

**AGENDA**  
**MEETING OF THE AMES AREA METROPOLITAN**  
**PLANNING ORGANIZATION POLICY COMMITTEE**  
**AND REGULAR MEETING OF THE AMES CITY COUNCIL**  
**COUNCIL CHAMBERS - CITY HALL**  
**JULY 8, 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.**

**AMES AREA METROPOLITAN PLANNING ORGANIZATION**  
**TRANSPORTATION POLICY COMMITTEE MEETING**

**CALL TO ORDER:** 7:00 p.m.

1. Public Hearing on proposed FY 2015-18 Transportation Improvement Program (TIP):
  - a. Motion approving Final FY 2015-18 TIP

**COMMENTS:**

**ADJOURNMENT:**

**REGULAR CITY COUNCIL MEETING\***

\*The Regular City Council Meeting will immediately follow the meeting of the Ames Area Metropolitan Planning Organization Transportation Policy Committee.

**PROCLAMATION:**

1. Proclamation for Parks and Recreation Month, July 2014

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

2. Motion approving payment of claims
3. Motion approving minutes of Special Meeting of June 17, 2014, and Regular Meeting of June 24, 2014
4. Motion approving Report of Contract Change Orders for June 16-30, 2014
5. Motion approving renewal of the following beer permits, wine permits, and liquor licenses:
  - a. Class C Liquor - Welch Ave Station, 207 Welch Avenue
  - b. Special Class C Liquor, B Native Wine, & Outdoor Service - Wheatsfield Cooperative, 413 Northwestern Avenue, Ste. 105
  - c. Class C Liquor & Outdoor Service - Bar, 823 Wheeler Street
  - d. Class B Beer - Panhero's Mexican Grill, 1310 South Duff Avenue
  - e. Class C Liquor - Applebee's, 105 Chestnut Street

6. Motion approving 5-Day Class C Liquor License for Olde Main Brewing Company at CPMI Event Center, 2321 North Loop Drive
7. Motion approving 5-Day Special Class C Liquor License for Dublin Bay at Reiman Gardens, 1407 University Boulevard
8. Motion approving 5-Day Class B Beer Permit & Outdoor Service for Bar at Zylstra Harley Davidson, 1219 McCormick Avenue
9. Resolution extending blanket authorization for Housing Coordinator to negotiate terms of sale of properties in connection with Community Development Block Grant Program
10. Resolution setting date of public hearing for July 22, 2014, for the sale of 1126 Burnett Avenue in connection with Community Development Block Grant Program
11. Resolution setting date of public hearing for July 22, 2014, for the sale of 1222 Curtiss Avenue in connection with Community Development Block Grant Program
12. Resolution approving Agreement with Ames Economic Development Commission for 2014/15
13. Resolution approving Agreement for sale of fill material from Airport farm property
14. Resolution approving Engineering Services Agreement with Howard R. Green, Inc., of Johnston, Iowa, for Grant Writing/Funding Application Processing - Grand Avenue Extension in an amount not to exceed \$79,460
15. Resolution accepting completion of requirements of 1997 Developer's Agreement for property at 416 S. Bell Avenue (Renewable Energy Group)
16. Resolution approving preliminary plans and specifications for Natural Gas Conversion Equipment, including Burners, Igniters, Scanners, Thermal Analysis, and Computer Modeling; setting September 24, 2014, as bid due date and October 14, 2014, as date of public hearing
17. Resolution awarding contract to Northway Corporation of Waukee, Iowa, in the amount of \$74,655 for Year 3 of Five-Year Well Rehabilitation Program
18. Resolution approving Change Order No. 3 to General Electric of Houston, Texas, for technical support for the GT-2 Repairs in the amount of \$24,000
19. Resolution approving Change Order No. 4 to Terracon Consultants, Inc., for Abatement Services for Public Library in the amount of \$2,129.92
20. Resolution approving contract and bond for 2014/15 Shared-Use Path Maintenance (South 4<sup>th</sup> Street)
21. Resolution approving contract and bond for Fleet Services Building Roof Replacement - Phase 1
22. Resolution approving contract and bond for Water Pollution Control Make-Up Air Unit Replacement
23. Resolution accepting completion of Year Two of Five-Year Well Rehabilitation Program with Northway Corporation
24. WPC Biosolids Hauling and Digester Cleaning Project for Water and Pollution Control:
  - a. Resolution accepting final completion of FY 2013/14 Contract with Nutri-Ject Systems, Inc.
  - b. Resolution awarding Year 2 (FY 2014/15) to Nutri-Ject Systems, Inc., of Hudson, Iowa, in an amount not to exceed \$143,407.25

**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.**

**PLANNING & HOUSING:**

25. Consideration of Proposal regarding redevelopment of land owned by Breckenridge Group located at 321 and 601 South State Avenue and 205 South Wilmoth

**WATER & POLLUTION CONTROL:**

26. Resolution approving Change Order No. 4 with FOX Engineering to redesign aeration process for new Water Treatment Plant in a fixed amount of \$107,780

**HEARINGS:**

27. Hearing on Major Site Development Plan for 3299 East 13<sup>th</sup> Street:

- a. Resolution approving Plan to allow installation of freeway-oriented sign
- b. Motion directing City Attorney to draft Agreement pertaining to sign

28. Hearing on Nuisance Assessments:

- a. Resolution assessing costs of snow/ice removal and certifying assessments to Story County Treasurer

**ORDINANCES:**

29. First passage of ordinance amending Chapter 13 to only require below-grade egress windows in bedrooms

30. Second passage of ordinance making zoning text amendments to Sections 29.1507(2) and 29.1507(3) pertaining to Petitions for Rezoning and Master Plan Determination, respectively

31. Second passage of ordinance making zoning text amendment pertaining to Floating Suburban Residential District, specifically related to density range, limitation on units per building, changes to setbacks, clarifications to Establishment Sections' references to rezoning and map amendment process, and cleanup of net density terminology

32. Second passage of ordinance amending Chapter 21 to allow for multiple-family development entrance signs

**COUNCIL COMMENTS:**

**ADJOURNMENT:**

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

**AMES AREA METROPOLITAN PLANNING ORGANIZATION (AAMPO)  
TRANSPORTATION POLICY COMMITTEE ACTION FORM**

**SUBJECT: FINAL FY 2015-2018 TRANSPORTATION IMPROVEMENT PROGRAM (TIP)**

**BACKGROUND:**

In order to receive funds for transportation improvement projects, the projects must be part of the approved Iowa Department of Transportation's (Iowa DOT) Statewide Transportation Improvement Plan (STIP). The initial step in this process is for AAMPO to develop and approve a TIP for the MPO region. Regulations require the TIP to include transportation projects for four years.

The attached plan provides for projects consisting of street improvements, CyRide improvements, and trail projects. A number of projects were evaluated as this plan was developed. The FY 2015 street project will be the pavement rehabilitation of 24<sup>th</sup> Street from the UPRR tracks to Northwestern Avenue and Bloomington Road from Eisenhower Avenue west 500 feet. Funds are also programmed for the Long Range Transportation Plan update to the horizon year of 2040. The transportation alternative program funds will be used for trail extension along S. Duff Avenue from Squaw Creek to S. 5<sup>th</sup> Street and the Skunk River Trail Extension from East Lincoln Way to South River Valley Park, which is scheduled to be constructed as the FY 2015 trail project. However, it should be noted that completion of this segment will be subject to receiving access easements from the affected property owners.

**A public input session was held on May 1, 2014, to provide an opportunity for the public to discuss the TIP with staff and provide comments. No revisions were requested by the public. Comments were also received and addressed from the Iowa DOT, Federal Highway Administration, and Federal Transit Administration. The final approved TIP document is to be submitted to the Iowa DOT by July 15, 2015. The FY 2015-2018 TIP is attached.**

**ALTERNATIVES:**

1. Approve the final FY 2015–2018 TIP for submission to the Iowa DOT.
2. Approve the final FY 2015–2018 TIP with Policy Committee modifications for submission to the Iowa DOT.

**ADMINISTRATOR'S RECOMMENDATION:**

These projects correlate to the City of Ames 2014-19 Capital Improvement Plan, and the AAMPO Technical Committee has unanimously recommended approval of this plan.

Therefore, it is recommended by the Administrator that the Transportation Policy Committee adopt Alternative No. 1, thereby approving the final FY 2015–2018 TIP for submission to the Iowa DOT.



# TRANSPORTATION IMPROVEMENT PROGRAM

**FY 2015 – 2018**

**FINAL**

**JULY 8, 2014**

"The preparation of this report has been financed in part through grant[s] from the Federal Highway Administration and Federal Transit Administration, U.S. Department of Transportation, under the State Planning and Research Program, Section 505 [or Metropolitan Planning Program, Section 104(f)] of Title 23, U.S. Code. The contents of this report do not necessarily reflect the official views or policy of the U.S. Department of Transportation.

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## ***Federal Highway Administration Section***

### **Project Selection**

The Ames Area Metropolitan Planning Organization (AAMPO) uses an informal project selection criteria system as a means of prioritizing submitted projects. All projects submitted to the AAMPO for inclusion in the Transportation Improvement Program (TIP) are reviewed by staff and the Transportation Technical Committee (TTC) and Transportation Policy Committee (TPC). Projects are programmed in the TIP by approval of the TPC based on the recommendation of the TTC and staff.

Projects are prioritized based on public input, need and financial availability. Factors identified in the Long Range Transportation Plan (LRTP) will be used as tools to help determine those projects selected and their respective priority. In addition to the LRTP tools, highway capacity improvement projects are selected using Level of Service criteria; rehabilitation and reconstruction projects are selected based upon pavement condition index and field review. A STP application form shall be submitted along with all STP projects to be considered to receive federal-aid funding. This form can be requested from the AAMPO staff or downloaded from the AAMPO website.

Transportation Alternative projects consist mainly of open space trails that have been developed during the public involvement process for the Long Range Transportation Plan (LRTP) update. Trail segments shown in the plan are sized proportionately based upon estimated construction costs. A TAP application form shall be submitted along with all TAP projects to be considered to receive federal-aid funding. Submitted projects are then ranked with the following criterion: connectivity with existing facilities, cost in relation to public benefit, enhancement to existing transportation system, and identified in the long range transportation plan. The ranked list is then discussed and may be revised during the TIP development process. The project application form can be requested from the AAMPO staff or downloaded from the AAMPO website.

Bridge projects consist of necessary repairs recommended by the biennial Iowa Department of Transportation (IDOT) bridge inspections. The IDOT requires these inspections for bridges within the local jurisdictions of the AAMPO. A Candidate List is created by the IDOT Office of Systems Planning based on priority points ranking. Local agencies and the AAMPO work with the IDOT on programming necessary bridge projects based on priority and available funding.

The Transit Board selects operating projects for CyRide as identified in the approved Passenger Transportation Plan (PTP), which serves as a needs assessment for all regional human and health service agencies. The Transit Board also approves matching funds for capital projects based upon identified route expansions.

All projects are consistent with the approved 2035 Long Range Transportation Plan adopted on Oct. 12, 2010.



AAMPO FY 2015 – 18 Transportation Improvement Program

**FY 2014 Project Status Report**

<b>TPMS #</b>	<b>Project Number</b>	<b>Location</b>	<b>Type of Work</b>	<b>Status</b>	<b>Total Project Cost</b>	<b>Total Federal Aid</b>	<b>Sponsor</b>
14983	STP-E-0155(SE16th)--70-85	In the City of Ames, Skunk River Trail: From SE 16th Street to East Lincoln Way	Ped/Bike Grade & Pave	FHWA Approved - Roll over Funding	\$ 521,000	\$ 160,000	City of Ames
19961	STP-U-0155(S 3RD / S 4TH)--70-85	In the City of Ames, S 3RD ST / S 4TH ST: From Squaw Creek to South Duff Avenue	Pavement Rehab	FHWA Approved - Roll over Funding	\$ 1,867,000	\$ 1,292,000	City of Ames
21260	STP-E-0155(SE16TH)--8V-85	In the City of Ames, Skunk River Trail: From SE 16th Street to East Lincoln Way	Ped/Bike Structures, Ped/Bike Miscellaneous	FHWA Approved - Roll over Funding	\$ 835,000	\$ 160,000	City of Ames
17023	STP-U-0155(ELW)--70-85	In the City of Ames, E LINCOLN WAY: From South Duff Avenue to and including South Skunk River Bridge	Pavement Rehab, Bridge Rehabilitation	FHWA Approved - Roll over Funding	\$ 2,130,000	\$ 1,060,000	City of Ames
1948	STP-E-0155(S DUFF)--8V-85	In the City of Ames, S DUFF AVE: From Squaw Creek to South 5th Street	Ped/Bike Grade & Pave	FHWA Approved - Roll over Funding	\$ 100,000	\$ 70,000	City of Ames
19248	STP-U-0155()-70-85	24TH ST AND BLOOMINGTON RD: 24th St. (UPRR tracks to Northwestern Ave.) and Bloomington Rd. (Eisenhower Ave. to west 500 ft.)	Pavement Rehab	FHWA Approved - Roll over Funding	\$ 1,832,000	\$ 1,292,000	City of Ames
22052	BRFN-030()-39-85	US30: US 69/BIKE PATH IN AMES (EB)	Bridge Deck Overlay	FHWA Approved - Roll over Funding	\$ 456,000	\$ -	IDOT Dist. 1
22016	IM-035()-13-85	I-35: US 30 INTERCHANGE IN AMES	Bridge New, Grading, Right of Way	FHWA Approved - Roll over Funding	\$ 9,600,000	\$ 8,550,000	IDOT Dist. 1
14980	STP-E-0155(ADA)--8V-85	In the City of Ames, Skunk River Trail: From Bloomington Road to Ada Hayden Park	Ped/Bike Grade & Pave	FHWA Approved - 2014 Construction	\$ 441,000	\$ 250,000	City of Ames
14982	STP-E-0155(682)--8V-85	In the City of Ames, Skunk River Trail: From East Lincoln Way to S. River Valley Park	Ped/Bike Grade & Pave	FHWA Approved - Roll over Funding	\$ 790,000	\$ 360,000	City of Ames
15628	STP-E-C085(100)--8V-85	Gilbert to Ames Trail: Trail connection from Gilbert, Iowa to Ames, Iowa	Ped/Bike ROW	FHWA Approved - Roll over Funding	\$ 983,000	\$ 62,000	Story CCB
21264	BROS-C085(116)--5F-85	North Dakota Ave: Over Onion Creek	Bridge Replacement	Authorized - 2014 Construction	\$ 350,000	\$ 280,000	Story CRD
21261	STP-U-0155(681)--70-85	In the City of Ames, SHELDON AVENUE: From Lincoln Way to Hyland Avenue	Pavement Rehab	Authorized - 2014 Construction	\$ 1,480,000	\$ 1,060,000	City of Ames
16032	STP-U-0155(Grand3)--70-85	GRAND AVE: S Grand Ave: 0.1 miles north of S. 16th Street to Squaw Creek Dr / S 5th St: S Grand Ave to S Duff Ave / S 16th & S Duff Ave Intersection	Grade and Pave, Bridge New	FHWA Approved - 2014 NEPA Clearance	\$ 11,546,000	\$ 2,096,000	City of Ames
16103	RGPL-PA22(RTP)--ST-85	Ames MPO Planning: STP Funds for Transportation Planning	Trans Planning	Authorized - LRTP Update Initiated	\$ 400,000	\$ 320,000	AAMPO

## AAMPO FY 2015 – 18 Transportation Improvement Program

### Fiscal Constraint

The AAMPO FY 2015 programming targets are \$1,539,075 for STP, \$86,304 for TAP, and \$65,713 for TAP Flex. The project costs shown in the TIP are in year of expenditure dollars. This is accomplished by developing an estimate of costs in the current bidding environment and then applying an inflation factor of 4% per year. The Ames City Council has programmed these projects in the City of Ames 2014-2019 CIP for the local funding allocation. These funds are generated from the City's annual Road Use Tax Fund (RUTF) distribution, Local Option Sales Tax, and General Obligation (GO) Bonds. The transit program does not have targets, and thus the requests involve significant costs in the anticipation of maximizing the amounts received.

