pavement, removal of sections of the existing median, and installation of an eight foot sidewalk on the north side of Lincoln Way between North Dakota Avenue and Hickory Drive.

A new sidewalk will be installed on the north side of Lincoln Way between Hickory and North Dakota. During the preliminary design walk through, this area was identified as a heavily utilized pedestrian way, since a pathway had been worn down through the grass behind the curb area. While the City Council legally could order the abutting property owners to install a sidewalk, installing the sidewalk as part of this project would be a publicly-funded, proactive effort to provide safe pedestrian passage for Ames and ISU students, as well as for CyRide users along this arterial street. Staff contacted the adjacent property owners and there were no objections to the City installing the sidewalk. The property owners understand their future responsibility for routine and long-term maintenance of the sidewalk.

On February 19, 2014, bids on this project were received as follows:

Engineers Estimate	\$765,887.00
Manatt's, Inc.	\$778,982.51

Engineering and construction administration for the program is estimated at \$117,000 bringing total estimated costs to \$895,982.51. This program is shown in the FY 2013/14 Capital Improvements Plan with funding in the amount of \$825,000 from General Obligation Bonds. Additional funding will come from project savings in the FY 12/13 Collector Street Pavement Improvements project in the amount of \$445,568. This brings total available funding to \$1,270,568.

**ALTERNATIVES:**

- 1a. Accept the report of bids for the 2013/14 Arterial Street Pavement Improvements (Lincoln Way – Thackery Avenue to Hickory Drive).
  - b. Approve the final plans and specifications for the 2013/14 Arterial Street Pavement Improvements (Lincoln Way – Thackery Avenue to Hickory Drive).
  - c. Award the 2013/14 Arterial Street Pavement Improvements (Lincoln Way – Thackery Avenue to Hickory Drive) to Manatt’s, Inc. of Ames, Iowa, in the amount of \$778,982.51.
2. Do not proceed with the project at this time.

**MANAGER’S RECOMMENDED ACTION:**

By approving this project now, it will be possible to restore the structural integrity of the designated streets with construction to be completed during Iowa State University's 2014 summer session.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby accepting the report of bids, approving the final plans and specifications, and awarding the 2013/14 Arterial Street Pavement Improvements (Lincoln Way – Thackery Avenue to Hickory Drive) to Manatt’s, Inc. of Ames, Iowa, in the amount of \$778,982.51.

**COUNCIL ACTION FORM**

**SUBJECT: 2012/2013 ASPHALT/SEAL COAT STREET REHABILITATION PROGRAM (CARROLL AVENUE – EAST 9<sup>TH</sup> TO EAST 13<sup>TH</sup> STREET)**

**BACKGROUND:**

This is an annual program for removal of built-up seal coat from streets with asphalt surfaces, as well as asphalt resurfacing of various streets. This program restores surface texture, corrects structural deficiencies, removes built-up seal coat, and prevents deterioration of various streets. This resurfacing process results in better riding surfaces, increased safety with improved surface texture, and increased life expectancy of the streets. Built-up seal coat on streets causes excessive crown, which results in vehicles dragging at driveway entrances. Complete removal of this built-up seal coat allows for repairs to curbs and gutters and placement of a new asphalt surface.

The location for seal coat removal/asphalt reconstruction in this contract is Carroll Avenue from East 9<sup>th</sup> Street to East 13<sup>th</sup> Street. Locations in this program that have previously been awarded by City Council in a separate contract include South Wilmoth Street (Lincoln Way to Morningside Street), Morningside Street, Hilltop Road, and Tripp Street (South Wilmoth to Hilltop Road). Work on those other locations was initiated during 2013.

On February 19, 2014, bids on this project were received as follows:

Engineers Estimate	\$292,975.00
Manatt's, Inc.	\$273,782.30

Programmed funding and projected expenses are summarized below:

	<u>Expenses</u>	<u>Funding</u>
G.O. Bonds		\$ 620,500
Road Use Tax		\$ 650,000
S. Wilmoth Area (awarded amount)	\$ 645,685.00	
<b>Carroll Avenue (this contract)</b>	<b>\$ 273,782.30</b>	
Engineering (overall program estimate)	<u>\$ 140,000.00</u>	
Totals	\$1,059,467.30	<u>\$1,270,500</u>

Remaining funds from this program will be used on additional roadway improvement projects in the future.

**ALTERNATIVES:**

- 1a. Accept the report of bids for the 2012/13 Asphalt/Seal Coat Street Rehabilitation (Carroll Avenue – E. 9<sup>th</sup> Street to E. 13<sup>th</sup> Street).
  - b. Approve the final plans and specifications for 2012/13 Asphalt/Seal Coat Street Rehabilitation (Carroll Avenue – E. 9<sup>th</sup> Street to E. 13<sup>th</sup> Street)
  - c. Award the 2012/13 Asphalt/Seal Coat Street Rehabilitation (Carroll Avenue – E. 9<sup>th</sup> Street to E. 13<sup>th</sup> Street) to Manatt's, Inc. of Ames, Iowa, in the amount of \$273,782.30.
2. Do not approve this project.

**MANAGER'S RECOMMENDED ACTION:**

By awarding this contract at this time, it will be possible to improve this section of deteriorated pavement for our citizens during the upcoming construction season.

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

**COUNCIL ACTION FORM**

**SUBJECT: POWER PLANT MOTOR REPAIR CONTRACT**

**BACKGROUND:**

On January 14, 2014, City Council approved preliminary plans and specifications for the reissuance of the motor repair contract for the City's Power Plant. Electric Services' two coal-fired, high-pressure steam turbine electric generating units are referred to as Units No. 7 and 8. These units require regular professional maintenance and repair. This consists of regularly planned repairs and services during scheduled outages, as well as emergency service. The repair of these generating units requires professional trade crafts such as boilermakers, electricians/control technicians, steam/pipe fitters, and millwrights, to list a few. The units operate under environmental conditions with high heat and high pressure.

Due to these operational conditions, numerous motors are necessary to safely and reliably operate the Power Plant. All of this equipment must be professionally maintained, serviced, adjusted, repaired, and rebuilt. Rather than bid and get prices for this work multiple times per year with the inconsistency of work and quality as different vendors participate, this work is outsourced on an annual renewable contract basis.

This contract is to provide motor maintenance services for the period from award date through December 31, 2014. The contract includes a provision that would allow the City to renew the contract for up to four additional one-year terms.

Bid documents were issued to seven 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. The bid was also sent to one plan room. On February 12, 2014, two bids with were received as shown on the attached report.

Staff reviewed the two bids and concluded, based on the time and material rates submitted, that the apparent low bid from Electrical Engineering and Equipment Co., Windsor Heights, IA, is acceptable.

Having a Motor Repair Contract reduces the City's exposure to market forces regarding prices and availability for labor, travel, and supplies in preparation for a scheduled outage. City staff will save considerable time obtaining quotes, evaluating proposals, and preparing specifications and other procurement documentation.

**The approved FY 2013/14 operating budget for Electric Production includes \$94,000 for this work. Payments would be calculated on unit prices bid and actual work performed, up to the available budget amount.**

**ALTERNATIVES:**

1. Award the contract for the Motor Repair Contract to Electrical Engineering and Equipment Co., Windsor Heights, IA, for hourly rates and unit prices bid, in an amount not-to-exceed \$94,000. This contract shall be from award date through December 31, 2014. The contract includes a provision that would allow the City to renew the contract for up to four additional one-year terms at stated rates.
2. Reject the bid received and purchase motor maintenance services on an as-needed basis.

**MANAGER'S RECOMMENDED ACTION:**

This contract is necessary to properly maintain motors and to carry out emergency and scheduled repairs resulting from equipment failures. This contract should achieve a consistent, high quality diagnosis, repair and/or overhaul of a motor, and to return it to good operating condition with a minimum of delay and cost.

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





## IFB 2014-130 Motor Repair Contract for Power Plant Bid Summary

<b>Electrical Engineering and Equipment Co. Windsor Heights, IA</b>		<b>Shermco Industries Irving, TX</b>	
IN SHOP S.T.	\$66.30	<b>Large Motor Shop Rates</b>	
IN SHOP O.T.	\$99.45	Straight Time	\$100.00
IN SHOP D.T	\$132.60	Overtime	\$150.00
INSHOP SOLID STATE REPAIR	\$80.75	Double Time	\$200.00
IN SHOP BALANCING, first hour	\$110.50	<b>NEMA Shop Rates</b>	
IN SHOP PRESSWORK	\$80.75	Straight Time	\$85.00
OUTSIDE S.T.	\$80.75	Overtime	\$127.50
OUTSIDE O.T.	\$121.13	Double Time	\$170.00
OUTSIDE D.T.	\$161.50	<b>On-Site Rates</b>	
ON SITE SOLID STATE REPAIR, TROUBLE SHOOTING, PM'S	\$80.75	Straight Time	\$130.00
OT	\$121.13	Overtime	\$195.00
DT	\$161.50	Double Time	\$260.00
ON SITE VIBRATION ANALYSIS AND BALANCING	\$80.75	Travel Time	Charged as above
OT	\$121.13	Mileage	\$1.50 / mile
DT	\$161.50	Expenses (Meals)	\$35.00 / day
Mileage	\$0.94 / mile	Additional Expenses	Cost Plus 30%
CRAFT TRAVEL	\$80.75		
MATERIAL COSTS:	Cost Plus 20%		
<b>Proposed Price Increase for Renewal Periods:</b>			
Labor Rates:	1.5% per year	0% per year	
Travel & Subsistence:	1% per year	0% per year	
<b>* All labor rates listed above are per hour</b>			

**COUNCIL ACTION FORM****SUBJECT: 2014 NORTHRIDGE HEIGHTS PARK IMPROVEMENTS****BACKGROUND:**

Development of the City's new Northridge Height Park is currently underway. To date, the City has incurred \$57,339 of expenses for engineering services, transport of fill dirt to the site, and spreading the fill dirt to rough grade. Items yet to be completed at the park are final grading, installation of storm sewer inlets, erosion control, installation and connection of a water line and electric service, sidewalk construction, seeding and installation of the drinking fountain. The remaining amount available for this project is \$153,591.