### Financial Constraint Summary Tables

Federal Aid Program	2015		2016		2017		2018	
	Total Cost	Federal Aid	Total Cost	Federal Aid	Total Cost	Federal Aid	Total Cost	Federal Aid
Surface Transportation Program (STP)	\$2,128,000	\$1,529,000	\$3,130,000	\$1,060,000	\$6,517,000	\$1,992,000	\$6,500,000	\$1,300,000
Highway Bridge Replacement (STP-HBP)	\$2,425,000	\$1,000,000	\$0	\$0	\$0	\$0	\$0	\$0
Transportation Alternatives Program (TAP)	\$1,873,000	\$492,000	\$835,000	\$160,000	\$521,000	\$160,000	\$586,000	\$140,000
National Highway Performance Program (NHPP)	\$0	\$0	\$100,000	\$0	\$9,500,000	\$8,550,000	\$3,864,000	\$3,478,000
Primary Road Funds (PRF)	\$456,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0

	2015	2016	2017	2018
Unobligated Balance (Carryover)	\$3,430,544	\$3,506,332	\$4,051,332	\$3,664,332
Region STP Target	\$1,539,075	\$1,539,000	\$1,539,000	\$1,539,000
Region TAP Flex Target	\$65,713	\$66,000	\$66,000	\$66,000
<b>Subtotal</b>	<b>\$5,035,332</b>	<b>\$5,111,332</b>	<b>\$5,656,332</b>	<b>\$5,269,332</b>
Transfer to TAP (STP and Flex)	\$0	\$0	\$0	\$3,000
Programmed STP Funds	\$1,529,000	\$1,060,000	\$1,992,000	\$1,300,000
<b>Balance</b>	<b>\$3,506,332</b>	<b>\$4,051,332</b>	<b>\$3,664,332</b>	<b>\$3,966,332</b>

	2015	2016	2017	2018
Unobligated Balance (Carryover)	\$543,410	\$199,714	\$125,714	\$51,714
Region TAP Target	\$86,304	\$86,000	\$86,000	\$86,000
STP and Flex Transfer Credit	\$0	\$0	\$0	\$3,000
<b>Subtotal</b>	<b>\$629,714</b>	<b>\$285,714</b>	<b>\$211,714</b>	<b>\$140,714</b>
Programmed TAP Funds	\$430,000	\$160,000	\$160,000	\$140,000
<b>Balance</b>	<b>\$199,714</b>	<b>\$125,714</b>	<b>\$51,714</b>	<b>\$714</b>

	2013	2014	2015	2016	2017	2018
City of Ames Total Operations	\$447,674	\$465,581	\$484,204	\$503,572	\$523,715	\$544,664
City of Ames Total Maintenance	\$888,723	\$924,272	\$961,243	\$999,693	\$1,039,680	\$1,081,267
City of Gilbert Total Operations	\$1,169	\$1,216	\$1,264	\$1,315	\$1,368	\$1,422
City of Gilbert Total Maintenance	\$14,584	\$15,167	\$15,774	\$16,405	\$17,061	\$17,744
<b>Total O&amp;M</b>	<b>\$1,352,150</b>	<b>\$1,406,236</b>	<b>\$1,462,485</b>	<b>\$1,520,985</b>	<b>\$1,581,824</b>	<b>\$1,645,097</b>

	2013	2014	2015	2016	2017	2018
City of Ames Total RUTF Receipts	\$5,646,836	\$5,872,709	\$6,107,618	\$6,351,923	\$6,605,999	\$6,870,239
City of Ames Total Other Road Monies Receipts	\$4,031,928	\$4,193,205	\$4,360,933	\$4,535,371	\$4,716,785	\$4,905,457
City of Ames Total Receipts Service Debt	\$21,215,250	\$22,063,860	\$22,946,414	\$23,864,271	\$24,818,842	\$25,811,595
City of Gilbert Total RUTF Receipts	\$103,619	\$107,764	\$112,074	\$116,557	\$121,220	\$126,068
City of Gilbert Total Other Road Monies Receipts	\$16,517	\$17,178	\$17,865	\$18,579	\$19,323	\$20,095
City of Gilbert Total Receipts Service Debt	\$0	\$0	\$0	\$0	\$0	\$0

## **Network Operations and Maintenance**

The capital investment and other measures necessary to preserve the existing transportation system, as well as operations, maintenance, modernization, and rehabilitation of existing and future transportation facilities are annually reviewed and programmed. Preservation, operating, and maintenance costs are included as a priority for funding. Maintenance and rehabilitation projects are also included in the AAMPO LRTP. In addition to STP funding, the City of Ames utilizes RUTF, Local Option Sales Tax, and General Obligation funding for system preservation projects. A program is also included in the City of Ames 2014-2019 CIP to address shared use path maintenance. The LRTP and Land Use Policy Plan (LUPP) both use an intersection efficiency standard of Level of Service (LOS) C.

## **Public Participation Process**

A notice advising the public about the draft TIP and Transportation Planning Work Program (TPWP) reviewed by the AAMPO Technical Committee will be mailed to 43 neighborhood organization chairpersons, representatives of the Ames Main Street District, Campustown Action Association, NAACP, Friends of Central Iowa Biking, International Student Council at Iowa State University (ISU), League of Women Voters, and others in accordance with our approved Public Participation Plan (PPP). In addition, as previously noted, projects are available for public review and comment through the City of Ames CIP process. A public input session will be held on May 1<sup>st</sup>, 2014 to discuss the TIP and receive comments.

## **Title VI Compliance**

The Ames Area MPO adheres to the City of Ames's Title VI of the Civil Rights Act of 1964 Compliance Plan. The AAMPO carries out its transportation planning processes without regard to race, color, or national origin. The Compliance Plan provides information on the Ames Area MPO Title VI compliance policies, complaint procedures, and a form to initiate the complaint process for use by members of the public. For more information or to file a complaint or concern, please contact the AAMPO Administrator at the City of Ames Public Works Administration Office at 515-239-5160.

## **Self Certification**

The AAMPO Policy Committee certified that transportation planning activities in the Ames metropolitan area are being carried out in accordance with governing Federal regulations, policies and procedures. This certification was at the meeting on March 25, 2014. A copy of the document is attached in Appendix C.

## **Revising the TIP**

Often after development and subsequent adoption of the TIP, changes may need to be made to the list of programmed projects. Examples of changes might be adding or deleting projects, moving a project between years in the TIP, adjusting project cost, or changing the vehicle numbers of transit vehicles.

A major requirement of a project receiving Federal transportation funds is for the project to be included in the TIP and Statewide Transportation Improvement Program. Once a project has received Federal Authorization for construction it does not need to be included in the TIP. This is one of two major reasons for adding or deleting a project from the TIP. The other major reason for adding a project is the awarding of a grant or earmark for a project, which can happen throughout the year.

Changes to the TIP are classified as either “administrative modifications” or “amendments”.

### **Administrative Modifications**

Administrative Modifications are minor changes involving the following:

- **Project Cost** – changes that do not increase federal-aid by more than 30% or do not increase total federal-aid by more than \$2 million from the original amount.
- **Schedule Changes** – changes in schedules to projects included in the first four years of the TIP
- **Funding Source** – changes to funding from one source to another
- **Scope Changes** – all changes to the project’s scope

### **Amendments**

Amendments are major changes involving the following:

- **Project Cost** – changes that increase federal-aid by more than 30% or increase total federal-aid by more than \$2 million from the original amount.
- **Schedule Changes** – projects added or deleted from the TIP.
- **Funding Source** – projects receiving additional federal funding sources.
- **Fiscal Constraint** – changes that result in the TIP no longer being fiscally constrained.
- **Scope Changes** – changing the project termini, the amount of through traffic lanes, type of work from an overlay to reconstruction, or a change to include widening of the roadway.

Administrative modifications and amendments are subject to different AAMPO Policy Committee and public review procedures. Administrative modifications are processed internally and are shared with the Policy Committee and the public as informational items. Amendments are presented to the Policy Committee and a public comment period is opened, which lasts until the next Policy Committee meeting (the Policy Committee meets on an as needed basis, giving a 3-4 week public comment period). Public comments are shared at this meeting with the Policy Committee and action is taken to approve the amendment.

## ***Federal Transit Administration Section***

### **FY 2015 TIP FTA Project Justification**

The following transit projects identified within the draft FY2015-2018 TIP were included within the 2015 Passenger Transportation Plan (PTP) Update, meeting the requirements to have the Enhanced Mobility for Seniors and individuals with Disabilities formolized federal funding within an approved PTP prior to TIP approval. The following narrative describes the projects within the initial year of the plan.

**General Operations:** This funding supports the day-to-day transit operations of the Ames Transit Authority from Ames’ urbanized area federal apportionment, Transit Intensive Cities, and State Transit Assistance funding.

**Contracted Paratransit (Dial-A-Ride) Service:** According to federal regulations, public transit agencies providing fixed-route transit service in their community must also provide door-to-door transportation service within a ¼ mile area of that fixed-route service. Therefore, CyRide purchases transportation service for its Dial-A-Ride operations in order to meet this ADA requirement. This requirement has been expanded to the entire city limits of Ames.

**Associated Transit Improvements:** CyRide developed a Bus Stop Plan that recommended an implementation plan for bus stop amenities along CyRide's fixed-route system. From the prioritization of recommended stop improvements, concrete pads will be added for easier boarding/alighting during inclement weather as well as replacing bus shelters with lighted bus shelters to improve the accessibility for patrons and CyRide's image throughout the Ames community. In February 2013, CyRide launched Nextbus allowing passengers to obtain real-time information of the next buses coming to a particular bus stop. The information can be obtained on CyRide's website, by texting or calling or via LED digital signs at the bus stop. CyRide envisions additional LED digital signage signs next to high ridership stops throughout the Ames community.

**Heavy Duty Bus Replacement:** Eight buses have exceeded FTA guidelines for useful life. Bus numbers are 00147, 00716, 00715, 00711, 00712, 00713, 00717 and 00742. These units will be replaced with 40' heavy-duty buses, equipped with cameras. These replacement vehicles will be ADA accessible.

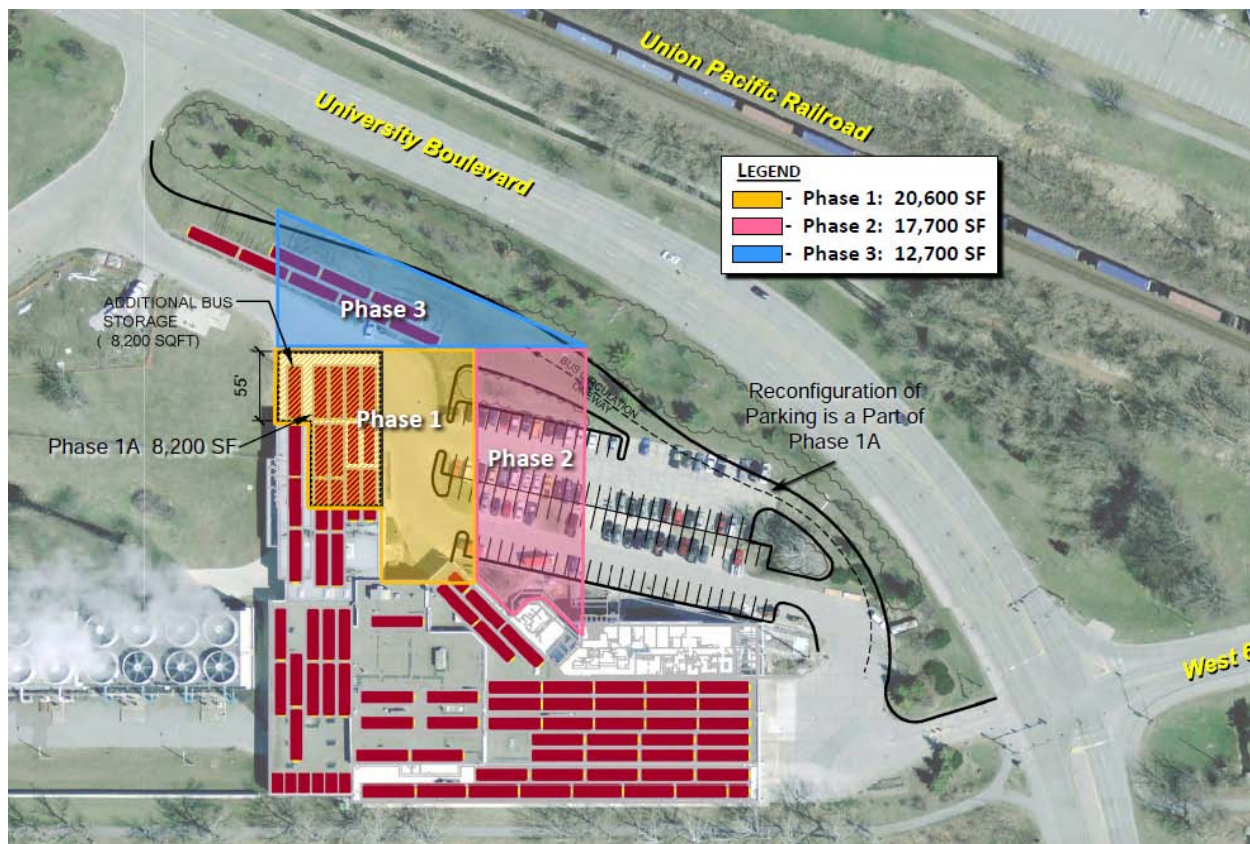
**Light Duty Bus Replacement:** One bus has exceeded FTA guidelines for useful life. The bus number is 7640 which CyRide leases to Heart of Iowa Regional Transit Agency to operate its ADA complimentary service (Dial-A-Ride). This unit will be replaced with another light-duty bus, equipped with cameras. This replacement vehicle will be ADA accessible.

**Blue Route (Sunday):** CyRide is planning to double its frequency on the Sunday Blue route to 20-minute intervals between 11:00 am and 5:00 pm. The route currently operates at 40-minute intervals. One bus will be added on Sundays and serve a portion of the route between ISU campus and the Wal-Mart on South Duff Avenue. This will help reduce overcrowding and on-time performance issues currently being experienced on the route. Additionally, this change will improve service by decreasing wait times for customers. Many trips along this portion of the route on Sunday consistently exceed 60 passengers per bus, which is standing capacity. The seated capacity is 39 passengers. CyRide is requesting the first year of operating funding through STA Special Project funding with the next two years through Iowa's Clean Air Attainment Program (ICAAP) funding.

**Brown/Green Route (Weekday):** CyRide is planning to add two additional buses along the Brown Route and one bus to the Green route each weekday between 11:30am and 6:00pm. Ridership has grown on both these corridors to the point where overcrowding occurs and buses are having a difficult time staying on time and buses are exceeding standing capacity. Ridership on the Brown route has grown by more than 45% over the past three years due to the influx of students to apartments north of Somerset and full utilization of the Wallace/Wilson Residence Halls. An added benefit of this change is that the Brown/Green routes will now be able to meet other buses (Red and Blue routes) to make transfers allowing customers to switch between buses to travel to other areas of campus or the city. Currently the Brown route bus arrives several minutes after the other route buses have left, causing customers to wait almost 20 more minutes until their next bus arrives.

**Heavy Duty Bus Expansion:** CyRide plans to operate two additional buses to expand its service on the Brown/Green Routes beginning in August 2014. CyRide is requesting two expansion buses to operate this service given that the entire system only has three spare buses during its peak pull out period. The Federal Transit Administration recommends a 20% spare ratio or currently 14 buses. These units will be 40' heavy-duty buses, equipped with cameras and will be ADA accessible.

**Maintenance Facility Expansion:** CyRide plans to construct additional bus storage to its existing maintenance storage facility completing Phase 1 (orange area) under Option 12 within their Maintenance Facility Expansion Feasibility Plan developed in 2010. CyRide is currently finalizing construction of Phase 1A (8,200 square feet) and anticipates buses will be parked outside again once an additional 5 used buses are purchased for increased passenger demand within the Ames community. Completing the remaining portion of Phase 1, or Phase 1B, will add another 12,400 square feet for additional storage of buses and is a natural expansion in the scalable project developed under this plan.



**Appendix A:  
FY 2015 – 18 TIP TPMS Printouts**

# MPO-22 / AAMPO

## 2015 - 2018 Transportation Improvement Program

TPMS Sponsor Appr. Status	Project # Location Funding Program	Length FHWA# S:T:R		Pgm'd Amounts in 1000's				Total	STIP#
				FY15	FY16	FY17	FY18		
<b>STP - Surface Transportation Program</b>									
Story - 85									
19248 Ames	<b>STP-U-0155(688)--70-85 DOT Letting: 12/16/2014</b> 24TH ST AND BLOOMINGTON RD: 24th St. (UPRR tracks to Northwestern Ave.) and Bloomington Rd. (Eisenhower Ave. to west 500 ft.) Pavement Rehab	0.09 MI --	Project Total Federal Aid	1,832 1,292	0 0	0 0	0 0	1,832 1,292	
Draft TIP Approved		0:0:0	Regional FA	1,292	0	0	0	1,292	--
16103 MPO-22 / AAMPO	<b>RGPL-PA22(RTP)--ST-85</b> Ames MPO Planning: STP Funds for Transportation Planning Trans Planning	0 MI --	Project Total Federal Aid	296 237	0 0	0 0	0 0	296 237	
Draft TIP Approved		--	Regional FA	155	0	0	0	155	--
17023 Ames	<b>STP-U-0155(ELW)--70-85</b> In the City of Ames, E LINCOLN WAY: From South Duff Avenue to and including South Skunk River Bridge Pavement Rehab,Bridge Rehabilitation	1.11 MI --	Project Total Federal Aid	0 0	2,130 1,060	0 0	0 0	2,130 1,060	
Draft TIP Approved		0:0:0	Regional FA	0	1,060	0	0	1,060	--
16032 Ames	<b>STP-U-0155(Grand3)--70-85</b> GRAND AVE: S Grand Ave: 0.1 miles north of S. 16th Street to Squaw Creek Dr / S 5th St:S Grand Ave to S Duff Ave / S 16th & S Duff Ave Intersection Grade and Pave,Bridge New	0.652 MI --	Project Total Federal Aid	0 0	1,000 0	4,650 700	6,500 1,300	12,150 2,000	
Draft TIP Approved		0:0:0	Regional FA	0	0	700	1,300	2,000	--
19961 Ames	<b>STP-U-0155(S 3RD / S 4TH)--70-85</b> In the City of Ames, S 3RD ST / S 4TH ST: From Squaw Creek to South Duff Avenue Pavement Rehab	2.02 --	Project Total Federal Aid	0 0	0 0	1,867 1,292	0 0	1,867 1,292	
Draft TIP Approved		0:0:0	Regional FA	0	0	1,292	0	1,292	--
<b>STP-HBP - Surface Transportation Program - Bridge Program</b>									
Story - 85									
29713 [NBIS: 000180] Ames	<b>BRM-0155(685)--8N-85 DOT Letting: 12/16/2014</b> In the city of Ames, On 6TH ST, Over SQUAW CREEK Bridge Replacement	0 000180	Project Total Federal Aid	2,425 1,000	0 0	0 0	0 0	2,425 1,000	
Draft TIP Approved		0:0:00	Regional FA	0	0	0	0	0	--
<b>NHPP - National Highway Performance Program</b>									
Story - 85									
22016 [NBIS: 49210] DOT-D01-MPO22	<b>IM--35)--13-85</b> I35: US 30 INTERCHANGE IN AMES Pave,Bridge New,Grading	0.503 49210	Project Total Federal Aid	0 0	100 0	9,500 8,550	3,864 3,478	13,464 12,028	
Draft TIP Approved		--	Regional FA	0	0	0	0	0	--



TPMS Sponsor Appr. Status	Project # Location Funding Program	Length FHWA# S:T:R		Pgm'd Amounts in 1000's				Total	STIP#
				FY15	FY16	FY17	FY18		
<b>TAP - Transportation Alternatives</b>									
Story - 85									
1948 Ames Draft TIP Approved	<b>STP-E-0155(S DUFF)--8V-85</b> In the City of Ames, S DUFF AVE: From Squaw Creek to South 5th Street Ped/Bike Grade & Pave	0.16 MI -- 0:0:0	Project Total Federal Aid Regional FA	100 70 70	0 0 0	0 0 0	0 0 0	100 70 70	--
14982 Ames Draft TIP Approved	<b>STP-E-0155(682)--8V-85 Local Letting: 03/19/2015</b> In the City of Ames, Skunk River Trail: From East Lincoln Way to S. River Valley Park Ped/Bike Grade & Pave	0.635 MI -- --	Project Total Federal Aid Regional FA	790 360 360	0 0 0	0 0 0	0 0 0	790 360 360	--
15628 Story CCB Draft TIP Approved	<b>STP-E-C085(100)--8V-85 Local Letting: 12/21/2021</b> Gilbert to Ames Trail: Trail connection from Gilbert, Iowa to Ames, Iowa Ped/Bike ROW	2.997 MI -- --	Project Total Federal Aid Regional FA	983 62 62	0 0 0	0 0 0	0 0 0	983 62 62	--
<b>PA NOTE:</b> STP = \$61,579									
<b>DOT NOTE:</b> Project funded using CIRTPA TAP funds									
21260 Ames Draft TIP Approved	<b>STP-E-0155(SE16TH)--8V-85</b> In the City of Ames, Skunk River Trail: From SE 16th Street to East Lincoln Way Ped/Bike Structures, Ped/Bike Miscellaneous	1.033 MI -- --	Project Total Federal Aid Regional FA	0 0 0	835 160 160	0 0 0	0 0 0	835 160 160	--
14983 Ames Draft TIP Approved	<b>STP-E-0155(SE16th)--70-85</b> In the City of Ames, Skunk River Trail: From SE 16th Street to East Lincoln Way Ped/Bike Grade & Pave	1 MI -- --	Project Total Federal Aid Regional FA	0 0 0	0 0 0	521 160 160	0 0 0	521 160 160	--
17025 Ames Draft TIP Approved	<b>STP-E-0155()--8V-85</b> In the city of Ames, Skunk River Trail: River Valley Park to Bloomington Road Ped/Bike Grade & Pave	0.75 MI -- --	Project Total Federal Aid Regional FA	0 0 0	0 0 0	0 0 0	586 140 140	586 140 140	--
<b>PRF - Primary Road Funds</b>									
Story - 85									
22052 [NBIS: 048710] DOT-D01-MPO22 Draft TIP Approved	<b>BRFN--30()--39-85</b> US 30: US 69/BIKE PATH, IN AMES (EB) Bridge Deck Overlay	0 MI 048710 --	Project Total Federal Aid Regional FA	456 0 0	0 0 0	0 0 0	0 0 0	456 0 0	--

## MPO-22 / AAMPO (63 Projects)

Fund	Sponsor	Transit # Expense Class Project Type	Desc / Add Ons / Addnl Info		FY15	FY16	FY17	FY18
STA, 5307	Ames	914 Operations Misc	General Operations	<b>Total</b>	9,419,737	9,796,527	10,188,387	10,595,923
				<b>FA</b>	2,100,000	2,184,000	2,271,360	2,362,214
				<b>SA</b>	604,598	628,782	653,933	680,091
5310	Ames	919 Operations Misc	Contracted Paratransit Service	<b>Total</b>	239,075	248,638	258,584	268,926
				<b>FA</b>	191,260	198,910	206,867	215,141
				<b>SA</b>				
5310	Ames	920 Capital Replacement	Associated Transit Improvements	<b>Total</b>	50,000	50,000	50,000	50,000
				<b>FA</b>	40,000	40,000	40,000	40,000
				<b>SA</b>				
5339	Ames	1910 Capital Replacement	Heavy Duty Bus (40-42 ft.) VSS, Low Floor, BioDiesel Unit #: 00742	<b>Total</b>	439,000			
				<b>FA</b>	373,150			
				<b>SA</b>				
5339	Ames	3305 Capital Replacement	Heavy Duty Bus (40-42 ft.) VSS, Low Floor, BioDiesel Unit #: 00147	<b>Total</b>	439,000			
				<b>FA</b>	373,150			
				<b>SA</b>				
5339	Ames	3306 Capital Replacement	Heavy Duty Bus (40-42 ft.) VSS, Low Floor, BioDiesel Unit #: 00716	<b>Total</b>	439,000			
				<b>FA</b>	373,150			
				<b>SA</b>				
5339	Ames	3307 Capital Replacement	Heavy Duty Bus (40-42 ft.) VSS, Low Floor, BioDiesel Unit #: 00715	<b>Total</b>	439,000			
				<b>FA</b>	373,150			
				<b>SA</b>				
5339	Ames	3308 Capital Replacement	Heavy Duty Bus (40-42 ft.) VSS, Low Floor, BioDiesel Unit #: 00711	<b>Total</b>	439,000			
				<b>FA</b>	373,150			
				<b>SA</b>				
5339	Ames	3309 Capital Replacement	Heavy Duty Bus (40-42 ft.) VSS, Low Floor, BioDiesel Unit #: 00712	<b>Total</b>	439,000			
				<b>FA</b>	373,150			
				<b>SA</b>				
5339	Ames	3310 Capital Replacement	Heavy Duty Bus (40-42 ft.) VSS, Low Floor, BioDiesel Unit #: 00713	<b>Total</b>	439,000			
				<b>FA</b>	373,150			
				<b>SA</b>				
5339	Ames	3311 Capital Replacement	Heavy Duty Bus (40-42 ft.) VSS, Low Floor, BioDiesel Unit #: 00717	<b>Total</b>	439,000			
				<b>FA</b>	373,150			
				<b>SA</b>				
5339	Ames	3313 Capital Replacement	Light Duty Bus (176" wb) VSS Unit #: 7640	<b>Total</b>	89,000			
				<b>FA</b>	75,650			
				<b>SA</b>				
PTIG, 5309, 5339	Ames	3314 Capital Expansion	Maintenance Facility Expansion	<b>Total</b>	1,537,500	1,066,500		
				<b>FA</b>	430,000	853,200		
				<b>SA</b>	800,000			
5339	Ames	2437 Capital Replacement	Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00956	<b>Total</b>	439,000	452,171		
				<b>FA</b>	373,150	384,345		
				<b>SA</b>				
STA, ICAAP	Ames	3318 Operations Expansion	Blue Route Sunday	<b>Total</b>	30,696			
				<b>FA</b>	16,690			
				<b>SA</b>	7,867			

## MPO-22 / AAMPO (63 Projects)

Fund	Sponsor	Transit # Expense Class Project Type	Desc / Add Ons / Addnl Info		FY15	FY16	FY17	FY18
STA, ICAAP	Ames	3319 Operations Expansion	Brown/Green Weekday	<b>Total</b>	588,335			
				<b>FA</b>	319,890			
				<b>SA</b>	150,778			
ICAAP	Ames	3320 Capital Expansion	Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel	<b>Total</b>	439,000			
				<b>FA</b>	351,200			
				<b>SA</b>				
ICAAP	Ames	3321 Capital Expansion	Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel	<b>Total</b>	439,000			
				<b>FA</b>	351,200			
				<b>SA</b>				
5339	Ames	3315 Capital Replacement	Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00743	<b>Total</b>		452,171		
				<b>FA</b>		384,345		
				<b>SA</b>				
PTIG	Ames	3317 Capital Rehabilitation	Maintenance Pits	<b>Total</b>		250,000		
				<b>FA</b>				
				<b>SA</b>		200,000		
5339	Ames	1905 Capital Replacement	Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00714	<b>Total</b>		452,171		
				<b>FA</b>		384,345		
				<b>SA</b>				
ICAAP	Ames	1913 Capital Expansion	Nextbus Signage/bus stop signage	<b>Total</b>		100,000		
				<b>FA</b>		80,000		
				<b>SA</b>				
5339	Ames	2434 Capital Replacement	Heavy Duty Bus (40-42 ft.) VSS, Low Floor, BioDiesel Unit #: 00953	<b>Total</b>		452,171		
				<b>FA</b>		384,345		
				<b>SA</b>				
5339	Ames	2435 Capital Replacement	Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00954	<b>Total</b>		452,171		
				<b>FA</b>		384,345		
				<b>SA</b>				
5339	Ames	945 Capital Expansion	Facility cameras/Proximity Card Access - 20 cameras/10 cards	<b>Total</b>		58,360		
				<b>FA</b>		46,688		
				<b>SA</b>				
5339	Ames	946 Capital Rehabilitation	Electric distribution rehabilitation	<b>Total</b>		246,000		
				<b>FA</b>		240,000		
				<b>SA</b>				
5339	Ames	951 Capital Expansion	Automatic passenger counters	<b>Total</b>		500,000		
				<b>FA</b>		400,000		
				<b>SA</b>				
5339	Ames	2439 Capital Replacement	Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00958	<b>Total</b>		452,171		
				<b>FA</b>		384,345		
				<b>SA</b>				
5339	Ames	2440 Capital Expansion	Heavy Duty Articulated Bus VSS, Low Floor, BioDiesel	<b>Total</b>		733,200		
				<b>FA</b>		623,220		
				<b>SA</b>				
5339	Ames	2442 Capital Expansion	Heavy Duty Articulated Bus VSS, Low Floor, BioDiesel	<b>Total</b>		733,200		
				<b>FA</b>		623,220		
				<b>SA</b>				

## MPO-22 / AAMPO (63 Projects)

Fund	Sponsor	Transit # Expense Class Project Type	Desc / Add Ons / Addnl Info		FY15	FY16	FY17	FY18
5339	Ames	2443 Capital Expansion	Heavy Duty Articulated Bus VSS, Low Floor, BioDiesel	<b>Total</b>		733,200		
				<b>FA</b>		623,220		
				<b>SA</b>				
5339	Ames	2444 Capital Expansion	Heavy Duty Bus (40-42 ft.) VSS, Low Floor, BioDiesel	<b>Total</b>		452,171		
				<b>FA</b>		384,345		
				<b>SA</b>				
5339	Ames	2445 Capital Expansion	Heavy Duty Bus (40-42 ft.) VSS, Low Floor, BioDiesel	<b>Total</b>		452,171		
				<b>FA</b>		384,345		
				<b>SA</b>				
5339	Ames	2446 Capital Expansion	Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel	<b>Total</b>		452,171		
				<b>FA</b>		384,345		
				<b>SA</b>				
5339	Ames	2447 Capital Expansion	Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel	<b>Total</b>		452,171		
				<b>FA</b>		384,345		
				<b>SA</b>				
5339	Ames	2448 Capital Replacement	Light Duty Bus (176" wb) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00334	<b>Total</b>		107,120		
				<b>FA</b>		91,052		
				<b>SA</b>				
5339	Ames	2449 Capital Replacement	Light Duty Bus (176" wb) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00335	<b>Total</b>		107,120		
				<b>FA</b>		91,052		
				<b>SA</b>				
5339	Ames	2450 Capital Replacement	Light Duty Bus (176" wb) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00336	<b>Total</b>		107,120		
				<b>FA</b>		91,052		
				<b>SA</b>				
5339	Ames	2451 Capital Replacement	Light Duty Bus (176" wb) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00333	<b>Total</b>		107,120		
				<b>FA</b>		91,052		
				<b>SA</b>				
5339	Ames	2452 Capital Replacement	Light Duty Bus (158" wb) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00337	<b>Total</b>		101,971		
				<b>FA</b>		86,675		
				<b>SA</b>				
5339	Ames	2453 Capital Replacement	Light Duty Bus (158" wb) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00338	<b>Total</b>		101,971		
				<b>FA</b>		86,675		
				<b>SA</b>				
5339	Ames	2454 Capital Replacement	Vehicle Surveillance Systems	<b>Total</b>		150,000		
				<b>FA</b>		120,000		
				<b>SA</b>				
5339	Ames	2833 Capital Expansion	Heavy Duty Articulated Bus VSS, Low Floor, BioDiesel	<b>Total</b>		733,200		
				<b>FA</b>		623,220		
				<b>SA</b>				
5339	Ames	2834 Capital Replacement	Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00740	<b>Total</b>		452,171		
				<b>FA</b>		384,345		
				<b>SA</b>				
5339	Ames	2835 Capital Replacement	Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00739	<b>Total</b>		452,171		
				<b>FA</b>		384,345		
				<b>SA</b>				