The engineering estimate for the remaining construction work was \$145,500. In addition, the City will spend approximately \$30,000 for the purchase and installation of a shelter, benches, basketball goals, swings, and park sign. This brought the total estimated cost to finish developing the park to \$175,500, which exceeded the remaining funds available.

**Fortunately, as the table below shows, construction bids came in significantly below the engineer's estimate:**

<b>Bidder</b>	<b>Part 1 – Grading and Storm Sewer</b>	<b>Part 2 – Pavement and Utilities</b>	<b>Total Bid</b>
Ames Trenching & Excavating	\$46,860	\$49,400	\$96,260
Concrete Connection LLC	\$59,950	\$58,740	\$118,690
MPS Engineers	\$54,000	\$64,975	\$118,975
Con-Struct Inc.	\$58,600	\$72,300	\$130,900
Keller Excavating, Inc.	\$66,000	\$66,000	\$132,000
HPC, LLC	\$57,400	\$75,600	\$133,000
J & K Contracting LLC	\$51,725	\$92,100	\$143,825
Sandstone Management LTD	\$60,687	\$83,464	\$144,151
Synergy Contracting LLC	\$78,400	\$107,800	\$186,200

Staff has reviewed the bids and found the lowest responsive bid to be from Ames Trenching & Excavating in the net amount of \$96,260 for both Parts 1 and 2.

The updated project budget is as follows:

Remaining park budget	\$153,591
Construction award ( <b>this item</b> )	- 96,260
Estimated cost of other park improvements	- <u>30,000</u>
Remaining funding	\$ 27,331

**ALTERNATIVE:**

1. Award the Northridge Heights Park Improvements bid to Ames Trenching & Excavating with the Base Bid for Parts 1 and 2 in the amount of \$96,260.
2. Accept the reporting of bids but do not award the Northridge Heights Park Improvements bid at this time.
3. Reject all bids.

**MANAGER'S RECOMMENDED ACTION**

The proposed project will complete the site work needed for development of Northridge Heights Park, by no later than June 30, 2014. The park is anticipated to open once sod is established in the fall of 2014.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby awarding the Northridge Heights Park Improvements bid to Ames Trenching & Excavating with the Base Bid for Parts 1 and 2 in the amount of \$96,260.

**COUNCIL ACTION FORM**

**SUBJECT: DEMOLITION OF GREEK HOUSE AT 2121 SUNSET DRIVE**

**BACKGROUND:**

The subject property is a fraternity located in the Greek house neighborhood south of the Iowa State University campus between Sunset Avenue and Gable Lane. (See Location Map) To the north is Buchanan Hall, which is a student residence hall owned by ISU, and to the west, east and south are fraternities and sororities. On the property is the Delta Tau Delta fraternity house, which was built in 1953. An addition was added in 1975 and the building was remodeled in 1990 and 1996. It currently houses 56 men. This property is within the Residential High Density (RH) zoning district and the East University Impacted Area (O-UIE) overlay zoning district.

The property owner, Gamma Pi of Delta Tau Delta, Inc., proposes to demolish the existing Greek house and construct a new 65-bed Greek house. **Ames Municipal Code Section 29.1110(2) requires City Council approval for demolition of an existing or former Greek house in the East University Impacted Area.** The requirement for Council approval of demolition was established to support the “valued characteristics of existing structures and landscapes, such as location, height, materials and the appearance of variety of forms and of architectural styles . . .” Therefore, **demolition of existing Greek structures is prohibited unless “[t]he structure cannot be used for the original intended purpose and/or no alternative reasonable use can be identified and the property owner can show evidence that an economic hardship will be created if the structure cannot be removed.”**

The applicant provided the attached “Application for Demolition Permit Based on Economic Hardship” explaining the background and reasons for the proposed project. Attachments 1 through 11 to the application provide required information in support of the request. (Not all are included here.) The Addendum to this report reviews this information relative to the approval criteria. The City Council must now determine if prohibiting demolition “will deprive the owner of the property of reasonable use of, or economic return on, the property. After reviewing the evidence, the Council may deny the application, may approve demolition, or may table the application for a Demolition Permit for a period of time not to exceed 30 days. The 30-day period will permit an opportunity for other alternatives to be evaluated.”

Generally, this applicant is making the case that the current building does not meet the needs of current students and that it is economically more feasible to build a new Greek house than to renovate the current house to meet these needs. It further states that constructing a new Greek residence on this site will “[r]estore the economic ability of Applicant to offer premium housing at a competitive price through reduced maintenance and future remodeling costs and return occupancy capacity to 65 men.” Gamma Pi of Delta Tau Delta seeks to make a long term commitment to the Greek neighborhood.

On February 12, 2014, the Zoning Board of Adjustment reviewed and approved two variances for the proposed new Greek house. The applicant had asked to keep the same arrangement of parking for the new house as exists for the current house. Variances were granted for the location of parking in the front yard along Gable and for 22 parking spaces on the site. Otherwise, 65 spaces would have been required.

**ALTERNATIVES:**

1. The City Council can approve demolition of the Greek residence at 2121 Sunset Drive provided the following conditions are met before the demolition permit is issued:
  - a. Minor Site Development Plan approved by the Planning and Housing Department.
  - b. Submittal of complete plans for a building permit application consistent with the attached building elevations and with applicable design standards.
  - c. Proof of financing for the building approved by the City Attorney.
2. The City Council can approve demolition of the Greek residence at 2121 Sunset Drive **without conditions**.
3. The City Council can **deny** demolition of the Greek residence at 2121 Sunset Drive if it finds that compliance with the criteria in Ames *Municipal Code* Section 29.1110(2) have not been met.
4. The City Council can table the application for a period of time not to exceed 30 days in order to evaluate other alternatives or for further information.

**MANAGER'S RECOMMENDED ACTION:**

This Greek neighborhood is a distinctive area, with attractive front landscapes, stylized architecture, enduring materials, variety in form, and richness of detail. It is the policy of the City to preserve the existing Greek houses in this area to the greatest extent possible. It is also the City's land use policy for this area to continue housing students who are members of the Greek organizations.

More than a dozen Greek houses in this neighborhood have been renovated in order to improve safety and meet the needs of today's students. This has helped to create a trend of increased Greek membership and to preserve and improve the neighborhood.

Delta Tau Delta was the first Greek chapter to be established at Iowa State University 133 years ago. It has provided evidence that it meets the zoning criteria for demolition of a Greek house and has proposed a new Greek house that will be an attractive asset for the neighborhood. **Therefore, it is the recommendation of the City Manager that City Council approve Alternative #1 as described above.**

## ADDENDUM

Ames *Municipal Code* Section 29.1110(2)(b) criterion and staff's summary of information provided by the applicant.

29.1110 (2)(b) The structure cannot be used for the original intended purpose and or no alternative reasonable use can be identified and the property owner can show evidence that an economic hardship will be created if the structure cannot be removed. To prove economic hardship, the applicant shall submit where appropriate to the applicant's proposal, the following information to be considered.

(i) *Estimate of the cost of the proposed demolition*

- \$50,000 to \$65,000 (See Attachment 1 Letter from RDG Planning & Design)

(ii) *Estimate of any additional cost that would be incurred to rehabilitate the building for the intended use.*

- \$4,417,000 (See Attachment 1 Letter from RDG Planning & Design)
- Architect Scott Sankey has identified the most serious deficiencies of the existing building, including accessibility, moisture penetration in the foundation, windows, roof, kitchen, heating and cooling systems, electrical, and plumbing, and estimated the costs to correct these. Even with the deficiencies corrected, the architect states the existing building does not meet the needs of current students. Therefore, the architect has also estimated the costs of an addition and of renovating the interior. However, the architect states, the layout of the existing structure and the concrete and concrete masonry walls throughout make questionable the feasibility of an addition and renovation.
- Delta Tau Delta and a fund raising consultant have found that there is no support within the alumni base to fund major remodeling and an addition.

(iii) *A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of the structure or structures on the property and their suitability for rehabilitation. (This shall be required only when the applicant's proposal is based on an argument of structural soundness.)*

- Architect's letter indicates that the demolition proposal is not based on structural soundness.

(iv) *Estimated market value of the property in its current condition; after completion of demolition; after any changes recommended by the City Council; and after renovation of the existing property for continued use.*

- The 2013 assessed value of the property is \$927,100, with \$371,500 of that in the value of land.