## MPO-22 / AAMPO (63 Projects)

Fund	Sponsor	Transit # Expense Class Project Type	Desc / Add Ons / Addnl Info		FY15	FY16	FY17	FY18
5339	Ames	2836 Capital Replacement	Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00971	<b>Total</b>			465,736	
				<b>FA</b>			395,875	
				<b>SA</b>				
PTIG	Ames	953 Capital Replacement	Re-roof Maintenance facility	<b>Total</b>			500,000	
				<b>FA</b>				
				<b>SA</b>			400,000	
5339	Ames	2436 Capital Replacement	Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00955	<b>Total</b>			465,736	
				<b>FA</b>			395,875	
				<b>SA</b>				
5339	Ames	1891 Capital Replacement	Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00970	<b>Total</b>			465,736	
				<b>FA</b>			395,875	
				<b>SA</b>				
5339	Ames	1894 Capital Replacement	Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00972	<b>Total</b>			465,736	
				<b>FA</b>			395,875	
				<b>SA</b>				
5339	Ames	1898 Capital Replacement	Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00974	<b>Total</b>			465,736	
				<b>FA</b>			395,875	
				<b>SA</b>				
5339	Ames	2438 Capital Replacement	Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00957	<b>Total</b>			465,736	
				<b>FA</b>			395,875	
				<b>SA</b>				
5339	Ames	1900 Capital Replacement	Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00976	<b>Total</b>			465,736	
				<b>FA</b>			395,875	
				<b>SA</b>				
5339	Ames	1901 Capital Replacement	Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00977	<b>Total</b>			465,736	
				<b>FA</b>			395,875	
				<b>SA</b>				
5339	Ames	1899 Capital Replacement	Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00975	<b>Total</b>				479,708
				<b>FA</b>				407,751
				<b>SA</b>				
5339	Ames	1895 Capital Replacement	Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00973	<b>Total</b>				479,708
				<b>FA</b>				407,751
				<b>SA</b>				
5339	Ames	957 Capital Rehabilitation	Resurface ISC Commuter Parking	<b>Total</b>				1,000,000
				<b>FA</b>				720,000
				<b>SA</b>				
5339	Ames	2837 Capital Replacement	Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00950	<b>Total</b>				479,708
				<b>FA</b>				407,751
				<b>SA</b>				
5339	Ames	2838 Capital Replacement	Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00951	<b>Total</b>				479,708
				<b>FA</b>				407,751
				<b>SA</b>				
5339	Ames	2839 Capital Replacement	Heavy Duty Bus (40-42 ft.) Diesel, UFRC, VSS, Low Floor, BioDiesel Unit #: 00952	<b>Total</b>				479,708
				<b>FA</b>				407,751
				<b>SA</b>				

## MPO-22 / AAMPO (63 Projects)

Fund	Sponsor	Transit # Expense Class Project Type	Desc / Add Ons / Addnl Info		FY15	FY16	FY17	FY18
5339	Ames	2840	Heavy Duty Bus (40-42 ft.)	<b>Total</b>				479,708
		Capital	Diesel, UFRC, VSS, Low Floor, BioDiesel	<b>FA</b>				407,751
		Replacement	Unit #: 00949	<b>SA</b>				
5339	Ames	2841	Heavy Duty Bus (40-42 ft.)	<b>Total</b>				479,708
		Capital	Diesel, UFRC, VSS, Low Floor, BioDiesel	<b>FA</b>				407,751
		Replacement	Unit #: 00504	<b>SA</b>				
5339	Ames	2842	Heavy Duty Bus (40-42 ft.)	<b>Total</b>				479,708
		Capital	Diesel, UFRC, VSS, Low Floor, BioDiesel	<b>FA</b>				407,751
		Replacement	Unit #: 00502	<b>SA</b>				

*AAMPO FY 2015 – 18 Transportation Improvement Program*

***Appendix B:***

***FY 2015 – 18 TIP Roadway Project Information***

## AAMPO FY 2015 – 18 Transportation Improvement Program

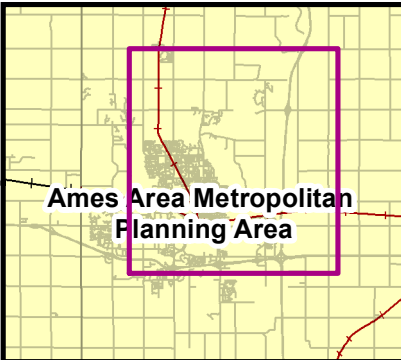
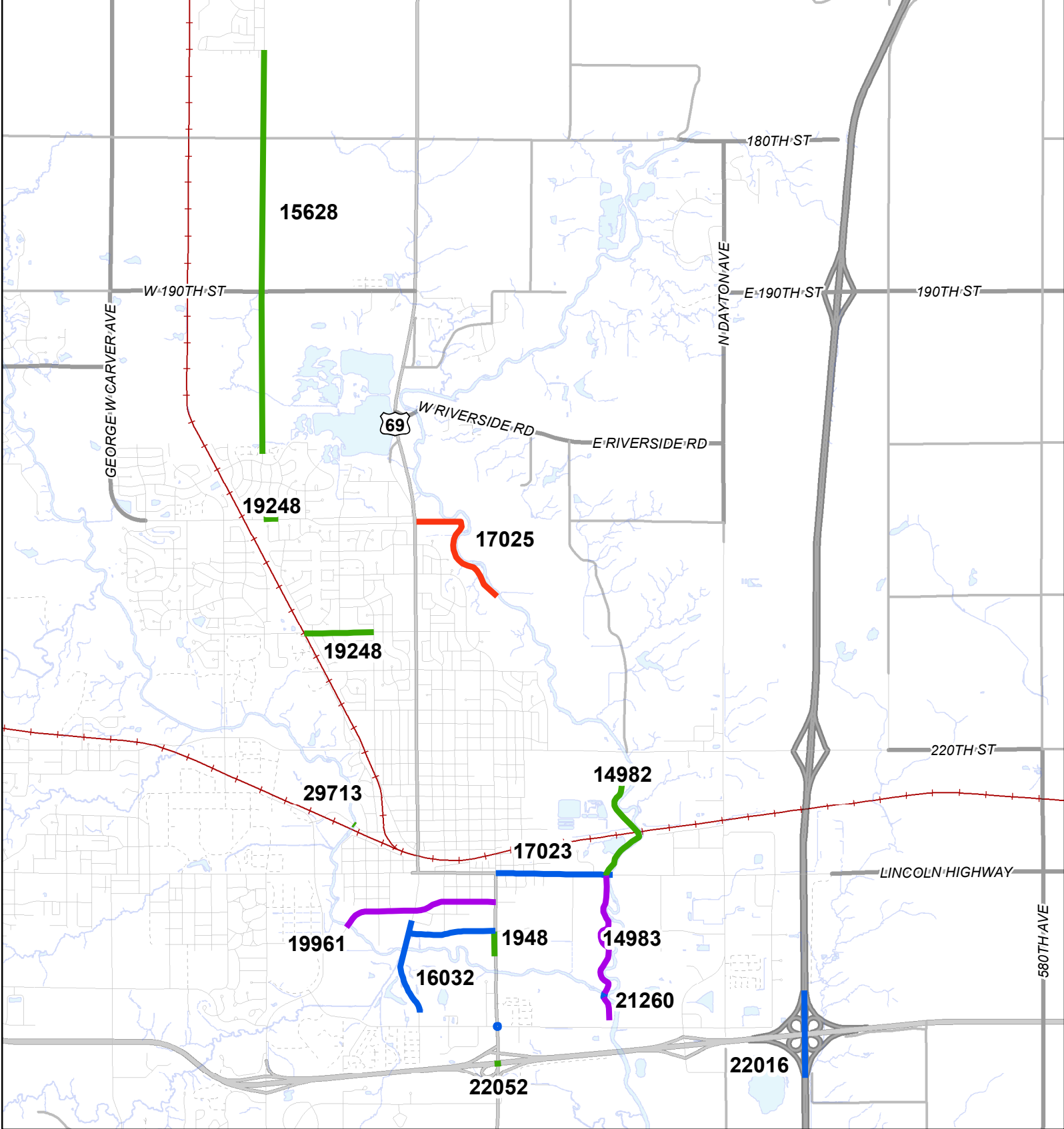
TPMS #	19248	17023	16032	19961	14982	1948	29713
<b>Project Sponsor Government</b>	City of Ames	City of Ames	City of Ames	City of Ames	City of Ames	City of Ames	City of Ames
<b>Federal Funding Source</b>	Surface Transportation Program	Surface Transportation Program	Surface Transportation Program	Surface Transportation Program	Transportation Alternatives Program	Transportation Alternatives Program	STP Highway Bridge Program
<b>Federal Fiscal Year</b>	2015	2016	2016-2018	2017	2015	2015	2015
<b>Route or Street Name</b>	24 <sup>th</sup> Street and Bloomington Road	East Lincoln Way	Grand Avenue	South 3rd Street / South 4th Street	Skunk River Trail	South Duff Avenue	6th Street
<b>Termini</b>	UPRR tracks to Northwestern Avenue and Eisenhower Avenue to west 500 feet	South Duff Avenue to and including South Skunk River Bridge	Grand Ave: 0.1 miles north of S. 16th St. to Squaw Creek Dr. / S. 5th St.; Grand Ave to S. Duff Ave / S 16th St and S. Duff Ave Intersection	Squaw Creek to South Duff Avenue	East Lincoln Way to South River Valley Park	Squaw Creek to South 5th Street	Over Squaw Creek
<b>Bridge Number</b>	-	-	New	-	-	-	180
<b>Length in miles</b>	0.54	1.11	1.21	2.02	0.94	0.2	-
<b>Type of Work</b>	Pavement Rehabilitation	Pavement Rehabilitation, Bridge Rehabilitation	Grade and Pave, New Bridge	Pavement Rehabilitation	Ped / Bike Grade & Pave	Ped / Bike Grade & Pave	Bridge Replacement
<b>Map Included</b>	Yes	Yes	Yes	Yes	Yes	Yes	Yes
<b>Total Estimated Cost</b>	\$1,832,000	\$2,130,000	\$12,150,000	\$1,867,000	\$790,000	\$100,000	\$2,425,000
<b>Federal Aid</b>	\$1,292,000 STP	\$1,060,000 STP	\$2,000,000 STP	\$1,292,000 STP	\$360,000 TAP	\$70,000 TAP	\$1,000,000 STP-HBP
<b>Local Match</b>	\$525,000 G.O. Bond	\$970,000 G.O. Bond	\$3,330,000 G.O. Bond	\$525,000 G.O. Bond	\$430,000 LOST	\$30,000 LOST	\$1,425,000 G.O. Bond
	\$15,000 EUF	\$100,000 EUF	\$6,820,000 Other	\$50,000 EUF	\$0	\$0	\$0

**Funding Program Key**

GO Bond General Obligation Bond  
 EUF Electric Utility Fund  
 STP Surface Transportation Program  
 LOST Local Option Sales Tax

TPMS #	21260	14983	16103	22052	17025	22016	15628
<b>Project Sponsor Government</b>	City of Ames	City of Ames	Ames Area MPO	DOT - District 1	City of Ames	DOT - District 1	Story County
<b>Federal Funding Source</b>	Transportation Alternatives Program	Transportation Alternatives Program	Metropolitan Planning Funds	Primary Roads Funds	Transportation Alternatives Program	National Highway Performance Program	Transportation Alternatives Program
<b>Federal Fiscal Year</b>	2016	2017	2015	2015	2018	2016-2018	2015
<b>Route or Street Name</b>	Skunk River Trail	Skunk River Trail	Ames Area MPO Transportation Planning	US Highway 30	Skunk River Trail	Interstate 35	Gilbert to Ames Trail
<b>Termini</b>	Southeast 16th Street to East Lincoln Way	Southeast 16th Street to East Lincoln Way	Long Range Transportation Plan Update	US 69/Bike Path in Ames (EB)	River Valley Park to Bloomington Road	US 30 Interchange in Ames	Trail connection from Gilbert, IA to Ames, IA
<b>Bridge Number</b>	-	-	-	48710	-	-	-
<b>Length in miles</b>	1	1	-	-	0.75	-	2.5
<b>Type of Work</b>	Ped/Bike Structures, Ped/Bike Miscellaneous	Ped / Bike Grade & Pave	Transportation Planning	Bridge Deck Overlay	Ped / Bike Grade & Pave	Bridge New, Grading, ROW	Ped/Bike ROW
<b>Map Included</b>	Yes	Yes	No	Yes	Yes	Yes	Yes
<b>Total Estimated Cost</b>	\$835,000	\$521,000	\$296,000	\$456,000	\$586,000	\$9,600,000	\$983,000
<b>Federal Aid</b>	\$160,000 TAP	\$160,000 TAP	\$155,000 STP	\$0	\$140,000 TAP	\$8,550,000	\$62,000 TAP (from CRTPA)
<b>Local Match</b>	\$675,000 LOST	\$361,000 LOST	\$59,000 RUTF	\$0	\$446,000 LOST	\$1,050,000	\$921,000
	\$0	\$0	\$82,000 PL	\$0		\$0	\$0



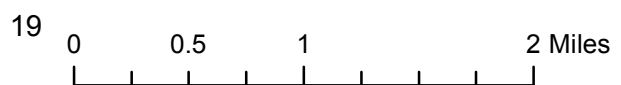


**2015-2018 Projects**  
**First Program Year**

- 2015
- 2016
- 2017
- 2018

MPA Boundary

**FY 2015 - 2018 TIP  
 Project Location Map**



***Appendix C:  
AAMPO Self Certification***

**AMES AREA METROPOLITAN PLANNING ORGANIZATION  
ANNUAL SELF-CERTIFICATION**

In accordance with 23 CFR 450.334, the STATE DEPARTMENT OF TRANSPORTATION and the Ames Area Metropolitan Planning Organization for the Ames, Iowa urbanized area(s) hereby certify that the transportation planning process is addressing the major issues in the metropolitan planning area and is being conducted in accordance with all applicable requirements of:

- (1) 23 U.S.C. 134, 49 U.S.C. Section 5303, and 23 CFR Part 450;
- (2) In nonattainment and maintenance areas, Sections 174 and 176(c) and (d) of the Clean Air Act as amended (42 U.S.C. 7504, 7506(c) and (d) and 40 CFR 93);
- (3) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;
- (4) 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex or age in employment or business opportunity;
- (5) Section 1101(b) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Pub. L. 109-59) regarding the involvement of Disadvantaged Business Enterprises in FHWA and FTA funded planning;
- (6) 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
- (7) The provisions of the Americans with Disabilities Act of 1990 (Pub. L. 101-336, 104 Stat. 327, as amended) and USDOT implementing regulation;
- (8) Older Americans Act, as amended (42 U.S.C. 6101);
- (9) 23 U.S.C. 324, regarding prohibition of discrimination based on gender; and
- (10) Section 504 of the Rehabilitation Act of 1973 and 49 CFR Part 27, regarding discrimination against individuals with disabilities.

For AAMPO:

  
Ann Campbell, Chair  
Transportation Policy Committee

  
Date

***Appendix D:  
Transportation Policy Committee Meeting Minutes***

## MINUTES OF THE SPECIAL MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

JUNE 17, 2014

The Ames City Council met in Special Session at 7:00 p.m. on the 17<sup>th</sup> day of June, 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, Peter Orazem, and Chris Nelson. *Ex officio* Member Lissandra Villa was present. Council Member Nelson arrived at 6:47 p.m. Council Member Goodman was absent.

**RESOLUTION WAIVING REQUIREMENT OF *MUNICIPAL CODE* CHAPTER 27 AUTHORIZING REMOVAL OF A STREET TREE:** Moved by Orazem, seconded by Corrieri, to adopt RESOLUTION NO. 14-349 approving removal of a street tree at 821 Duff Avenue due to the need to replace an aged sanitary sewer service.

Roll Call Vote: 4-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**REPORT ON EMERALD ASH BORER MANAGEMENT:** Corey Mellies, Public Works Operations Manager, reported that the City of Ames was one of three pilot cities for inclusion in an Iowa Department of Natural Resources (IDNR) grant with the United States Forest Service. This three-year grant is providing the City an opportunity to collaborate with an urban forester to educate the public, build a network of volunteers, develop effective maintenance plans that ensure the health of our forest resources, and review ordinances to ensure protection and enhancement of our urban forest. In anticipation of this grant, City staff completed an inventory of all trees in City rights-of-way, in maintained areas of the City's parks (except Moore Memorial Park), and most City-owned facilities.

In conjunction with the IDNR grant, a tree management plan for the City is nearing completion. This document will include goals and recommendations for all City-owned trees, which total an estimated 15,000 trees. It will also include detailed information on how to handle the impending Emerald Ash Borer (EAB) infestation. However, with the imminent threat of EAB, City staff will bring the City-wide tree management plan back to City Council at a later date once the plan to deal with the EAB is finalized.

Shane Donegan, Prairie Rivers of Iowa in partnership with Iowa Department of Natural Resources, John Joiner, Public Works Director, and Corey Mellies discussed several management options for the Ash trees. Ash tree removal will need to be a part of any EAB plan, since Ash trees in poor condition are more susceptible to infestation and will become hazardous to the public. Using the tree inventory mentioned above, staff has identified 2,322 City Ash trees that will be affected by EAB. The estimated cost for a tree removal, including stump grinding, is \$1,000 per tree, or \$2,322,000 for the entire inventory. Tree removals would also raise the need to consider replanting new trees. The estimated cost to purchase and replant a tree is approximately \$250, or a total of \$700,000 to replace the lost Ash tree inventory. Chemical treatments believed to control EAB are another option. Costs for these injections are based on the size of the tree, and are estimated at \$10 to \$12 per inch of DBH. Lastly, wood waste from the trimming and removal of City-owned trees is chipped and made into mulch that is used in City

parks and made available for free to the public, currently. Hence, the City's existing wood waste operations could potentially be modified to produce firewood for the public, as well as mulch.

Several funding sources can be considered to assist with this increase in costs. Road Use Tax monies can be used for removals and replacements of right-of-way trees. The Local Option Sales Tax Fund, General Fund, and General Obligation Bonds are potential sources of funding.

There are immediate recommendations that should take place and those recommendations include the removal of any Ash trees that are hazardous or in poor condition in the right-of-way and City parks, extensive public outreach regarding EAB and the impact on citizens, modify Chapter 27 of *Municipal Code* to allow for the pre-emptive removal of diseased trees on City property, and lastly, modify the *Municipal Code* to clearly state that dead, dying, or diseased trees on private property must be removed by the property owner.

In order to complete an EAB plan for the City, staff needs City Council direction on the potential treatment of Ash trees. As is stated above, treatment may be used to protect high-value trees, to spread out the timing of removals, and/or to allow new trees to become established before removing Ash trees. Another consideration is whether the City should bear all treatment costs or whether adjacent citizens should bear the cost of treatments through a tree adoption program. Once direction is given on treatment, a final plan will be developed and brought back to City Council this fall.

Council Member Betcher inquired where the largest groups of Ash trees are located. Mr. Mellies said there are several areas with highly concentrated amounts of Ash trees. City staff can provide Council with a map detailing the locations of all Ash trees. Council Member Betcher is concerned that it could be expensive for private property owners in older neighborhoods to remove the Ash trees from their property.

Council Member Betcher also inquired what Iowa State University plans to do with its Ash trees. Mr. Mellies noted that Iowa State will be doing a combination plan with some treatment and some removal, depending on the status of the tree. They have already started to proactively remove the poorer quality Ash trees.

Council Member Corrieri asked for some direction on numbers of trees they would recommend should receive treatment. Mr. Donegan noted that the higher-value trees, the largest and healthiest, are the trees that should be protected because they provide the most benefits.

Council Member Gartin agreed with Council Member Corrieri that he too would like a plan that recommends treatment and/or removal for the Ash trees in the community to give Council a sense of how involved staff would need to be and what that time involvement might look like for staff.

Council Member Nelson arrived at 6:47 p.m.

**LAND USE POLICY PLAN WORKSHOP:** Planning and Housing Director, Kelly Diekmann, reported that direction from the Council regarding the extent of the update will allow staff to

prepare a scope of work with tasks and timelines. A proposed work plan will be based upon the stated range of interests, planning resources of staff and consultants, and community outreach efforts to formulate amendments to the Land Use Policy Plan (LUPP). Depending on the degree of change or Council's specific desired changes, there is a wide range of options for updating the LUPP. Options include a major overhaul with extensive public outreach for a new vision, goals and policies, re-shape goals and policies to meet current intent and purposes, repackage and clarify the Plan's priorities, minor changes to specific test of the plan with no major repackage or rewrite, and finally, create sub-area plans for growth areas and intensification areas.

Staff also took Council's feedback and incorporated information from the May 20<sup>th</sup> workshop presentation about potential challenges and other trends to make a list of potential update topics. Part of the discussion of an update is to look at current challenges related to implementing the vision of the plan, as well as preparing a comprehensive plan to think about the City's aspirations and intentions for the next 20-30 years.

Council Member Gartin proposed that a workshop including the Research Park, Chamber of Commerce, Mainstreet Action Plan, Ames Economic Development Commission, and others, should be coordinated to focus on economic planning. He believes a workshop may be helpful while creating the LUPP to look ahead to the land we are going to need for industrial and commercial purposes.

City Manager Steve Schainker noted that it's very important to consider the vision of the Council, as well as the community, and how they envision the city growing in the next 15-20 years.

After much conversation surrounding their options for updating the LUPP, Council agreed that they would like to focus on several key areas:

1. Maintain the current Vision and work with language of the Goals and Policies for clarity on how to guide long range planning versus current development projects
2. Review the concept of Growth Areas for their basis and need, including Ames Urban Fringe Plan designations related to future annexation
3. Consider individual Growth Area planning needs, prepare sub-area plans for full range of uses and types of development within a growth area, proactively engage with property owners on defined City interests
4. Consider the residential development pattern, expectations in "New Lands;" and reconsider language of Village and FS zoning designations to meet variety of housing interests and building types
5. Review transportation and infrastructure planning for infill opportunities and limitations affecting future growth
6. Consider Lincoln Way corridor as a unique place with a sub-area plan for intensification of residential and commercial development with design and use requirements
7. Incorporate concepts into the Plan supporting national trends related to housing types, economic development, community design, placemaking, transportation and mobility options, and sustainability

Council Member Orazem would also like to include a sub-area plan and focus on the

hospital/medical area surrounding managing transportation, residential areas, etc.

Council would like Mr. Diekmann to define and detail each of the above for further direction on what plans they will be incorporating, as well as identify main key sub areas for sub area planning, besides just the hospital/medical sub-area. Council will prioritize after further direction from Mr. Diekmann.

Moved by Corrieri, seconded by Nelson, to direct Planning and Housing to further look into the options for the Land Use Policy Plan.

Vote on Motion: 5-0. Motion declared carried unanimously.

**CITY COUNCIL COMMENTS:** No comments.

**CLOSED SESSION:** Moved by Betcher, seconded by Orazem, to hold a Closed Session as provided by Section 21.5c *Code of Iowa*, to discuss matters in litigation.

Roll Call Vote: 5-0. Motion declared carried unanimously.

The meeting reconvened in Regular Session at 9:48 p.m.

**ADJOURNMENT:** Moved by Gartin to adjourn the meeting at 9:49 p.m.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor

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Erin Cain, Recording Secretary



## MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

JUNE 24, 2014

The Regular Meeting of the Ames City Council was called to order at 7:00 p.m. on June 24, 2014, in the City Council Chambers in City Hall, 515 Clark Avenue pursuant to law with Mayor Pro-Tem Matthew Goodman presiding and the following City Council members present: Gloria Betcher, Amber Corrieri, Tim Gartin, Chris Nelson, and Peter Orazem. Mayor Ann Campbell and *Ex officio* Member Lissandra Villa were absent.

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

1. Motion approving payment of claims
2. Motion approving minutes of Regular Meeting of June 10, 2014
3. Motion approving Report of Contract Change Orders for June 1-15, 2014
4. Motion approving 5-Day Class B Beer Permit & Outdoor Service for Wheatsfield Cooperative, 409 Northwestern Avenue
5. Motion approving 5-Day Class C Liquor License for Olde Main Brewing Company at Reiman Gardens, 1407 University Boulevard
6. Motion approving 5-Day Class B Beer Permit & Outdoor Service for Bar at Zylstra Harley Davidson, 1219 McCormick Avenue
7. RESOLUTION NO. 14-350 approving and adopting Supplement No. 2014-3 to *Municipal Code*
8. RESOLUTION NO. 14-351 approving appointment of Council Member Gloria Betcher to Ames Economic Development Commission Board of Directors
9. RESOLUTION NO. 14-352 approving 2014/15 Contract for Arts Funding with Good Company
10. RESOLUTION NO. 14-353 approving renewal of contract with Iowa Communities Assurance Pool (ICAP) for liability insurance for 2014/15
11. RESOLUTION NO. 14-354 approving rescission of Resolution No. 14-334 and adopting Resolution to accept alternate quotation from Holmes Murphy for Excess Workers' Compensation for 2014/15
12. RESOLUTION NO. 14-355 approving Commission On The Arts Fall 2014 Special Project Grants
13. RESOLUTION NO. 14-356 approving carry-over to FY 2014/15 of funds for Historic Preservation Commission
14. Ames Public Library Book Brigade on Sunday, August 17:
  - a. RESOLUTION NO. 14-357 approving closure of Main Street, from Clark Avenue to Douglas Avenue, and Douglas Avenue, from Main Street to 6<sup>th</sup> Street, from 3:00 to 6:00 p.m.
15. RESOLUTION NO. 14-358 authorizing Mayor to sign Letter of Agreement among the City, Department of Natural Resources, State Historic Preservation Office, and State Archeologist pertaining to the Drinking Water State Revolving Fund loan for construction of New Water Treatment Plant
16. RESOLUTION NO. 14-359 approving application for State Recreational Trail Grant for 6<sup>th</sup> Street (Hazel Avenue - Brookside Park entrance) to improve shared use path and bicycle facilities on 6<sup>th</sup> Street from Hazel Avenue to Brookside Park entrance
17. Request from AT&T for cellular antenna to be located on City property northwest of Dog Park:
  - a. RESOLUTION NO. 14-360 approving Agreement granting temporary entry to site for measurements and testing
  - b. Motion authorizing staff to make Joint Application for Special Use Permit
18. RESOLUTION NO. 14-361 approving contract and bond for North Growth Area Utility Extension Project
19. RESOLUTION NO. 14-362 approving Year 2 (FY 2014/15) of Lime Sludge Disposal Contract with Wulfekuhle Injection and Pumping for Water and Pollution Control

20. RESOLUTION NO. 14-363 approving renewal of software maintenance contract with Sungard/HTE for joint public safety network
  21. RESOLUTION NO. 14-364 approving renewal of software maintenance contract from Sungard/HTE for Information Services
  22. RESOLUTION NO. 14-365 accepting completion of Public Library Renovation and Expansion Abatement Work
  23. RESOLUTION NO. 14-366 accepting completion of 2010/11 Storm Water Facility Rehabilitation Program - Spring Valley Subdivision (Utah Drive/Oklahoma Drive) and 2012/13 Flood Response and Mitigation Program (Clear Creek Landslide - Utah Drive)
  24. RESOLUTION NO. 14-367 accepting completion of 2011/12 Downtown Pavement Improvements Project - Douglas Avenue (Main Street - 7<sup>th</sup> Street)
  25. RESOLUTION NO. 14-368 accepting completion of 2011/12 Asphalt Pavement Improvement Program and 2011/12 Low-Point Drainage Program
- Roll Call Vote: 6-0. Resolutions/Motions declared adopted/approved unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**PUBLIC FORUM:** Lynette Pohlmann, 3229 Red Fox Road, Ames, asked for the Council's assistance to address the issue of utility boxes appearing in residents' front yards. She arrived home this evening to find another green utility box in her front yard – this time it was Mediacom; that makes a total of three in her yard. Ms. Pohlmann voiced her objection to utility boxes that just appear in homeowners' front yards. It does not seem to Ms. Pohlmann that property owners have any say where the boxes are placed. The boxes are usually not in alignment and are different shades of green. In her opinion, they are eyesores. Ms. Pohlmann advised that she did contact Mediacom prior to this meeting. She said she is not a Mediacom customer, and she did not receive a response. After being asked by Council Member Orazem, City Manager Schainker said that the boxes would have to be located on a public utility easement.

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

**PUBLIC HEARING ON REZONING 205 SOUTH WILMOTH AVENUE:** Mayor ProTem Goodman announced that City Attorney Judy Parks had received a letter from Brian Torresi, the attorney for the applicant. Mr. Torresi had requested that the City Council wait on the rezoning until pieces involved in the current lawsuit had been discussed.

Moved by Nelson, seconded by Betcher, to table this item to a date uncertain.  
Vote on Motion: 6-0. Motion declared carried unanimously.

**HEARING ON REZONING WITH MASTER PLAN FOR 601 STATE AVENUE:** Mayor ProTem Goodman reiterated that Attorney Brian Torresi had requested that the City Council wait on this hearing until pieces involved in the current lawsuit had been discussed..

Moved by Corrieri, seconded by Betcher, to table this item to a date uncertain.  
Vote on Motion: 6-0. Motion declared carried unanimously.

**HEARING ON SOUTH ANNEXATION:** Planning Director Kelly Diekmann advised that the City Council was being asked to act on an annexation request that, as of this afternoon, had been altered. He informed Council that one of the three voluntary applicants (identified as Reyes) had withdrawn their application for annexation. Mr. Diekmann said that staff would be providing a brief overview of the entire project; after which, staff would present three options to the Council.

Planner Charlie Kuester explained that the original annexation petitions had been filed by five owners comprising 15 parcels of land and equating to approximately 310 acres. A map was shown which indicated the properties belonging to the consenting owners and the properties that would need to be brought in under the 80/20 Rule to avoid creating an island. It was reported by Mr. Kuester that there had been only slightly over 80% consenting owners; therefore, if any consenting owner withdrew, it would change the entire balance of what could happen. The Reyes Family, who owns four properties, had withdrawn their application, and since they were not bound by any waivers or agreements for the provision of infrastructure, they did have the right by *Iowa Code* to withdraw their application.

It was pointed out by Mr. Kuester that this annexation was initially driven by the needs and desires of ISU Research Park to move forward with its expansion. Staff would prefer that this annexation be presented to the City Development Board by July 9, 2014; therefore, recommended that the City Council take some action at tonight's meeting to help facilitate that. The following options were explained by Planner Kuester:

1. Annex only the areas included in Parcels 6, 7, 8, and 12, 13, and 14, which is contained in the Voluntary Annexation Petitions filed by Iowa State University Research Park. This would also bring in non-consenting owners of Parcel 9, 10, 11, 15, and 16 (John/Deborah Forth, Stephen/Letitia Harder, John F. Smith Trust, Arthur/Kathleen Riley, and Gary/Katherine May, respectively).

This does meet the 80/20 Rule.

2. Annex those Parcels in Option 1 above, but bring in the Reyes's property (Parcels 1, 2, 3, and 4) and the 0.59 acres owned by Holly Plagmann (Parcel 5) as non-consenting owners.

According to Planner Kuester, there is still a sufficient number of consenting property owners to bring the Reyes property in as a non-consenting owner; it would still meet the 80/20 threshold. If that is done, however, none of the other properties adjacent to the Reyes's property could be brought in because they would create islands or comprise more than 20% non-consenting.

3. Annex those Parcels in Option 1 above, but bring in the Burgason Enterprises, LLC, parcels (Parcels 24, 25, 26), who is a consenting owner and bring in non-consenting properties owned by Jon/Patrice Engelman, Steven/Anne Burgason, and Steven/Sonia Harold (Parcels 27, 28, and 29).

This option would restrict annexation solely to those whom have petitioned for annexation and only the minimal number of non-consenting properties necessary to avoid creating islands. It was pointed out that the Burgasons had petitioned to annex three properties, which would be sufficient to bring in four smaller non-consenting properties.

Director Diekmann told the Council that the boundaries could be altered at this point in time because the entire area was noticed for annexation. The City Council may act to bring in any combination of properties provided the restrictions of annexation had been followed. The Reyes property is contiguous to other annexed properties. It was stated by Mr. Diekmann that, if the Reyes property is brought in, the Burgason property may not be annexed - there is not enough 80/20 to bring both in. If the Burgason site is brought in, it would make it potentially more difficult for the Reyes

Family to annex at some time in the future because islands would be created. After an inquiry from Council Member Gartin, Director Diekmann explained that if the Reyes property is annexed, the Burgason properties would have to either not annex all of the acres (so they don't create any islands) or leave at least a 50-foot corridor to be legal.