- For insurance purposes, in 2013 Building Value was estimated to be \$2,247,920
- The market value of the completed project has not been determined, construction cost estimate for rehabilitation from above is \$4,417,000 (See Attachment 1 Letter from RDG Planning & Design)
- Note that the estimated cost of new construction is \$4.375 to \$5.4 million dollars (See Attachment 1 Letter from RDG Planning & Design).

(v) *An estimate from an architect, developer, real estate consultant, appraiser, or other real estate professional experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure on the property.*

- Architect Scott Sankey states that the cost to rehabilitate and expand the existing house to a total of 25,000 square feet will be slightly more than the cost to build a new Greek house of the same size. This is the most space that can be provided by remodeling and adding on to the current building. With new construction it is possible to provide 30,325 square feet. He states that new construction is a more cost-effective solution and is a “better design solution that meets and exceeds the desired space program much better than remodeling the existing and expanding structure can do. [It provides] a more marketable project to the end user/ the student.” Additionally, the applicant states it is able to raise funds for a new house versus a remodeled house making the new construction more feasible than substantial renovations. (See Attachment 1 Letter from RDG Planning & Design)
- The applicant states that from 1980 until about 2002, the rent was between 95 and 100 percent of the double occupancy room rent at an Iowa State University dormitory offering that is most comparable to the Delta Tau Delta offering to undergraduate students. Since 2002 the rent has been between 100 and 106 percent of that benchmark, due to capital improvements and maintenance. (See attached “Application for Demolition Permit Based on Economic Hardship”) After an extensive renovation project, these percentages can be expected to increase. The applicant provided further economic projections based on the proposed project illustrating that the future rent for the new residence may be 93% of the benchmark. (See Attachment 12 Economic Data, which includes detail about what is included in the projections)

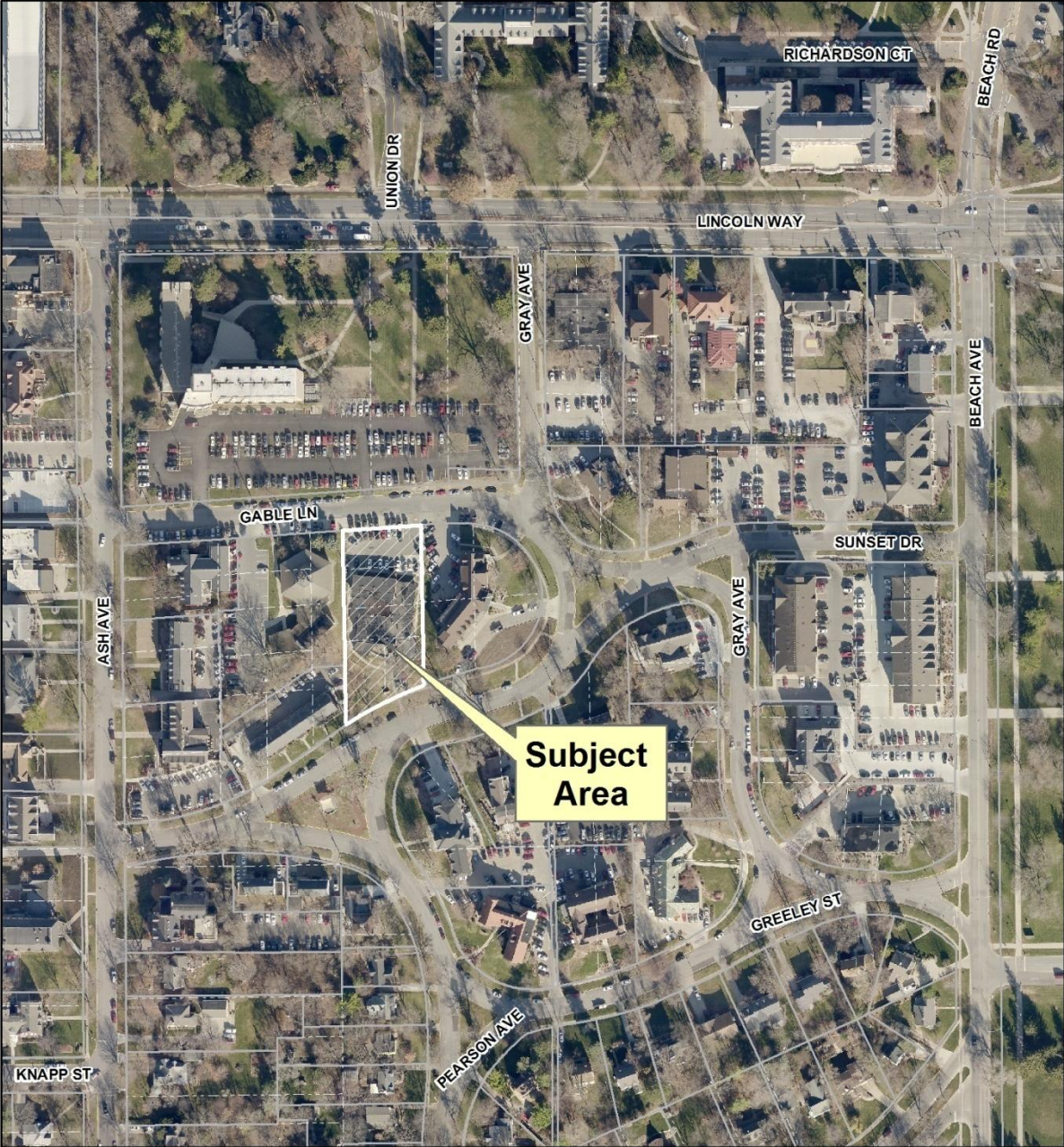
(vi) *Amount paid for the property, the date of purchase, and the party from whom purchased, including a description of the relationship, if any, between the owner of record or applicant and the person from whom the property was purchased, and any terms of financing between the seller and buyer.*



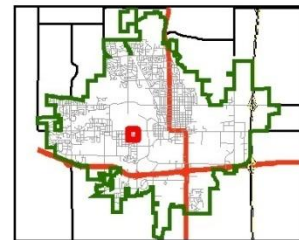
- Not applicable. This information is applicable if a Greek property is being or has been sold for a different use. The current Greek organization has owned the property since 1943.
- (vii) *If the property is income-producing, the annual gross income from the property for the previous two years; itemized operating and maintenance expenses for the previous two years; and depreciation deduction and annual cash flow before and after debt service, if any, during the same period.*
- Not applicable. Not income producing.
- (viii) *Remaining balance on any mortgage or other financing secured by the property and annual debt service, if any, for the previous two years.*
- Current mortgage balance is \$494,058 (See Attachment 5).
- (ix) *All appraisals obtained within the previous two years by the owner or applicant in connection with the purchase, financing, or ownership of the property.*
- Not applicable, as property is not being or has been sold for a different use. Delta Tau Delta has owned the property since 1943.
- (x) *Any listing of the property for sale or rent, price asked and offers received, if any, within the previous two years.*
- Has not been for sale.
- (xi) *Assessed value of the property according to the most recent assessments.*
- The 2013 assessed value of the property is \$927,100, with \$371,500 of that in the value of land. (See Attachment 8 Current Story County tax bill)
- (xii) *Real estate taxes for the previous two years.*
- 2012 - \$14,879; 2013 - \$15,546 (See Attachment 8 Story County tax bill)
- (xiii) *Form of ownership or operation of the property, whether sole proprietorship, for profit or not-for-profit corporation, limited partnership, joint venture, or other.*
- Not-for-profit corporation.
- (xiv) *Approval of a minor site development plan and architectural drawings as meeting the requirements of subsection (3) through (6) below and all other applicable standards of the City of Ames.*
- Architectural schematic drawings for the proposed new Greek residence are attached. This design has been approved by the chapter and corporation board has been favorably received by potential donors. Staff has determined that the

design will comply with the design standards of the East University Impacted Overlay zoning district, but approval of the complete Minor Site Development Plan is still in process. Therefore, approval of demolition should be conditional on an approved Minor Site Development Plan and submittal of complete plans for a building permit application consistent with the attached building elevations and with applicable design standards.

- Construction of a new Greek house requires one parking space to be provided per bed, which on this site would require a parking structure. With public streets to the north and south of the site, zoning prohibits surface parking along these street front yards. The Zoning Board of Adjustment has approved two variances permitting construction of a new Greek residence on this site with only the existing 22 parking spaces between the new building and Gable Lane on the north. The ZBA determined all of the required findings could be met, generally relying upon the unique small size of the lot and double street frontage orientation of the lot, financial cost of a parking structure was prohibitive, the promotion of Greek housing in this area was supportive of the spirit and intent of the area, and the allowance for the existing parking lot and spaces to remain was consistent with the character of the area.



**Location Map**  
**2121 Sunset Drive**



# Gamma Pi of Delta Tau Delta, Inc

4107 Greenview Dr  
Urbandale, Iowa 50322



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January 10, 2014

4107 Greenview Drive  
Urbandale, Iowa 50322

City of Ames: Planning Division  
515 Clark Ave  
Ames, Iowa 50010

Gamma Pi of Delta Tau Delta Inc (Applicant) hereby submits a Statement of Economic Hardship as envisioned by the Land Use Policy statement applied to the East University Impacted Area.

The purpose of this submission is to obtain a demolition permit for the structure at 2121 Sunset Drive, the chapter house for the Gamma Pi Chapter of Delta Tau Delta Fraternity. A new chapter house will be constructed at the same location in in 2014-2015.

As further explained in this application, Applicant is unable to economically remodel the initial chapter house constructed in 1953 to make it competitive with current University and Greek Community standards.

Respectfully,

A handwritten signature in black ink, appearing to read "Stephen E. Jones".

Stephen E. Jones  
President

# **Gamma Pi of Delta Tau Delta, Inc.**

**Application for Demolition Permit  
Based on Economic Hardship  
For its Facility at  
2121 Sunset Drive  
Ames, IA**

**East RH District**

**Stephen E. Jones  
President  
30530 Doe Circle  
Huxley, Iowa 50124  
515-597-3406 (H); 515-450-0311(M)  
[sejones@iastate.edu](mailto:sejones@iastate.edu)**

**Charles E. Safris  
Treasurer  
4107 Greenview Dr.  
Urbandale, Iowa  
515-276-2996  
[safris@mac.com](mailto:safris@mac.com)**

**January 15, 2014**

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Attachment numbers correspond to the information requested in  
Sec. 29.1110 O-UIE East University Impacted District  
Paragraph 2 b

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## **Background and History**

The Applicant is associated with the Delta Tau Delta Fraternity generally, and is specifically associated with the Gamma Pi chapter (Chapter) of the Fraternity located at Iowa State University. The Applicant is a non-profit corporation exempt from federal income taxation under Section 501(c)(2) and the Chapter is a non-profit association exempt from federal income taxation under Section 501(c)(2). The Applicant leases a building to the Chapter which is used as a residence, study hall and chapter house by undergraduate members of the Fraternity.

The Applicant is also associated with Delta Tau Delta Educational Foundation of Gamma Pi Chapter (Foundation), a non-profit corporation recognized as exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code. The Foundation was organized to support undergraduate educational activities of the Chapter. From time to time the Foundation conducts fundraising for qualified charitable gifts for educational purposes in support of the academic programs of the Chapter and for the support of educational facilities maintained by the Applicant and leased to the Chapter. See Statement II.1 for more detail. Charles Safris, a director, secretary and treasurer of the Applicant is also the treasurer of the Foundation. In order to avoid potential conflicts of interest, Mr. Safris has made both Applicant and Foundation aware of potential conflict of interest and will be recused from voting on any matters involving a transaction between the Applicant and the Foundation.

Applicant's President Stephen E. Jones is the volunteer President of the Greek Alumni Alliance, a voluntary organization that supports all Greek organizations at Iowa State University. The Greek Alumni Alliance serves by providing long-term viability and growth of the Iowa State University Greek Community, providing a forum for discussion and dissemination of information, advocates on behalf of the Greek community to entities such as the University, local municipality and other entities as necessary and provides leadership and support to the Office of Greek Affairs. Applicant is a paid annual member of the Greek Alumni Alliance. Mr. Jones has made both Applicant and the Greek Alumni Alliance aware of potential conflict of interest and will be recused from voting on any matters involving a transaction between the Applicant and the Greek Alumni Alliance.

## **Purpose**

The purposes for which the Applicant was formed include procuring, owning, financing, leasing, maintaining and managing real estate (the "Chapter House") and personal property and furnishings for the use of the Gamma Pi Chapter (the "Chapter") of Delta Tau Delta Fraternity, a non-profit corporation exempt from federal income taxation under Code 501(c) (7), located at Iowa State University, Ames, Iowa. The Chapter House has training rooms, computer rooms, internet access and study rooms for the use of the alumni of the chapter and the undergraduate members of the Fraternity. The Applicant will enter into an annual lease with and collect rent from the Chapter for occupancy. Such rent will in turn be used toward the payment of house operating expenses including: mortgage payments, insurance, real estate taxes, certain upkeep and maintenance costs, repairs, capital improvements, the provision of appropriate internet and intranet access to support academic course work required by the University, access to network printing and copying in support of coursework and expenses related to employment of a house mother and cook to provide respective services to undergraduate Chapter members, including socialization and quality room and board. These activities take approximately 90 % of the Applicant's time. These activities will be conducted by volunteers and staff of the Applicant.

The current total active undergraduate membership of the Gamma Pi Chapter has averaged 100 men over the last five years. Current active membership is 105. The capacity of the current structure is 56. The capacity of the original structure built in 1953 was 36. Due to the growth of the university undergraduate enrollment and the chapter membership, the capacity was increased to 68 with the 1971 addition. The capacity was reduced to the current level during the 1990's remodeling and additional building changes in 2003-2004 to meet code and provide additional group study space. The proposed new building will increase our capacity back to 64.

## **Programs**

The Applicant also takes an active role in various activities and other functions of the Chapter, including

- (i) provides continuing contact with more than 800 living alumni members of the Fraternity who are graduates of Iowa State University and the undergraduate members of the Chapter.

A recent event was the celebration of the Chapter's 100 year continuous presence at Iowa State University when over 250 members participated in a reception held at the Iowa State University Memorial Union. Applicant supported Chapter's celebration by subsidizing printed invitations and postage for invitations sent to alumni. All alumni and undergraduates paid for their meal, travel and lodging. The program for alumni and undergraduates included presentations from the President of the Fraternity and other honored members of the Fraternity, University and the Chapter. The Chapter House is the meeting point for alumni members returning to campus for University events and University athletic events. The Chapter House is conducive to Fraternity programming and supportive of the brotherhood of Fraternity members through its academic programs and social facilities.

- (ii) funding tutoring from University sources as required by undergraduate members seeking excellence in academics and supporting academic recognition programs twice each academic year.
- (iii) subsidizing tuition to leadership training programs of the University, Fraternity and student leadership programs and
- (iv) provides programming for undergraduate members of the Chapter, such as alumni sponsored enrichment programs, supporting University sponsored academic and department programs, leadership training, academic advising, and recognition of excellence in undergraduate programming and academic achievement. Such programming occurs periodically and is generally associated with University events and programs during the academic year. Chapter programming is available to all members of the undergraduate chapter.
- (v) The Applicant is a participant in the Greek Alliance, an organization of other fraternal room and board programs at Iowa State University which supports the programs of the University's Greek Life program which include recruitment of students to University, supervision of undergraduate programs that promote safety and academic performance. The interactions and fellowship among alumni members of Applicant



and the members of the Chapter aid in fulfilling another purpose for which the Applicant was formed, that is the promotion and foster of the principles and ideals of the Fraternity and its social activities.

### **Rent Basis**

Applicant has historically compared its annual rent to the tenant to the double occupancy room rent at an Iowa State University dormitory offering that is most comparable to the DTD offering to undergraduate students. From 1980 until about 2002, the rent was between 95 and 100 percent of the benchmark. Since 2002, additional borrowing for capital improvements and increasing maintenance costs have placed the rent between 100 and 106 percent of the benchmark.

DTD budgets for a break even but includes maintenance and contributions to a Capital Fund in its rent. For many years DTD carried a balance sufficient to get through a major unplanned expense. Since 2008, those funds have been typically expended during the year and the reserve for such emergency conditions has been minimal.

All Greek organizations are at a competitive disadvantage compared to University housing. The following fixed charges must be billed to residents of DTD's facility:

Property tax:	\$15,866 annually in 2013
Property Insurance:	\$11,953 annually in 2013
Liability Insurance:	\$12,255 annually in 2013
Mortgage Payments	\$69,060 annually (interest and premium)
Total	\$109,034 annually in 2013

The University Housing system does not bear all of these fixed costs, thus have a competitive economic edge over all Greek residential housing. Fixed costs amount to 35 percent of the rent charged by DTD to its tenants.

Attachment 7a shows the total annual rent charged to undergraduate residents in the Delta Tau Delta Chapter House. While Applicant has been able to increase rent over the years, success has been achieved by offering a facility that provides a safe environment conducive to academic success, the programming of Delta Tau Delta Fraternity, and social benefits to the members and food preparation and service facilities. Beyond the above, members desire connectivity to University computer resources, study areas in the facility for group study and group projects, recreational areas and private facilities for ritualistic programming.

Tenants enter into an annual written lease each year which sets rents, house rules and performance expectations.

### **Housing Quality and Trends**

Applicant must offer a premium program and facility for about the same price as double occupancy dormitory rates. Increased maintenance and investment related to the age of the facility, its traditional fraternity style study rooms, and lack of space to seat all of its members for a meal or program, and lack of group study space are all issues of the current facility. The proposed new facility, with nearly equal footprint on the site, addresses all of these issues in a satisfactory way. Remodeling by Applicant accomplished in 1993 and 2002 addressed some

of these issues but has used up all of the flexibility of the current facility and site, but did not address the food preparation and dining issue.