Council Member Betcher asked if annexing the ISU properties was the only option that did not cut off future options for one of the other property owners who might want to annex. Mr. Diekmann responded that it could clearly stand alone without any effect across the west side. Planner Kuester added that if only the annexation requested by Iowa State University were acted on at this meeting, staff would have time to reach out to the Reyes's and Oakwood Akers to find out what their concerns/issues are.

Council Member Orazem questioned if there was enough right-of-way to provide a trail that could potentially go all the way to Kelley. Mr. Kuester said that there was not much right-of-way left; it had nearly all been converted to private ownership. Some conceptual lay-outs had been created that would incorporate trails along the Burgason property that would lead to the ISU Research Park; however, that would be a local trail system and would not reach Kelley.

Council Member Goodman noted that the Burgasons were consenting property owners and asked for an explanation as to why not annexing them at this time would be beneficial in the future. Director Diekmann explained that if the Burgason property were to be annexed at this time, the Reyes's property could not be brought in later because there would not be enough land to qualify under the 80/20 Rule. He clarified that either the Reyes property or the Burgason property may be brought in, but not both, as there would not be enough consenting property owners compared to non-consenting owners to meet the 80/20 Rule.

Council Member Orazem asked if the rural water issue was a reason why some property owners did not want to annex. Director Diekmann answered that that was not an issue at annexation at this point. City Manager Schainker cited the City's position that property owners did not have to connect to City water. Mr. Diekmann said it only becomes an issue when a property owner wants to disconnect from Xenia and connect to the City's water; there is no mandatory disconnect time for non-consenting owners. He noted, however, that the property could not be developed further without connecting to City water.

Director Diekmann pointed out to the Council that staff did not mandate waivers of rights of rescission since there was not an indication that the proposed annexation was going to be problematic. He again noted that five owners had filed Petitions to voluntarily annex their properties.

Mayor Pro-Tem Goodman opened the public hearing.

Chuck Winkleblack, 105 S. 16<sup>th</sup> Street, Ames, advised that he had learned late this afternoon from City staff that the Reyes's had withdrawn their annexation petition. He stated that Hunziker Properties currently has a Real Estate Contract with the Reyes's. Mr. Winkleblack added that he had not had time to contact the Reyes Family and had not received any information from them.

After no one else requested to speak, Mayor Pro-Tem Goodman closed the hearing.

Director Diekmann reiterated that the Reyes's could be annexed at a future date and the Burgasons could be annexed at a future date. However, both could not come in; it would depend on who would

petition first. It was noted by Planner Kuester that the Burgasons were willing to annex and willing to develop; however, it is possible that the Reyes's are neither. If that is the case, the City would not gain anything.

Mr. Diekmann recommended that the City Council take action to annex the properties included in the Petition filed by Iowa State University.

Moved by Orazem, seconded by Gartin, to adopt RESOLUTION NO. 14-369 approving annexation of the properties on the east side of University Boulevard/530th Avenue.

Director Diekmann explained that if the Council were to formally deny annexation of properties on the west side at this stage, those property owners would have to re-apply and start over with the process. According to City Attorney Parks, the City Council must take action - either approve, deny, or table - on the annexation request.

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

Moved by Orazem, seconded by Nelson, to table annexation of the properties on the west side of University Boulevard/530th Avenue.

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

Staff Report on Capping Sanitary and Water Connection Fees. Director Diekmann explained that the proposed South Annexation was a mix of large tracts of land intended for new development and several properties with existing homes. Some of these homes receive domestic water from private wells, some from the City, and some from Xenia Rural Water District. All have on-site sewage systems, typically a septic field. Some of the properties have City water and sewer lines adjacent to their properties, while other are far removed from existing City utilities. As land is annexed, the City does not typically require existing homes or developments to connect to City utilities at the time of annexation. The City itself does not automatically extend new infrastructure at the time of annexation. It does require that developers extend City infrastructure in accordance with subdivision and improvement specifications with new construction. The City does not have an obligation to extend these utilities if it is a voluntary annexation within the 80/20 non-consenting standards. After annexation, a property owner whose property abuts City sewer and water facilities can seek connection to abutting sewer and water facilities upon paying a connection fee, which is currently set at \$18 per linear foot of frontage for each utility. However, before connecting to City water, an owner whose property is currently in Xenia Rural Water District's service territory must pay any disconnection fee and buy-out costs to Xenia before becoming eligible to connect to City water. Once that is demonstrated to the City's satisfaction, they, too, can connect to City water at the current formula.

According to Mr. Diekmann, several non-consenting property owners in the proposed southern annexation area had requested that the City Council offer reduced utility connection fees at the same rate that was offered to property owners in the recent northern annexation along Grant Avenue. Only two property owners who were being brought in under the 80/20 Rule had chosen to accept that. He pointed out that this request was initially received from Gary and Kathy May at 2978 S. Riverside Drive, and was referred by the City Council at the May 20 meeting. Those land owners feel that they are being made to annex against their wishes. The Mays have now offered to consent to annexation in return for the reduced fees—as was offered to the Grant Avenue owners. While the Mays and the others would certainly benefit from access to City services, their lots were platted to County lot

standards that are larger than what would have been allowed under City standards. Therefore, the costs of connecting to city sewer and water exceed those of in-town residents, even though they are obtaining only a single utility connection. According to Director Diekmann and to staff's recollection, the northern annexation was the first time that the City had created an incentive for property owners to voluntarily join an annexation. In the northern annexation approved in December 2013, the connection fee to existing homes was capped at the cost of a typical city lot width of 80 feet. At the current \$18 per linear foot rate, connections would be available for a connection fee of \$1,440 for sanitary sewer and \$1,440 for City water. This offer was made available to any property owners who voluntarily applied for annexation and agreed to provide any needed road rights-of-way or utility easements. In addition, if any property owner who took advantage of the reduced fee were to subsequently seek a subdivision for further development, they would then pay the difference between the \$1,440 capped fees and the per-acre price established in the water and sewer connection fee districts.

Director Diekmann said that staff had identified two options if the City Council wished to offer a reduced connection fee to existing home owners whose properties were being annexed:

1. Grant all non-consenting property owners the right to a single domestic water connection and a single sanitary sewer connection with an exception to the lot width formula and to calculate the appropriate fee on a typical 80-foot city lot width. This could be done with or without a sunset provision. This action could be taken without securing any concessions, such as obtaining easements or needed rights-of-way from the owners. Under this option, staff would return to the City Council with a single resolution identifying which property owners would benefit.
2. Grant single connections to City water and sewer as described above, but also require the property owner to provide any necessary road rights-of-way or utility easements that may be necessary as utilities and paving are installed in Cedar Lane, Oakwood Road, University Boulevard, and S. Riverside Drive. In this case, the City Council can direct staff to prepare agreements with each owner seeking the reduced fee in return for providing any necessary easements or rights-of-way. At this point in the planning and design, it is not known what, if any, rights-of-way or easements may be needed. These agreements would be brought back individually as each owner agrees to the terms.

Council Member Orazem stated his support to offer a reduced connection fee to existing home owners whose properties were being annexed, regardless of whether or not they were consenting or not.

Council Member Goodman pointed out that this is not a burden that the City is placing on those affected property owners unless they wish to disconnect from Rural Water and connect to City services. Previously, it had involved negotiations to achieve a goal. He would like the City to reserve the option to negotiate. After additional discussion, Council Member Orazem agreed with Mr. Goodman that the City should reserve the incentives to be used as part of negotiations under certain conditions.

Kathy May, 2978 South Riverside Drive, Ames, pointed out that she is a non-consenting property owner; her property was being pulled in under the 80/20 Rule. Ms. May contended that her family would be giving up all the benefits of living in the country and did not feel that they had any say in the annexation. They were being brought in because Iowa State University, "which has a lot of pull" wants its property annexed. She, as a small property owner, doesn't have any pull.

John Forth, 2725 South Riverside Drive, Ames, stated that he owns approximately 288 feet of frontage affected by the ISU annexation request. He told the Council that he had already paid for the water connection. He said he didn't know what was fair. The Research Park is not interested in it, but they are putting them "in a pinch with no reward."

No action was taken was taken by the Council on this issue.

**HEARING ON ZONING TEXT AMENDMENTS TO SECTIONS 29.1507(2) AND 29.1507(3) PERTAINING TO PETITIONS FOR REZONING AND MASTER PLAN DETERMINATION, RESPECTIVELY:** Director Diekmann explained two zoning text amendments. The first was to simplify the Rezoning Master Plan determination process. The second related to the processing time of a zoning amendment by staff and the timing of forwarding that item to the Planning and Zoning Commission.

Council Member Gartin inquired as to whether there were any best practices that had been established for this by other municipalities. Mr. Diekmann advised that staff is not aware of the Rezoning and Master Plan process followed by other cities. He said that how staff defines a "completed application" is a local prerogative. According to Mr. Diekmann, staff had not received any feedback on this issue.

The public hearing was opened by Mayor Pro-Tem Goodman. No one else wished to speak, and the public hearing was closed.

Moved by Nelson, seconded by Orazem, to pass on first reading an ordinance amending Sections 29.1507(2) and 29.1507(3) to include the option of submitting a Master Plan with a rezoning application and for the process to have staff review prior to transmitting a zoning application to the Planning and Zoning Commission.

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

**HEARING ON ZONING TEXT AMENDMENT PERTAINING TO FLOATING SUBURBAN RESIDENTIAL DISTRICT:** The Council was reminded by Director Diekmann that it had requested that staff review the maximum density standards of development within the Floating Suburban Residential Zoning District with both the Residential Low- and Residential Medium-Density development standards. Through the recent review of FS-RL and FS-RM zoning requests, it became apparent that the FS Zoning Districts were different from the existing RL and RM zones in that there is no stated maximum development intensity. The FS Zoning District instead has a maximum density inferred from the minimum lot size requirements rather than a stated range. Mr. Diekmann pointed out that the Council had directed staff, on April 22, 2014, to initiate a potential text amendment addressing development standards and maximum density within the FS Zoning District for both FS-RL and FS-RM. He said the proposed amendments reflected the direction specified in the Council's referral.

Director Diekmann reviewed each component, as follows:

1. Density Range Text Amendment. The traditional RL and RM base zones have exclusive density ranges that do not overlap. The FS zoning has an overlap of use for attached single-family housing on individual lots, as well as overlap of the density range. Staff recommended a stated density range of a minimum of 3.75 units per net acre to a maximum of ten (10) units per net acre for FS-RL and a range of 10 units per net acre to a maximum of 22.31 units per net acre for FS-RM. This range allows for greater density in FS-RL than the comparable RL base zone

maximum of 7.26 units per acre, but matches the FS-RM maximum density to RM. This would ensure there is no gap in development range between FS-RL and FS-RM and to promote flexibility and efficiency in development that is the LUPP goal for development within New Lands.

2. Units-per-Building Text Amendment. One reason for the high range of maximum density in the current standards is the provision to allow up to 12 attached units together for attached single-family. The most common practice has been to develop front facade garage access units in clusters of two to four units. Staff recommended allowing only up to five (5) single-family attached together if they are front facade garage-accessed. However, staff believes that retaining the 12-unit building option is appropriate when designed for rear garage access and trying to create a more pedestrian-oriented streetscape aesthetic. Limiting attached single-family to no more than five together reduces potential maximum density to approximately 16 units per acre in FS-RL. It does not go as far as the stated density range. Preserving the 12-unit building option does provide for some flexibility in design, but requires an alternative design approach for rear access only. It does not directly limit density. The City would maintain some discretion on density at the time of rezoning with a master plan and at the preliminary plat stage for determining alley access and suitability of any large 12-unit grouping of lots for compatibility with their surroundings.
3. Layout and Access Text Amendment. These amendments would address design issues specific to home layout and garage access. Setback requirements would also be changed. Staff recommended maintaining the standards 25-foot setback for front garage access, but allowing the front of the home to be set back 20 feet. This would encourage placing a garage behind the front facade. For rear-loaded garages, staff recommended a principal building front setback of 10 feet, rather than 25 feet, to promote pedestrian-oriented streetscapes with attached housing. Rear garages would follow alley setback requirements of the Code of either eight (8) feet or 20 feet from an alley to reduce potential parked car conflicts.
4. Code Cleanup, including:
  - a. Rezoning Amendment References. FS zoning “Establishment” sections have incorrect references to the rezoning map amendment process section of the Code. Staff recommended a clarification of the reference and redirection to the section of map amendments that are initiated by property owners. The F-VR “Establishment” section also has been corrected for a general reference to the rezoning map amendment process.
  - b. Clarify Terminology of Net Density within FS Zoning. Staff recommended adding a qualifier of “only” to help clarify the practice of choosing from the list of areas eligible for a deduction when calculating net density without it being a mandatory deduction. Acceptance of removing the areas from the net density calculation would be at the discretion of the Council in its rezoning and preliminary plat approvals. In conjunction with that change, the clear use of the term “net acre” is missing and appears to mean gross acres as written.
  - c. Supplemental Development Standards Tables - Sections 29.1202.5(1) and (2). It was recommended by staff to simplify the development standards table by striking the party wall side-yard language in favor of the recently adopted Single-Family Attached Party Wall standards found in Article 4. Staff also suggested removing an inconsistency of stating four-story setback standards when four-story buildings are not allowed in FS-RL.



- d. Landscape Requirements FS Zoning. Staff recommended changes to the FS-RM landscape requirements clarifying that the same 40% landscape requirement of FS-RL applies to single-family homes and duplexes in FS-RM. Also, staff recommended adding a general requirement that unimproved areas be landscaped. Final landscaping would then be reviewed with the Minor Site Development Plan for each attached single-family home. A minor edit to the Article 4 section heading for Apartment Landscaping was also suggested since it is misleading to leave out FS-RM in the name, even though it specifically applies to FS-RM apartments.

Council Member Betcher questioned whether the standards would allow 12-unit blocks without residents being able to access their own units from parking in the rear of the building. Specifically, she did not want residents to have to walk around the block to access their own unit. Director Diekmann answered that the standards would not mandate a building entrance on any facade. There is a requirement for the front door connecting to a sidewalk. Attached single-family is subject to Minor Site Plan review. Pedestrian circulation would be looked at during that review. If there was a safe pedestrian connection to circulate through the site, it would meet the Minor Site Plan requirements. There is no requirement for direct rear garage access. Ms. Betcher also asked if there were lighting requirements for these types of units. Mr. Diekmann explained that the lighting would also be subject to Minor Site Plan review; however, exact lighting is not prescribed in the *Code*. Council Member Betcher advised that those are her main concerns with allowing blocks of 12 units. According to Director Diekmann, there would be two development reviews to ensure that staff is satisfied with the environment that would be provided.

Council Member Gartin asked if staff had reached out to the development community in an attempt to determine the impact these amendments will have on use of property. Mr. Diekmann stated that staff had sent the Planning and Zoning Commission and City Council Agendas included these items to the development community; however, no public workshops had been held. No feedback had been received after sending the general notices.

At the request of Council Member Gartin, Director Diekmann showed a map of the properties that would be impacted by these changes. He said that there are a large number of acres inside the City and more than that outside (New Lands) the city limits that would be affected by these changes. It appeared to Mr. Gartin that this would impact in excess of 1,000 acres of land.

The public hearing was opened.

Scott Renaud, FOX Engineering, Ames, commented that even the five units in a row still has a density of 16; there is still an overlap that needs to happen. Also, FS is a base zone, so it applies to all sizes and parcels, which would restrict flexibility and would not allow for PRDs. If there is an odd-shaped lot, the density requirement would further limit options for development. Mr. Renaud indicated that he did not mind the overlap. However, the LUPP is to allow for different housing types and flexibility, and he would actually prefer the overlap. Mr. Renaud suggested that if the number was going to be changed, he preferred that it be changed to 16. It was pointed out that 12 units with rear garages would put the number up to 22 again. He indicated general support for the other possible amendments (e.g., setbacks). In Mr. Renaud's opinion, some of the proposed changes would be in conflict with the LUPP because it is not clear on the "net" versus "gross." The only

other real issue he has was the use of "only." He is not sure what "only" means legally or conceptually in the context of these changes, and would like it to be defined.