Housing trends at Iowa State University and among its Greek community indicate that suites (no more than four persons sharing a semi private bathroom) are becoming the preferred standard. During one remodeling, study rooms in the 1971 addition were converted to suites. This remodeling was possible because the 1971 addition's internal partitions structure was stud and drywall construction. Converting from study rooms to suites in the 1971 addition caused the capacity of the Chapter house to be reduced from 68 to 58. The remaining structure built in 1951 is masonry throughout and study rooms cannot be converted to suites without major structural modification. It is noted that the reduction in capacity caused fixed costs of operation of the building to be spread over fewer occupants. Further remodeling of the existing structure from traditional study rooms to suites will have further economic adverse effect leading to higher occupancy costs for members. The flat roof architectural style of the original 1951 structure is no longer allowed in the East RH district where the current facility is located. The current membrane roof on the facility is near the replacement time and each year presents increased costs for maintenance of the roof.

High cost of remodeling the masonry structure, reduced occupancy, the existing limitations of food preparation and service, lack of group study space and storage, make continued remodeling of this building uneconomic.

#### **Petition for Demolition Permit**

Applicant believes that the structure at 2121 Sunset Drive cannot be used in the future for the original intended purpose for economic reasons and that no alternative, reasonable use can be identified. The proposed project will:

Commit Applicant to long term existence in the Historic Area at 2121 Sunset Drive.

Result in the replacement of a 1950s style flat roof structure with a modern structure that conforms with the intent of the Historic District.

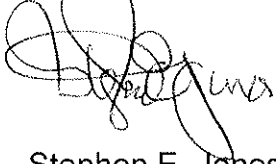
Make Applicant's Chapter House competitive with University and Greek Community housing

Restore the economic ability of Applicant to offer premium housing at a competitive price through reduced maintenance and future remodeling costs and return occupancy capacity to 64 men.

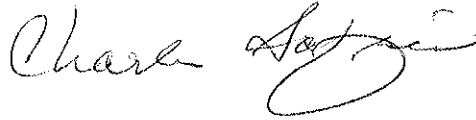
Requests for additional information should be directed to Charles Safris, Applicant's treasurer (contact information is listed on the first page of the application).

Applicant requests a timely processing of this application to facilitate a construction plan that includes a demolition of the present Chapter House in the May of 2014.

Respectfully Submitted



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January 15, 2014

Mr. Jeffrey D. Benson  
Planner, Department of Planning and Housing  
City of Ames  
515 Clark Street  
Ames, IA 50010

Dear Mr. Benson:

This letter is in reference to the Delta Tau Delta Fraternity House at 2121 Sunset Drive and the proposed update of its current facility. The current chapter house is owned by the Gamma Pi of Delta Tau Delta, Inc., and is leased to the Gamma Pi Chapter of Delta Tau Delta. The purpose of this letter is to present my firm's review of the condition of the existing building and its ability to meet current programmatic needs. This will also provide an opinion of the costs related to viable improvements for remodeling to meet the current needs versus constructing a new facility.

### **History**

Over the course of its nearly 63 year history, the current Delta Tau Delta Fraternity House has had multiple additions and remodeling to deal with member size and academic/social/service needs of the chapter members. The initial structure was constructed in 1951-52 and had room for 48 live in members with a full kitchen. In 1971 an addition was constructed to the north side of the existing structure bringing the capacity up to 68 live in members. In 1993 and 2003 additional modifications were made that converted several study rooms to provide semi private bathrooms for some of the study rooms. A remodeling in 2003 accommodated upgrades for training and study room spaces.

Currently the house has 56 live in members. The building is arranged as follows and totals approximately 17,720 gross square feet. There are 44 men housed in the 2-man and 3-man study rooms in the original portion of the building and 12 men in the 1971 addition study room suites. The chapter still utilizes a group sleeping dormitory on the third floor of the 1971 addition. The first floor has 6,865 gross square feet, the second floor has 6,290 gross square feet, and the third floor has 3,540 gross square feet. The building has only a partial basement of approximately 1,025 gross square feet. The study rooms that had been located in this area are currently not used due to access and environmental issues.

### **Evaluation**

We have reviewed the existing building to ascertain how it must be modified to meet the current requirements for Delta Tau Delta to maintain their standard of excellence as a nationally recognized fraternity and their viability at Iowa State University. The current structure has become a financial burden for the owner and the alumni who are continuously solicited for monetary support. Recruiting and maintaining students and alumni membership has become increasingly difficult for the ISU Delta Tau Delta chapter in its current facility due to its inability to meet many of these requirements and expectations.

1. Students entering college today have increased expectations of their living conditions. They typically come from homes where they have never shared a bedroom and seek out housing that provides amenities and aesthetics consistent with the condition they came from. These include:
  - a. Upscale space amenities including access to the internet, video, privacy, recreation and storage space.
  - b. Dining options that allow for on the go and off hour access.
  - c. Smaller suite style restroom/shower facilities rather than large ganged restroom/showers.
  - d. Exterior living and recreation opportunities in close proximity.
2. These housing environments need to provide flexibility of spaces.
  - a. Living/learning environments are now combined as students are increasingly functioning in a multi-tasking mode.
  - b. Group/individual areas are needed for meeting and studying to support and encourage community building activities.
  - c. Providing space for informal socializing and small-group studying is critical.



3. Restrictions on funds are becoming an ever increasing issue for the house.
  - a. Fund raising abilities for all organizations are very difficult in the current economy and it appears this will be the course for quite some time. The alumni base for Delta Tau Delta has made a strong response in support of developing a new house on the existing property as opposed to remodeling and adding to the existing structure.
  - b. The cost of operating expenses has to be considered as a key factor in the ongoing viability of the houses.
    - i. Efficient energy usage is critical and has a major economic impact.
    - ii. Lower maintenance costs related to construction materials and finishes have an impact on the long term operations.
  - c. Market place rental fees have to be competitive to Iowa State University housing, other Greek organizations and the rental housing available in Ames. The rent costs for Delta Tau Delta have started to surpass the groups noted. Analysis by the Corporation Board has indicated a house size of approximately 60-62 people is needed to keep the group viable and competitive with other fraternities. This is related to the revenue needed to maintain the services expected, as well as the participation level expected in community activities.

**Chapter 29.1110 – Demolition Requirements**

**Estimated Cost of Demolition**

Prior to demolition of the structure, selective removal of equipment and some building components for reuse is anticipated. A slight range in demolition cost is also noted based upon the uncertainty that some abatement mediation may be required prior to the major demolition can occur.....\$50,000 - \$65,000

**Estimated Cost for Rehabilitation**

The following items will need to be addressed in the near future to keep the existing facility operational in its current basis configuration as a fraternity house. It is difficult to determine all of the items that would need to be completed or the actual costs associated with these items due to the final amount of repair, drywall replacement, trim carpentry and finishes required. The following list of items and construction cost was developed based upon maintenance information and visual observation. These items do not address the modifications and upgrades needed for the programmatic changes required by the Delta Tau Delta Chapter.

1. Replacement of the roof membrane (flat roof) with upgraded insulation is needed. This cost does not address the desire to replace the high maintenance flat roof with a pitched roof structure.....\$80,000
2. The present kitchen requires general upgrades throughout. The existing space will require stripping down to the structure and installing new finishes, a complete electrical rewire, new plumbing, and new equipment. This does not address the need for a new expanded kitchen to provide storage, chef’s office, additional prep and serve counter space, loading access, and additional cooking equipment to provide more appropriate meal choices.....\$115,000
3. A new building heating boiler system and upgraded distribution is required.....\$57,500
4. New plumbing is needed throughout the house. The current restroom fixtures (sinks, toilets, and showers) are in various states of disrepair and in need of replacement. There is significant leakage throughout the house as a result of these items and other locations of plumbing failure. Bathroom upgrades related to layout and finishes are also needed beyond the plumbing maintenance issues noted above to bring them up to current standards.....\$210,000
5. Electrical upgrades are needed throughout the house. The existing service is undersized for today’s electrical needs and the technology system requirements are currently not being met. Once improvements of this type are started, we would expect that a complete rewiring of the building would be in order.....\$207,000
6. The foundation of the house is cracked and as a result there is significant water leakage in the basement areas. This has resulted in mold and mildew problems which pose a health risk for the residents of the house. The basement has little or no ventilation, resulting in an unhealthy environment and unusable space. (Study space that once existed in the basement can no longer be used.) Repair foundation.....\$34,500
7. Currently only the study rooms in the 1971 addition and the first floor community spaces are air conditioned. Air conditioning in all the study rooms and the rest of the building is needed.....\$115,000
8. Various areas of fascia and soffit are currently in poor condition and in need of replacement. Additional work is anticipated to deal with areas of trim that should be done as this work also to reduce ongoing maintenance issues.....\$57,500



- 9. Accessibility improvements are needed. Reconfiguration of exterior circulation/grades is needed to make the existing south entrance completely accessible from the public right-of-way. The multiple interior levels of the building are not accessible to each other, limiting movement between the various activity, study and sleeping areas within the building.
    - a. The addition of an elevator is desired.....\$69,000
    - b. Building configuration changes to accommodate an elevator.....\$57,500
    - c. Accessible south entrance improvements.....\$11,500
  - 10. The windows are original to the phases of construction to the building. These require replacement with new thermally efficient units.....\$126,500
- Projected Total Construction Costs.....\$1,141,000

**Report of Structural Soundness**

Numerous cracks were observed in the foundation walls of the building. These did not appear to be presenting major structural settlement problems. If further development of the existing building is pursued, more extensive investigation and testing are warranted before proceeding. However there is significant evidence of moisture penetration issues that were observed in areas of the basement. This will need to be addressed as noted by the “Estimated Cost for Rehabilitation” section of this report.

**Economic Feasibility for Reuse of Existing Structure**

The “Estimated Cost for Rehabilitation” section deals with modifications and upgrades needed for the existing facility to remain in use as a fraternity house, however they do not address the issues noted in the “Evaluation” section of this letter. A program of space needs developed by Delta Tau Delta projected a requirement of approximately 25,000 square feet to meet the space needs of the chapter to address the future housing and academic mission support of Delta Tau Delta. This indicates a 7,280 square foot addition would be needed to the existing 17,720 square foot structure. Construction of additional space in and around the existing structure will be extremely difficult due to the amount of site available and access around it for construction. Adding space will also be extremely difficult for visually and structurally ties to the existing building, and to accommodate internal circulation flow. The original facility utilized concrete and concrete masonry walls throughout its construction for walls and floors. Although durable, this creates great difficulty in making any modifications to the layout of the walls and modifications to the utilities within those walls. Remodeling costs that deal with the type of issues identified are generally higher than new constructions on a square footage basis. A single story addition of approximately 1,350 square feet enclosing the existing courtyard is possible without eliminating window access into the study rooms in the surrounding 2<sup>nd</sup> and 3<sup>rd</sup> floor areas, but will eliminate a valued outdoor activity area. Other additional space will require the addition of floor levels above the existing floors as noted below. Due to the issues previously noted, it is questionable if the additional space is feasible.

After reviewing the information provided above, I believe the cost to rehabilitate and expand the existing structure to meet the programmatic needs of the chapter would be as much or more than the cost of new construction on this site. The difficulty of working with the conditions noted previously, and the unforeseen conditions that occur with remodeling an existing building present a high cost risk to remodeling and adding to this building. The following estimates deal with the feasibility for modifications and upgrades that are needed for the programmatic changes required to meet the needs of the chapter.

- 1. The construction cost to implement the program noted above for renovation and additional space is estimated as follows.
  - a. Existing building remodel: 17,720 s.f. at \$160 / s.f. = .....\$2,836,000
  - b. New construction within the existing courtyard space: 2,200 s.f. x \$175 / s.f. =..... \$385,000
  - c. New construction of 3<sup>rd</sup>. floor addition to south wing: 1,325 s.f. x \$250 / s.f. =..... \$332,000
  - d. New construction of 4<sup>th</sup> floor addition to east wing: 2,060 s.f. x \$250 / s.f. =..... \$515,000
  - e. New construction of 4<sup>th</sup> floor addition to north wing: 1,750 s.f. x \$250 / s.f. =..... \$438,000

Estimated total construction cost (remodel plus additions)..... **\$4,417,000**
- 2. The design solution that has been developed is new construction that meets, exceeds and accommodates for future needs for Delta Tau Delta and their desired program goals. It includes demolition and new construction.
  - a. New construction meeting base space program, 25,000 s.f. x \$175 / s.f. = ..... **\$4,375,000**
  - b. New construction per design with expanded educational space, 30,325 s.f. x \$175 / s.f. = ..... **\$5,450,000**



3. In our estimation, new construction is the best way to proceed and has the following advantages:
  - a. More cost effective solution.
  - b. A better design solution that meets and exceeds the desired space program much better than remodeling the existing and expanding the structure can do.
  - c. A more marketable product to the end user / the student.
  - d. A building for the neighborhood and the community that is much more in keeping with the desired "Greek" neighborhood style.

The Delta Tau Delta Board has explored its fundraising ability for the two options noted above. There is no support within the alumni base to fund a major remodeling/addition type project due to compromises that would be required of spatial and aesthetic qualities of this type of project. Support for a new facility that can provide the quality and support of the educational mission of Delta Tau Delta has strong support.

I believe that a remodeled building will cause financial hardship for the fraternity in initial construction costs as well as on-going maintenance. Most importantly, it will produce a less than desirable design solution and end product for the Delta Tau Delta student as well as the neighborhood and the Greek Community.

If you have any questions, please do not hesitate to contact me.

Sincerely,



H. Scott Sankey, AIA  
Partner



## **Attachment 2**

### **Estimated Market Value in:**

#### **Current Condition:**

Following is data on actual sales in the East University area documented in a 2002 Formal Appraisal for First American Bank.

Sale date: 1/1/2000  
2132 Sunset Drive  
Lot size: 24,340 sq. ft.  
Building area: 9,915 sq. ft.  
Sale price per sq. foot: \$105

Sale date: June 1998  
2035 Sunset  
Lot size: 30,875 sq. ft.  
Building area: 13,320 sq. ft.  
Sale price per sq. foot: \$68

Sale date: 8/1/2000  
138 Gray Ave  
Lot size: 19,819 sq. ft.  
Building area: 8,279 sq. ft.  
Sale price per sq. foot: \$73

#### **After Completion of Demolition:**

Not available at this time. Would need to be determined following an appraisal after demolition.

#### **After Changes Recommended by the City Council:**

Not available at this time. Would need to be determined following receipt of information from City Council.

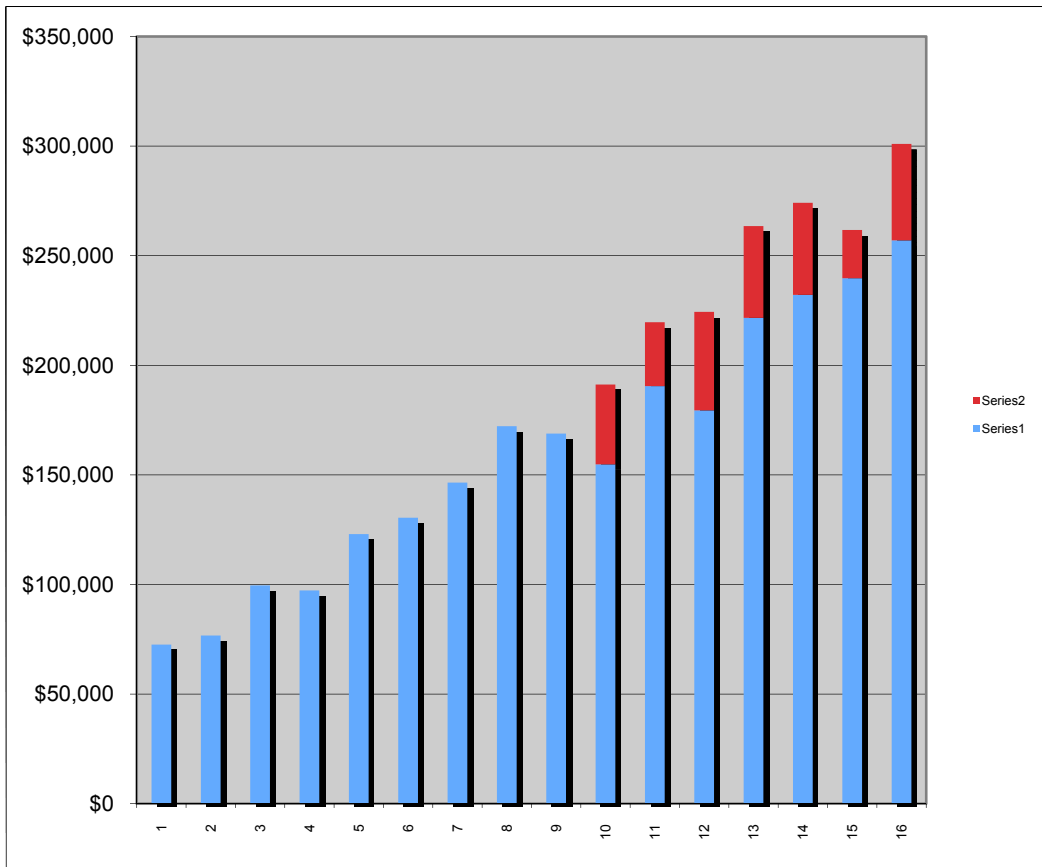
#### **After Renovation of the Existing Property for Continued Use:**

Not available at this time. Would need to be determined following development of the property.



**Gamma Pi of Delta Tau Delta Inc  
Annual Rent Trends, Lease Income**

	<b>HC Rent Received</b>	<b>House and Cook</b>	<b>Total HC Income</b>	<b>% Increase</b>
1997-98	\$72,585	\$0	\$72,585	
1998-99	\$76,726	\$0	\$76,726	5.40%
1999-00	\$99,580	\$0	\$99,580	22.95%
2000-01	\$97,292	\$0	\$97,292	-2.35%
2001-02	\$122,980	\$0	\$122,980	20.89%
2002-03	\$130,449	\$0	\$130,449	5.73%
2003-04	\$146,490	\$0	\$146,490	10.95%
2004-05	\$172,211	\$0	\$172,211	14.94%
2005-06	\$168,843	\$0	\$168,843	-1.99%
2006-07	\$154,814	\$36,411	\$191,225	11.70%
2007-08	\$190,507	\$29,144	\$219,651	12.94%
2008-09	\$179,448	\$44,932	\$224,380	2.11%
2009-10	\$221,637	\$41,876	\$263,513	14.85%
2010-11	\$232,128	\$42,000	\$274,128	3.87% Compounded
2011-12	\$239,727	\$22,000	\$261,727	-4.74% annual rent
2012-13	\$257,000	\$44,000	\$301,000	13.05% only increase 9.5%



**Attachment 5**  
**Section viii**  
**Remaining Mortgage Balances**

**A) First American Bank Mortgage**

1530 South Duff  
Ames, Iowa 50010

**Commercial Promissory Note (refinanced existing loan)**

Purpose of Loan Remodel and sprinkle for fire code  
Date initiated: January 31, 2011  
Initial loan amount: \$303,520  
Terms: 3 year balloon payment , 10 year amortization  
Interest Rate: 6.25%  
Due Date: February 1, 2014  
Monthly Payment: \$3,421.26  
Remaining Balance 12/31/13 \$236,032  
Secured by first REM on property.