Council Member Gartin asked if Mr. Renaud found any merit in the Council scheduling public meetings based on the scope of the properties that would be involved in these changes and the level of changes being proposed. Mr. Renaud reiterated that he was basically concerned that flexibility would not occur for those odd-shaped lots. It would not be an issue for parcels that are more than two acres in size. If the parcel is more than two acres, developers have the option of using the PRD process.

Chuck Winkleblack, 105 S. 16<sup>th</sup> Street, Ames, voiced his desire to see a reduction in the minimum density for FS-RM. He noted that it would allow for more flexibility. He pointed out that there are only so many ways that a developer can reach the required density; that is why so many of the newer subdivisions look the same. Developers cannot build four-, six-, or eight-plexes because they have to get to 3.75 units/acre. Mr. Winkleblack added that he did not believe it would be worthwhile for the City to schedule a workshop on this topic.

Scott Renaud added that he would like a change made to the FS-RM zone to allow 16 or 24 units; 12 units seemed to be a random number to him.

There being no one else wishing to speak, Mayor Pro-Tem Goodman closed the hearing.

Director Diekmann reported that staff had now calculated the number of acres affected. It would equate to approximately 2,000 acres of Suburban Residential land within the city limits and even more than that outside the City.

Council Member Gartin asked Mr. Diekmann to respond to the comments made by Mr. Renaud and Mr. Winkleblack. Director Diekmann responded that the flexibility is not lost because developers are able to propose the option to get above ten or below ten if they want the development to be more single-family oriented. Both zones (FS-RL and FS-RM) are allowed in the same location. Also, these amendments connect to one of the Council's goals to look at housing types and opportunities. According to Mr. Diekmann, FS-RM is geared to the construction of townhouses as it is the easiest way to meet the density requirement. He acknowledged that the developer must achieve ten in Medium-Density regardless of how large the development is. Single-family homes may be added. Director Diekmann noted that if getting to 20 units per-acre in FS-RM is a priority of the City, the standards and requirements should be reviewed.

Moved by Goodman, seconded by Orazem, to pass on first reading an ordinance pertaining to density range, limitations on units per building, changes to setbacks, clarifications to Establishment Sections' references to rezoning and map amendment processes by property owner petition, and cleanup of net density terminology contained in the Zoning Code.

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

**HEARING ON WATER POLLUTION CONTROL FACILITY SWITCHGEAR CONTROL REHABILITATION:** The Mayor Pro-Tem opened the public hearing. No one came forward to speak, and the hearing was closed.

Moved by Orazem, seconded by Nelson, to adopt RESOLUTION NO. 14-370 approving final plans and specifications and awarding a contract to Waldinger Corporation of Des Moines, Iowa, in the amount of \$70,400.

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

## **HEARING ON WATER POLLUTION CONTROL MAKE-UP AIR UNIT REPLACEMENT:**

Mayor Pro-Tem Goodman opened the hearing and closed same after no one asked to speak.

Moved by Orazem, seconded by Corrieri, to adopt RESOLUTION NO. 14-371 approving final plans and specifications and awarding a contract to Mechanical Comfort, Inc., of Ames, Iowa, in the amount of \$83,550.

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

## **HEARING ON FLEET SERVICES BUILDING ROOF REPLACEMENT PROJECT - PHASE**

**1:** The public hearing was opened by the Mayor Pro-Tem and closed when there was no one asking to speak.

Moved by Corrieri, seconded by Orazem, to adopt RESOLUTION NO. 14-372 approving final plans and specifications and awarding A contract to Ida Grove Roofing and Improvement, Inc., of Ida Grove, Iowa, in the amount of \$89,864.

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

## **UPDATE FROM MAIN STREET CULTURAL DISTRICT (MSCD) PERTAINING TO USAGE OF FUNDING ALLOCATION:**

Assistant City Manager Melissa Mundt noted that Council had requested, on May 27, 2014, a response from the MSCD as to how the additional \$7,000 allocation from the City designated for the Sesquicentennial activities was or is being spent. She brought the Council's attention to the provisions of the FY 2014/15 Contract, which stated, "In recognition of the Sesquicentennial Celebration, \$7,000 of the funds shall be used to conduct Fourth of July Parade and Festival activities in 2014 beyond what was conducted in 2013."

Kari Hague, Director of MSCD, 304 Main Street, Ames, itemized the expenses. She stated that her understanding was that the \$7,000 was to pay for additional expenses to offset some of the financial burden of the Sesquicentennial on the MSCD's budget. Ms. Hague said that the pole banners were originally a 150 Steering Committee project, but the MSCD added that to its budget. Additional funds were spent on beautification (flowers, mulch), and \$275 was to pay to have the MSCD Event Coordinator on site throughout the festivities beyond just the parade.

Council Member Betcher asked Ms. Hague to be more specific as to the banners as she believed that there had been fund-raising occurring to pay for those. Ms. Hague answered that the MSCD did begin a sponsorship campaign to pay for the banners as a way to raise additional funds. The fund-raising campaign has proven difficult for the MSCD because many people had decided to donate to the Ames 150 campaign instead of sponsoring Main Street events. Ms. Betcher asked to know how much had been received for the banner campaign. Ms. Hague answered that approximately \$6,800 had been raised. Council Member Goodman asked, and Ms. Hague confirmed, that those funds were for pole banners, not the parade banners. Ms. Betcher noted that revenue coming for the pole banners was \$6,800, but the expenditure for the pole banners was coming out of the \$7,000 allocation from the City. That was confusing to her as it appeared that the pole banners were being paid for twice. Ms. Hague reported that the MSCD will be close to covering the cost of the pole banners through sponsorships. Originally, it was not known if that would happen, so she had put the pole banners in as an expense that would come from the \$7,000 City allocation.

Council Member Goodman pointed out that the cost of the pole banners will be approximately \$6,800 and the funds raised for them is approximately \$6,800; however, part of the pole banner

expense is shown as being allocated from the City's \$7,000 allocation. If that is the case, where does the remainder of the money end up. Ms. Hague said it would be put into the MSCD's General Budget.

Karen Youngberg, 304 Main Street, Ames, identified herself as the Treasurer of the Main Street Cultural District. Ms. Youngberg indicated that there were inconsistencies in the Contract as to how the monies were to be spent. She contended that no funds were identified in this year's Contract specifically for the Fourth of July Parade. According to Ms. Youngberg, the MSCD is taking the funds raised for the banners and using them for the Parade.

Council Member Betcher asked for clarification as to the costs for the parade. Ms. Hague advised that, without any administrative costs factored in, currently, the MSCD has spent \$3,300 for the Parade without factoring in any administrative costs. The MSCD spent \$9,800 on the Parade last year, which included administrative costs.

At the inquiry of Ms. Betcher, Assistant City Manager Mundt indicated that the Ames 150 Steering Committee had paid for some costs for the festival activities that were included in the base MSCD budget related to music and inflatables in an approximate amount of \$1,200. She added that the Ames 150 has received funding to cover the events on July 4 and 5. Iowa State University's recent donation will cover the Dinkey Days celebration (September 26) in a limited scope. The Ames 150 Steering Committee has not yet figured out how Plating Day is going to be paid for.

Ms. Hague said she believed that the MSCD would be able to verify expenses in the amount of the City's funding allocation. She said what had not been taken into account in the past is how much sponsorship had been received specifically for things that the City funds. Ms. Hague said that was part of the question, i.e., can the MSCD itemize an expense that they had fund-raised for. Council Member Corrieri added that when she fund-raises for her organization, she is not penalized for fund-raising beyond what the expenses are. She asked if the Contract specified that it had to be reimbursement. Management Analyst Brian Phillips clarified that the Contract does not look at where other revenues come from. He noted that the City is purchasing a service for \$7,000. The only condition of the Contract is that \$14,424 worth of expenses for the Fourth of July Parade and activities be verified, and the City will pay the \$7,000.

Council Member Betcher acknowledged that she was one of the banner donors and would like to think that that was what her money was going to pay for. However, what she was seeing on the sheet provided by the MSCD is that the City is paying for the banners, which leaves her to wonder what she was sponsoring with her donation or what the City was paying for. She pointed out that the MSCD is fund-raising for street banners and has raised approximately \$6,800 towards their cost; however, the MSCD is showing that \$5,425 of the City's \$7,000 allocation will be used for pole banners. It appeared to her that the banners were being paid for twice. Ms. Hague explained that it is difficult to fund-raise for administrative costs, so they decided to ask for sponsorships for the pole banners.

Council Member Goodman said he was not sure that the pole banners were associated just with the Parade or Ames 150 celebration. He suggested that the MSCD consider redirecting the City's \$7,000 allocation to activities geared specifically to the Ames 150 celebration. Council Members Orazem indicated that that is what he thought the extra \$7,000 would pay for, i.e., activities associated with the Sesquicentennial.

Council Member Betcher expressed her hope that the MSCD would work with the Ames 150

Steering Committee to determine if there are things that are not being covered, make sure that things are not being paid for twice, and if there could be some sharing of funds to ensure that all events get covered.

**REQUEST FROM YOUNG PROFESSIONALS OF AMES FOR PERMIT FOR FIREWORKS DISPLAY ON JULY 3, 2014, WITH RAIN DATE OF JULY 5, 2014:** Moved by Corrieri, seconded by Orazem, to adopt RESOLUTION NO. 14-374 approving funding from 2014/15 Council Contingency Fund to pay for portable toilets (\$500) and the City portion of police costs (\$200). Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

Moved by Corrieri, seconded by Betcher, to approve a Permit for a fireworks display on July 3, 2014 (rain date of July 5, 2014) .from ISU Lot G7.  
Vote on Motion: 6-0. Motion declared carried unanimously.

The meeting recessed at 9:22 p.m. and reconvened at 9:27 p.m.

**TEMPORARY CHANGE TO METERED PARKING STALLS IN FRONT OF 119 STANTON AVENUE:** Moved by Betcher, seconded by Nelson, to adopt RESOLUTION NO. 14-373 approving long-term rental of the three parking meter stalls in front of 119 Stanton Avenue to First National Bank until it moves back to its permanent location (estimated to be June of 2015).

Council Member Goodman indicated that he would not be supporting the motion as he feels strongly that parking should not be reserved for one business even though they are paying the parking meter fees.

Roll Call Vote: 5-1. Voting aye: Betcher, Corrieri, Gartin, Nelson, Orazem. Voting nay: Goodman. Resolution declared adopted, signed by the Mayor, and hereby made a portion of these Minutes.

**RENTAL HOUSING CODE CONCERNS EXPRESSED BY AMES RENTAL ASSOCIATION:** Building Official Seana Perkins recalled that the Ames Rental Association (ARA) had sent a letter to City Council members dated July 30, 2013, requesting that they direct City staff to review *Ames Municipal Code* Chapter 13 (Rental Housing Code) regarding a number of specific issues. On August 13, 2013, the City Council directed staff to meet with representatives of the ARA to determine where the issues were and report back to the Council via a memo. Staff met with the ARA on September 5, 2013. Staff presented six ARA issues to the City Council on October 22, 2013. At that meeting, Council referred the ARA's list of concerns back to staff to review each of the six items and to get clarification or recommendations for changes for each of the six Rental Housing Code concerns. On May 13, 2014, staff presented a report that addressed each of the six ARA items and provided background on each issue. One of the issues discussed was the requirement of egress windows in a basement. The ARA requested that Code-compliant egress windows be required in a basement bedroom, but asked that egress windows in habitable space outside a bedroom not be required. Through its discussion, the City Council directed City staff to see if there were minutes about the word *habitable*, how it is defined, and where egress windows should be relative to that definition.

According to Ms. Perkins, the term *habitable space* is defined in *Municipal Code* Section 13.201 as "space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces."

Ms. Perkins reported that Section 13.403(1.a) ties egress windows together with the term *habitable space*. She read a portion of that Section pertaining to inadequate second exit capability, which said that “all below grade habitable spaces must have two means of egress leading to the outside.” Building Official Perkins stated that, in working with Al Warren, a member of the original Rental Housing Advisory Committee, staff had reviewed the last version of the proposed Ames Rental Housing Code (RHAC), which was dated April 16, 2009, and was revised on April 21, 2009. Two emails had been located that indicated that the April 21, 2009, version of the Rental Housing Code was the last opportunity for the RHAC to review the Code and to make any revisions or suggestions prior to City Council review. The April 21, 2009, version did include the definition of *habitable space*; however, did not include the language that links below-grade egress windows to habitable space. According to Ms. Perkins, the version reviewed by the City Council at its Special Meeting on June 2, 2009, did include the section that links below-grade habitable spaces to requiring egress windows.

Pertaining to a review of the RHAC meeting minutes, Ms. Perkins advised that the RHAC did discuss egress windows at its meeting on October 1, 2008; however, habitable space and sleeping rooms were not discussed.

Council Member Orazem said, for him, a key issue was whether the space is being rented for the purpose of a sleeping area; if so, an egress area is necessary. Building Official Perkins reported that if the below-grade space appears to be finished and habitable, upon inspection, staff is currently requiring an egress window. If the space is used for storage, no egress window is required.

It was noticed by Council Member Betcher that, although staff has used the term *sleeping area*, there is no definition for that term. Ms. Perkins stated that a better term would be *bedroom*. *Bedroom* and *sleeping unit* are defined in the Rental Code.

Council Member Gartin asked Fire Chief Shawn Bayouth, from a fire protection perspective, if he had indicated that he would support egress windows being required only in bedrooms. Chief Bayouth stated that was correct.

Gary Denner, 2706 Milstead Road, Ames, identified himself as a property manager who had been on the original committee to review the Rental Code. He indicated his strong support for egress windows being required only in bedrooms.

Moved by Nelson, seconded by Corrieri, to direct staff to prepare an amendment to *Ames Municipal Code* Section 13.403(1)(a) to only require below-grade egress windows in sleeping rooms.

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

**ORDINANCE AMENDING CHAPTER 21 TO ALLOW FOR MULTIPLE-FAMILY DEVELOPMENT ENTRANCE SIGNS:** Moved by Orazem, seconded by Betcher, to pass on first reading an ordinance amending Chapter 21 to allow for multiple-family development entrance signs. Roll Call Vote: 6-0. Motion declared carried unanimously.

**AIRPORT OBSTRUCTION ORDINANCE:** Moved by Betcher, seconded by Corrieri, to pass on third reading and adopt the Airport Obstruction ORDINANCE NO. 4186. Roll Call Vote: 6-0. Ordinance declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**COUNCIL COMMENTS:** Moved by Orazem, seconded by Goodman, to request, in light of the emails received by the City Council, that staff evaluate if additional traffic control is needed at Hyland and Oakland.

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

Moved by Orazem, seconded by Gartin, requesting staff write a report addressing the concerns of Lynette Pohlmann on location of utility boxes and the possibility of utilities sharing one box.

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

Moved by Betcher, seconded by Goodman, to direct staff to invite all business and property owners between South 5<sup>th</sup> and the bridge on South Duff to provide input at a future Council meeting on the possible median/traffic signal on South Duff.

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

**CLOSED SESSION:** Moved by Nelson, seconded by Betcher, to hold a Closed Session as provided by Section 21.5c, *Code of Iowa*, to discuss matters in litigation.

Council Member Gartin asked City Attorney Parks if there was a legal reason to go into Closed Session. Ms. Parks replied in the affirmative.

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

The meeting reconvened in Regular Session at 11:35 p.m.

Moved by Nelson, seconded by Orazem, to put a proposed settlement with Breckenridge on the July 8, 2014, City Council Agenda.

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

Moved by Gartin, seconded by Betcher, to request City Attorney Parks to write a memo in response to the Neighborhood Association reminding them of the requirements and merits of Closed Sessions.