**B) Delta Tau Delta Fraternity**

10000 Allisonville Rd  
Fishers, IN 46038

**Mortgage Note**

Purpose of Loan Remodel and repair retaining wall to Iowa Code  
Date initiated: September 10, 2009  
Initial loan amount: \$290,100  
Terms: 20 year year amortization  
Interest Rate: 7.5% ( adjusted on 10 and 15 year anniversary)  
Due Date: September 10, 2034  
Monthly Payment: \$2,334.03  
Monthly escrow payment \$241.75  
Remaining Balance 12/31/13 \$258,026  
Secured by second REM on property.

Gamma Pi of Delta Tau Delta Fraternity  
 Economic Data for Parking Variance Request, AMes Planning and Zoning

		Delta Tau Delta		ISU Residence Hall		
	Capacity	Annual Room Cost	Annual Room and Board Cost	Annual Room and Board	DTD (% of ISU Room Only)	DTD (% of ISU Room + Board)
Lease 2011-12 Academic Year	56	\$4,492	\$6,048	\$6,212	102.6%	97.4%
Lease 2012-13 Academic Year	56	\$5,104	\$6,704	\$7,054	113.7%	95.0%
Lease 2013-14 Academic Year	56	\$5,120	\$6,741	\$7,177	111.5%	93.9%
Lease 2014-15 Academic Year	56	\$5,120	\$6,738	\$7,384	106.6%	91.3%
Lease 2015-16 Academic Year (new facility w/current parking and 30-yr mortgage)	64	\$5,487	\$7,187	\$7,706	109.9%	93.3%
Lease 2015-16 Academic Year (new facility w/current parking and 20-yr mortgage)	64	\$6,140	\$7,840	\$7,706	123.0%	101.7%
Lease 2015-16 Academic Year (new facility w/new parking facility and 30-yr mortgage)	64	\$6,579	\$8,279	\$7,706	131.8%	107.4%



# *Delta Tau Delta Fraternity*

*Gamma Pi of Delta Tau Delta, Inc.*

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February 06, 2014

To: Jeff Benson, Planning and Zoning, City of Ames

From: Stephen E. Jones, President, Gamma Pi of Delta Tau Delta House Corporation

Re: Additional economic data to support parking variance request

1. I have attached a worksheet that includes the following budget data for Gamma Pi of DTD operations: Operating budget data for academic years 2011-12, 2012-13, 2013-14 (current year), proposed budget for 2014-15, and proposed budgets for three scenarios with the proposed new facility beginning in academic year 2015-16.
2. The Gamma Pi House Corporation owns the facility and it is then leased to the undergraduate chapter on an annual lease.
3. Included in the annual lease budget are expenses for P&I payments on existing mortgages, facility depreciation expense, property taxes, property insurance, liability insurance, annual maintenance budget, a capital fund charge, and service contracts. The service contract line includes the salary, payroll taxes, and health insurance benefits for the full-time house-mother and the cook, internet service, and other payments to the State of Iowa (unemployment insurance, etc.)
4. A basic principle we have used since 1998, is to keep our combined room and board cost for the members living in the facility a little below the combined room and board in the ISU residence halls. The data spreadsheet shows that we have been about 100-110% of ISU rates for the room cost but when combined with our meal costs, we have been from 94% - 97% of the ISU combined room and board. The ISU rates are updated each year as they change. The room and meal rates are as listed on the ISU residence system website.
5. Our current active membership is 95, and usually fluctuates a little year to year based on graduation rates and recruitment. DTD recruitment has been strong with 24-26 new members pledged during the summer informal rush; the chapter usually adds another 3-4 new members during the academic year. The chapter active membership was at 105 last year and will likely be above 100 again by fall semester.
6. As noted in in the previous variance submittal, the capacity of the current building is 56 but has been as high as 68 (1975 – 1990). The reason for the drop in capacity is due to reconfiguration of rooms to provide space more competitive with the newer ISU residence halls. Our annual lease to the undergraduate chapter is based on occupancy of 56 men. The chapter pays for that occupancy even if it drops. The spring semester census in the facility can

be less than full and this is usually due to students on study abroad or coop work internships. This is a problem for all of the Greek system facilities and it does impact annual budgets.

7. The proposed capacity of the new facility will be 64-men. The total live-in capacity is actually 65 since we have always have maintained a full-time house-mother. There is an apartment in the existing building as well as the proposed new building for the house-mother (House Director!).
8. We have a full time cook who prepares 9-meals a week (lunch and dinner). The cook commutes to our facility. We maintain a reserved parking stall in our current parking lot for the House Director as well as the cook. This arrangement is the same for most all of the other facilities in the Greek system.
9. The projected cost of the new facility is \$4,725,000. A capital campaign feasibility study was completed in 2012-13 and Gamma Pi plans to raise \$2.9M from alumni to support the project. For capital fundraising for Greek facilities, an important metric is what portion of the facility is deemed educational use as this governs what % of the capital raised be considered tax deductible contributions for a qualified educational purpose. A parking facility would not be considered educational use and all of the direct additional expense for a new facility would be considered non tax deductible.
10. A nominal estimate for a 65-stall two-level parking facility would be  $\pm$  \$15,000/space or a total cost of \$975,000. Our architect, RDG Planning and Design recently designed the new parking facility for St. Thomas Aquinas Catholic Church, which is about 1-1/2 blocks from the DTD property. That facility was approved by the City of Ames with respect to style and aesthetics for the neighborhood area. The estimate for a similar facility scaled to our site and required capacity is \$1,250,000 plus a 15% contingency.
11. The attached document shows the impact of the new building project with and without a new parking facility. The costs for the out-years beginning with the 2015-16 academic year are compared with the current and expected ISU room and board costs since this is a main competitive price point.
12. The economic costs in the attachment include the expenses for property taxes, property insurance, maintenance, liability insurance, employee salaries and benefits, as well as depreciation costs. The ISU residence hall system does not pay property taxes, ISU is self-insured, and do not have liability insurance costs. We try to manage our annual cost for room and board per student and still be competitive with the ISU residence hall system.
13. Since the \$1,250,000 cost for the parking facility will result in an additional equal amount of borrowing, the impact on the annual cost of room and board is clear – room cost increases dramatically and we lose competitive advantage. This tends to decrease competitive advantage for recruitment.
14. The other factor to be considered is the increase in property taxes. The property tax for the new facility will be considerably higher than our current annual taxes of \$15,866/year. Even

after accessing the tax abatement options with the City of Ames, we expect a much higher property tax over the longer term. Adding another \$1,250,000 of assessed valuation for a new parking facility increases the tax impacts.

15. Iowa State University announced on Tuesday, February 4, 2014, the construction of a new 700-student capacity residence hall immediately north of our property (Gable Lane) and just east of the current Buchanan Hall. ISU is not subject to the local zoning requirements for parking and there will not be 700 parking spaces in the current Buchanan Hall parking lot.
16. The economics of providing competitive living space in the Greek facilities is tied to providing space and amenities that are available in the ISU residence halls as well as the off-campus student apartments. Students want quality living and study space, access to internet, and being close to campus is a big advantage. The attraction of the Greek area in the East University Impacted Area OL district is the walking access to campus. The Greek neighborhood area is 100% built-out and parcel sizes make it difficult and very expensive to meet the current parking requirements.
17. Our position is that adding the additional expense of a new parking facility will place the fraternity at a disadvantage when compared with the economics of our main competitors, the ISU residence hall system and the off-campus student apartments.
18. The additional expense of a new parking facility will lead to another \$1,250,000 in additional debt obligation plus additional property taxes on the added value of that improvement.

**COUNCIL ACTION FORM**

**SUBJECT: TERMINATION OF ECONOMIC DEVELOPMENT FINANCIAL ASSISTANCE CONTRACT WITH IOWA ECONOMIC DEVELOPMENT AUTHORITY AND SOLUM, INC., AND TERMINATION OF LOCAL MATCH FORGIVABLE LOAN AGREEMENT**

**BACKGROUND:**

Solum, Inc. (Solum) is a California-based technology company that developed an advanced measurement system for soil sample analysis. Solum's first commercial application was a product that provided producers in the corn and soybean markets with high resolution soil nutrient information that can be integrated with agricultural GPS tools to customize soil treatment, thereby maximizing yields and controlling the cost of soil treatments. Solum chose Ames as the center for agronomy and its lab is located on South Bell Avenue.

In February 2013, Solum entered into an economic development assistance agreement with the Iowa Economic Development Authority (IEDA). The City of Ames was a party to the IEDA agreement as the local sponsor. The City and the Ames Economic Development Commission (AEDC) entered into a separate agreement with Solum to provide a local match for the project with a \$40,000 forgivable loan to be funded with \$20,000 from the City and \$20,000 from the AEDC. **Though Solum entered into the agreements, it did not execute the promissory note or draw any funding under the agreement with the City or with AEDC.**

On February 14, 2014, Solum gave notice of its intent to sell the Ames-based business to an unnamed large agricultural company and has indicated that the buyer intends to maintain the business in Ames. **With the sale, Solum desires to terminate both agreements and be provided confirmation that parties of the agreement have no claims against the Solum business located in Iowa. Since Solum did not ever draw upon any of the funds, the City has no pending or anticipated claims. Granting its request will release the funds for other uses.**

**ALTERNATIVES:**

1. Adopt a resolution approving termination of the economic development financial assistance contract with the Iowa Economic Development Authority and Solum, Inc., and terminate the contract providing a local match in the form of a forgivable loan in the amount of \$40,000 (\$20,000 from the City of Ames and \$20,000 from the Ames Economic Development Commission).
2. Do not adopt a resolution approving termination of the contracts.

**MANAGER'S RECOMMENDED ACTION:**

Since Solum did not ever draw upon any of the funds, it has no outstanding obligation to the City. Granting its request will release the funds for other uses.

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



**COUNCIL ACTION FORM**

**SUBJECT: WATER QUALITY GRANT APPLICATIONS – WATERSHED  
IMPROVEMENT REVIEW BOARD AND STATE REVOLVING FUND  
SPONSORED PROJECTS**

**BACKGROUND:**

The City of Ames has a unique opportunity to make stormwater quality improvements in the downtown area by combining two state-funded watershed programs with a planned downtown street paving project.

Two separate state grants are available and each address water quality within a designated watershed. The project staff has identified within the Squaw Creek Watershed is the area between 5<sup>th</sup> Street and 6<sup>th</sup> Street, and includes City Hall, Parking Lots M, MM, and N, and the roadway right-of-way. This project can be partnered with the 2014/15 Downtown Street Pavement Improvements project (5<sup>th</sup> Street from Grand Avenue to Burnett Avenue), which will be carried out in the 2015 construction season. That project is funded with General Obligation Bonds and Storm Sewer Utility Funds from the Storm Sewer Improvement Program.

Conceptually, the project will include soil quality restoration and replacing all standard lawn turf with native turf/landscape, in addition to permeable pavers and bioretention cells at various locations in the area. Other stormwater best management practices (BMP's) will also be considered as the project is designed. Management of the water quality volume of stormwater runoff is the goal. However, if more than the water quality volume can be achieved as part of this project, then some flood control will also be recognized. If achieved, this project would be a unique demonstration for others who develop residential and commercial property within the city on how to achieve successful post-construction stormwater management.

The first grant is through the Iowa Department of Agriculture and Land Stewardship, and Secretary of Agriculture Bill Northey is encouraging eligible groups to apply for grants to support projects that will improve water quality in the state. Approximately \$1 million is available through the Watershed Improvement Review Board (WIRB) to support qualifying projects. Several years ago the City of Ames was awarded a \$300,000 WIRB grant, which funded part of the College Creek Restoration project.

The second grant opportunity is through the State Revolving Fund (SRF) as a Water Resource Restoration Sponsored Project. This program was created by the 2009 Iowa General Assembly in order to fund water quality protection projects. This program has been implemented through the Clean Water State Revolving Fund (CWSRF), a loan program for construction of water quality facilities and practices. On a typical CWSRF

loan, a utility borrows the principal for a project from the state and repays both the principal and applicable interest and fees. **In contrast, on a CWSRF loan with a sponsored project, the utility borrows for both the wastewater improvement project and the sponsored project. However, through an overall interest rate reduction, the utility's ratepayers do not pay any more than they would have for just the wastewater improvements.** Instead, two water quality projects are completed for the cost of one.

In this case, the scheduled wastewater improvement is the Biosolids project administered by the City's Water & Pollution Control Department. As part of the DNR Intended Use Plan, the Biosolids project loan is estimated at \$1,885,400. Therefore, the Sponsored Project application is estimated at \$188,540.

Through the WIRB grant and the SRF Sponsored Project funding, this water quality project will essentially be a 'no net cost' improvement for the City that can be used as a demonstration for area developers and residents to consider for their own properties.

**ALTERNATIVES:**

1. Authorize applications for a Clean Water SRF Water Resource Restoration Sponsored Project and a Watershed Improvement Review Board project, and designate Municipal Engineer Tracy L. Warner as the authorized representative to sign the grant applications.
2. Direct staff to make modifications to the project.

**MANAGER'S RECOMMENDED ACTION:**

By supporting submission of these two grant applications, the City of Ames can be recognized as an innovative community within Iowa that is willing to construct demonstration stormwater BMPs to address water quality concerns in the community and statewide. If funded, this demonstration project will be a unique application of soil quality restoration and native landscape in an urban setting.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby authorizing applications for a Clean Water SRF Water Resource Restoration Sponsored Project and a Watershed Improvement Review Board project, and designating Municipal Engineer Tracy L. Warner as the authorized representative to sign the grant applications.

**COUNCIL ACTION FORM**

**SUBJECT: STATE REVOLVING FUND PLANNING AND DESIGN LOAN FOR  
SANITARY SEWER REHABILITATION PROGRAM**

**BACKGROUND:**

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

This evaluation is a comprehensive and systematic program for identifying the defects that could contribute I/I across the entire, City-wide sanitary sewer system. It also involves prioritizing those defects and estimating rehabilitation costs so that repairs can be made as part of the Capital Improvements Plan. The Sanitary Sewer System Evaluation (SSSE) program generally consists of the following tasks: data collection, flow monitoring, sewer televising, smoke testing, manhole inspection, siphon inspection, and system modeling. Not only does the SSSE identify sources of I/I, it also identifies areas of aging infrastructure in need of repair to prevent unexpected failures and emergency repairs, as well as potential capacity issues that may develop over time.

With over 90 percent of the data collection phase being complete, it is evident that there are over \$25 million worth of immediate structural improvements needed to the sanitary sewer system. Future CIP projects for the sanitary sewer system will be based on the results of this evaluation. Work will include rehabilitation, such as the lining of existing mains or spray lining of existing structures, as well as complete removal and replacement of structures and sanitary sewer mains. These projects are shown in our CIP beginning in 2013/14. Funding will come from the State Revolving Fund (SRF) in the amount of \$3,270,000 for each year.

To begin this first year’s work, an SRF Planning and Design Loan in the amount of \$375,000 will be utilized to hire a consultant to help determine the best action plan for implementation of system repairs, as well as for design services for the first year of the project.

Based on the SRF funding source identified in the CIP, staff applied for and received approval for a Planning and Design (P&D) loan in an amount not to exceed \$375,000. The P&D loan program is administered by the Iowa Finance Authority, and provides a no interest, no fees loan for up to three years. P&D loans can later be rolled into a larger SRF construction loan or be repaid when another form of permanent financing is in place.

Ultimately, it is the intent of staff to apply for a construction loan through the SRF and to roll the P&D loan into the construction loan. After this project action plan and the initial design are complete, the public hearing will be held and an application for the construction loan will be approved. Repayment of the construction SRF loan will be from revenues generated in the Sanitary Sewer Fund.

The planning and design loan amount requested will provide funding for the **estimated** expenses listed below:

Administrative & Legal Expenses	\$ 25,000
Engineering Planning & Design	<u>\$350,000</u>
	\$375,000

The City's P&D loan project was placed on the Iowa DNR's SRF Intended Use Plan on September 17, 2013, a step that was needed prior to entering into the P&D loan agreement. The next step is for the City Council to hold a public hearing prior to taking action to incur the debt. Staff is recommending that Council establish March 25, 2014, as the date of the public hearing. Immediately following the hearing, the City Council will be asked to enter into the P&D loan agreement.

**ALTERNATIVES:**

1. Establish March 25, 2014, as the date to hold a public hearing and take action to enter into a P&D loan agreement with the Iowa Finance Authority in an amount not to exceed \$375,000 for the purpose of planning and designing the Sanitary Sewer Rehabilitation Program.
2. Direct staff to seek alternative financing options for the planning and design expenses.

**MANAGER'S RECOMMENDED ACTION:**

Entering into the SRF P&D agreement is necessary to provide immediate financing for the planning and design related to implementing repairs identified by the sanitary sewer system evaluation. Moving forward utilizing a SRF P&D loan is the most economical way to finance this project for our utility customers. Upon execution of the agreement, the next step will be to issue a Request for Proposals. It generally takes about two months to receive and evaluate proposals.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby establishing March 25, 2014, as the date to hold a public hearing and take action to enter into a P&D loan agreement with the Iowa Finance Authority in an amount not to exceed \$375,000, for the purpose of planning and design for the Sanitary Sewer Rehabilitation Program.