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

**ADJOURNMENT:** Moved by to adjourn the meeting at 11:37 p.m.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor



## REPORT OF CONTRACT CHANGE ORDERS

<b>Period:</b>	<input type="checkbox"/>	1 <sup>st</sup> – 15 <sup>th</sup>
	<input checked="" type="checkbox"/>	16 <sup>th</sup> – End of Month
<b>Month &amp; Year:</b>	June 2014	
<b>For City Council Date:</b>	July 8, 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)
Fleet Services	Lease, Bucket Truck	4	\$37,449.00	Nesco Sales & Rental	\$17,090.50	\$3,133.50	R. Iverson	MA
Electric Services	Engineering, Design and Construction Services for 161/69 kV Interconnect Project	9	\$152,948.09	DGR Engineering	\$515,398.00	\$26,927.00	B. Kindred	KS
Water & Pollution Control	Well Rehabilitation Project	2	\$58,833.00	Northway Corporation	\$3,701.25	\$537.50	J. Dunn	MA
Water & Pollution Control	WPC Facility Biosolids Hauling and Digester Cleaning Operations	1	\$139,859.38	Nutri-Ject Systems, Inc.	\$0.00	\$-(20,059.97)	J. Dunn	MA
Public Works	2010/11 Storm Water Facility Rehabilitation Program	1	\$336,630.00	Con-Struct, Inc.	\$0.00	\$-(22,859.40)	J. Joiner	MA
Public Works	2011/12 Asphalt Pavement Improvement Program (S Oak Avenue0	1	\$511,021.70	Con-Struct, Inc.	\$0.00	\$-(4,863.35)	T. Warner	MA





# MEMO

*Caring People  
Quality Programs  
Exceptional Service*

**5a-e**

---

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

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

**DATE:** June 22, 2014

**SUBJECT:** Beer Permits & Liquor License Renewal Reference City Council Agenda  
July 8, 2014

The Council agenda for July 8, 2014, includes beer permits and liquor license renewals for:

- Class C Liquor – Welch Ave Station, 207 Welch Ave
- Special Class C Liquor, B Native Wine & Outdoor Service – Wheatsfield’s, 413 Northwestern #105
- Class C Liquor & Outdoor Service – Bar, 823 Wheeler St #4
- Class B Beer – Pancho’s Mexican Grill, 1310 S Duff Ave
- Class C Liquor – Applebee’s, 105 Chestnut

A routine check of police records for the past twelve months found no violations for any of these licensees. The police department would recommend renewal of all of five licenses.

# License Application ( )

ITEM #6

7-8-14

## ***Applicant***

<b>Name of Applicant:</b>	<u>LJPS, Inc.</u>	
<b>Name of Business (DBA):</b>	<u>Olde Main Brewing Company</u>	
<b>Address of Premises:</b>	<u>2321 North Loop Drive</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) 232-0553</u>	
<b>Mailing Address:</b>	<u>PO Box 1928</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>Matt Sinnwell</u>		
<b>Phone:</b>	<u>(505) 400-5981</u>	<b>Email Address:</b>	<u>mattombc@gmail.com</u>

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

**Term:** 5 days

**Effective Date:** 07/22/2014

**Expiration Date:** 07/26/2014

**Privileges:**

Class C Liquor License (LC) (Commercial)

## ***Status of Business***

<b>BusinessType:</b>	<u>Privately Held Corporation</u>		
<b>Corporate ID Number:</b>	<u>286196</u>	<b>Federal Employer ID #</b>	<u>77-0613629</u>

## ***Ownership***

**Daniel Griffen**First Name: DanielLast Name: GriffenCity: PotomacState: MarylandZip: 24854Position Owner% of Ownership 25.00 %

U.S. Citizen

**Scott Griffen**First Name: ScottLast Name: GriffenCity: AmesState: IowaZip: 50010Position Owner% of Ownership 50.00 %

U.S. Citizen

**Susan Griffen**First Name: SusanLast Name: GriffenCity: PotomacState: MarylandZip: 24854Position Owner% of Ownership 25.00 %

U.S. Citizen

***Insurance Company Information***Insurance Company: Founders Insurance Company

Policy Effective Date:

Policy Expiration Date:

Bond Effective Continuously:

Dram Cancel Date:

Outdoor Service Effective Date:

Outdoor Service Expiration Date:

Temp Transfer Effective Date:

Temp Transfer Expiration Date:

# License Application ( )

ITEM #7  
7-8-14

## ***Applicant***

<b>Name of Applicant:</b>	<u>Ye Olde LLC</u>		
<b>Name of Business (DBA):</b>	<u>Dublin Bay</u>		
<b>Address of Premises:</b>	<u>Reiman Gardens</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) 956-3580</u>		
<b>Mailing Address:</b>	<u>320 S 16th</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>Donald O'Brien</u>		
<b>Phone:</b>	<u>(515) 956-3580</u>	<b>Email Address:</b>	<u>dublinbaypub@aol.com</u>

**Classification:** Special Class C Liquor License (BW) (Commercial)

**Term:** 5 days

**Effective Date:** 07/19/2014

**Expiration Date:** 07/23/2014

**Privileges:** Special Class C Liquor License (BW) (Commercial)  
Catering Privilege

## ***Status of Business***

<b>BusinessType:</b>	<u>Limited Liability Company</u>		
<b>Corporate ID Number:</b>	<u>242991</u>	<b>Federal Employer ID #</b>	<u>42-1510291</u>

## ***Ownership***

**Donald O'Brien**

First Name: Donald

Last Name: O'Brien

City: Ames

State: Iowa

Zip: 50014

Position owner

% of Ownership 44.50 %

U.S. Citizen

**Ken Eichenberger**

First Name: Ken

Last Name: Eichenberger

City: Ames

State: Iowa

Zip: 50010

Position partner

% of Ownership 11.00 %

U.S. Citizen

**Rick Carmer**

First Name: Rick

Last Name: Carmer

City: Ames

State: Iowa

Zip: 50010

Position partner

% of Ownership 44.50 %

U.S. Citizen

***Insurance Company Information***

Insurance Company: Allied Insurance

Policy Effective Date:

Policy Expiration Date:

Bond Effective Continuously:

Dram Cancel Date:

Outdoor Service Effective Date:

Outdoor Service Expiration Date:

Temp Transfer Effective Date:

Temp Transfer Expiration Date:

**Applicant**

Name of Applicant:	<u>Tumbling Dice, Inc.</u>		
Name of Business (DBA):	<u>Bar</u>		
Address of Premises:	<u>1219 McCormick Avenue</u>		
City:	<u>Ames</u>	County:	<u>Story</u> Zip: <u>50010</u>
Business Phone:	<u>(515) 337-1031</u>		
Mailing Address:	<u>1113 Murray Dr.</u>		
City:	<u>Ames</u>	State:	<u>IA</u> Zip: <u>50010</u>

**Contact Person**

Name:	<u>Cheryl Sondrol</u>		
Phone:	<u>(515) 450-0322</u>	Email Address:	<u>csondrol1@gmail.com</u>

Classification: Class B Beer (BB) (Includes Wine Coolers)Term: 5 daysEffective Date: 07/12/2014Expiration Date: 07/16/2014

Privileges:

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

BusinessType:	<u>Privately Held Corporation</u>		
Corporate ID Number:	<u>221036</u>	Federal Employer ID #	<u>42-1479449</u>

**Ownership****cheryl sondrol**First Name: cherylLast Name: sondrolCity: amesState: lowaZip: 50010Position vice president% of Ownership 50.00 %

U.S. Citizen

**Daniel Sondrol**First Name: DanielLast Name: SondrolCity: amesState: lowaZip: 50010Position president% of Ownership 50.00 %

U.S. Citizen

**Insurance Company Information**

**Insurance Company:** Scottsdale 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:**



# MEMO

**To:** Mayor and City Council Members

**From:** City Clerk's Office

**Date:** July 3, 2014

**Subject:** Item No. 9

This Council Action Form will not be completed by the time the Council Packet gets posted to the City's website. It will be sent out to you on Monday, July 7.



**COUNCIL ACTION FORM**

**SUBJECT: SALE OF PROPERTY AT 1126 BURNETT AVENUE STREET – CDBG ACQUISITION/REUSE AFFORDABLE HOUSING PROGRAM**

**BACKGROUND:**

Under the City's Community Development Block Grant (CDBG) Acquisition/Reuse Program, the City seeks to acquire, demolish/remove single-family properties and/or lots for reuse for affordable housing to assist low- and moderate-income families. The program also initially provides "minor" repairs to single-family properties. Where possible, the program takes a more comprehensive approach at targeting single-family properties as follows:

- Converting single-family rental properties that are "for sale" back to single-family homeownership. Where possible, these homes are sold to eligible low-income (80%), first-time homebuyers through the City's CDBG Homebuyer Assistance Program.
- Assist in code enforcement for abandoned, deteriorated properties; and then sell the vacant lots for affordable housing.
- Acquire vacant properties and resell them at a reduced price to non-profit organizations and/or for-profit organizations for rehabilitation and sale for affordable housing.
- Acquire vacant lots and resell them at a reduced price to non-profit organizations and/or for-profit organizations for construction of affordable housing.
- Concentrate, where possible, in targeted low-income census tracts.

Staff has been working to sell properties that were purchased back in 2009 and 2010. The intent is to make them available to first-time homebuyers who have participated in the City's Homebuyer Assistance Program, or to sell them to Habitat for Humanity for eligible buyers through their program. Staff conducted homebuyer seminars this past year and was successful in identifying Erika Renz, who is qualified and is interested in purchasing the property at 1126 Burnett Avenue. City staff has negotiated an offer for Ms. Renz to purchase the property for \$100,000 pending final loan approval. Additionally, as part of the Homebuyer Assistance Program, she will be eligible to receive assistance towards the down payment in the form of a 2% low-interest loan payable over a 12-year period. The proceeds from selling this home, as well as repayment funds from the down payment loan, will be reinvested back into the City's CDBG program.

The City originally purchased this home for \$119,000. To date approximately \$17,000 of major repairs/improvements have been completed, including a new roof, gutters and downspouts, radon mitigation systems, attic insulation, electrical updates, plumbing and mechanical updates, addressing bacterial growth in the basement, water filtration measures, and addressing lead-based paint hazards. Most of the repairs/improvements address health and safety concerns on the property based on HUD's Housing Quality

Standards (HQS).

A down payment assistance lien will be recorded against the property in order to insure repayment of the down payment assistance. In addition, the City will have a twenty year silent "Equity Gap" re-payment clause to recapture the difference (if any) between the selling price and the appraised value at the point of future sale. The amount would be due if the property is sold, abandoned, rented or transfer to another person other than a surviving spouse.

**ALTERNATIVES:**

1. The City Council can set July 22, 2014 as the date of public hearing for the sale of City-owned property located at 1126 Burnett Avenue to Erika Renz at a price of \$100,000 under the City's affordable housing program for lower-income first time homebuyers.
2. The City Council can choose not to sell the home at 1126 Burnett Avenue at this time.

**MANAGER'S RECOMMENDED ACTION:**

The sale of this property to Erika Renz will allow the City Council to address its goal of providing assistance to lower-income first-time homebuyers through the sale of affordable housing. The property at 1126 Burnett was a single-family rental unit that will now be converted back to single-family homeownership. Additionally, this property will now contribute to a revitalized core neighborhood in our community and assist first-time low and moderate income home buyer who otherwise would not be financially equipped to purchase and address the major property maintenance issues.

Therefore, it is the recommendation of the City Manager that the City Council approve Alternative #1, thereby setting July 22, 2014 as the date of public hearing for the sale of City-owned property located at 1126 Burnett Avenue to Erika Renz at a price of \$100,000 under the City's affordable housing program for lower-income first time homebuyers.

**COUNCIL ACTION FORM**

**SUBJECT: SALE OF PROPERTY AT 1222 CURTISS AVENUE – CDBG  
ACQUISITION/REUSE AFFORDABLE HOUSING PROGRAM**

**BACKGROUND:**

Under the City's Community Development Block Grant (CDBG) Acquisition/Reuse Program, the program seeks to acquire, demolish/remove single-family properties and/or lots for reuse for affordable housing to assist low- and moderate-income families. The program also initially provides "minor" repairs to single-family properties. Where possible, the program takes a more comprehensive approach at targeting single-family properties as follows:

- Converting single-family rental properties that are "for sale" back to single-family homeownership. Where possible, these homes are sold to eligible low-income (80%), first-time homebuyers through the City's CDBG Homebuyer Assistance Program.
- Assist in code enforcement for abandoned, deteriorated properties; and then sell the vacant lots for affordable housing.
- Acquire vacant properties and resell them at a reduced price to non-profit organizations and/or for-profit organizations for rehabilitation and sale for affordable housing.
- Acquire vacant lots and resell them at a reduced price to non-profit organizations and/or for-profit organizations for construction of affordable housing.
- Concentrate, where possible, in targeted low-income census tracts.

Staff has been working to sell properties that were purchased back in 2009 and 2010. The intent is to make them available to first-time homebuyers who have participated in the City's Homebuyer Assistance Program, or to sell them to Habitat for Humanity for eligible buyers through their program. Staff conducted homebuyer seminars this past year and was successful in identifying Alysia Larson, who is interested in purchasing the property at 1222 Curtiss Avenue. Staff has negotiated an offer with Ms. Larson to sell her the property for \$100,000 pending final loan approval. Additionally, as part of the Homebuyer Assistance Program, she will be eligible to receive assistance towards the down payment in the form of a 2% low-interest loan payable over a 12-year period. The proceeds from selling this home, as well as repayment funds from the down payment loan, will be reinvested back into the City's CDBG program.

The City originally purchased the home for \$134,000. To date approximately \$16,000 of major repairs/improvements have been completed. These include a new roof, gutters and downspouts, radon mitigation systems, attic insulation, electrical updates, and addressing lead-based paint hazards. Most of the repairs/improvements address health and safety

concerns on the property based on HUD's Housing Quality Standards (HQS).

A down payment assistance lien will be recorded against the property in order to insure repayment of the down payment assistance. In addition, the City will have a twenty year silent "Equity Gap" re-payment clause to recapture the difference (if any) between the selling price and the appraised value at the point of future sale. The amount would be due if the property is sold, abandoned, rented or transfer to another person other than a surviving spouse.

**ALTERNATIVES:**

1. The City Council can set July 22, 2014 as the date of public hearing for the sale of City-owned property located at 1222 Curtiss Avenue to Alysia Larson at a price of \$100,000 under the City's affordable housing program for lower-income first time homebuyers.
2. The City Council can choose not to sell the home at 1222 Curtiss Avenue at this time.

**MANAGER'S RECOMMENDED ACTION:**

The sale of this property to Alysia Larson will allow the City Council to continue to address its goal of assisting lower-income first-time homebuyers with the purchase of affordable housing. The property at 1222 Curtiss was a single-family owner-occupied and it will remain a single-family owner-occupied dwelling. Additionally, this property will now contribute to a revitalized core neighborhood in our community and assist first-time low and moderate income home buyer who otherwise would not be financially equipped to purchase and make address the major property maintenance issues.

Therefore, it is the recommendation of the City Manager that the City Council approve Alternative #1, thereby setting July 22, 2014 as the date of public hearing for the sale of City-owned property located at 1222 Curtiss Avenue to Alysia Larson at a price of \$100,000.

**COUNCIL ACTION FORM**

**SUBJECT: AMES ECONOMIC DEVELOPMENT COMMISSION 2014/2015  
FUNDING CONTRACT**

**BACKGROUND:**

In keeping with the City's adopted 2014/15 budget, the attached funding agreement with the Ames Economic Development Commission (AEDC) has been prepared. This agreement continues funding the services of the City Economic Development Liaison, a position that was first created for FY 2011/12, along with other responsibilities included in previous agreements.

**ALTERNATIVES:**

1. Approve the Ames Economic Development Commission contract as attached for FY 2014/15.
2. Do not approve the Ames Economic Development Commission contract for FY 2014/15.

**MANAGER'S RECOMMENDED ACTION:**

The City Council has determined that it will contract with the AEDC to perform activities associated with attracting new development to the community. The Council has also allocated funding for this contract as a part of its budgeting process for FY 2014/15.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the Ames Economic Development Commission contract for FY 2014/15.

# **CONTRACT FOR ECONOMIC DEVELOPMENT SERVICES**

**THIS AGREEMENT**, made and entered into the 1st day of July, 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 the Ames Economic Development Commission, an adjunct of the Ames Chamber of Commerce (hereinafter called the AEDC);

## **WITNESSETH THAT:**

**WHEREAS**, the City of Ames desires to purchase certain services from said organization in lieu of hiring additional permanent staff and expending additional City funds to accomplish these services;

**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 and its citizens certain economic development-related services as hereinafter described and set out; to establish the methods, procedures, terms and conditions governing payment by the City of Ames 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 performed and monies paid.

### **II SCOPE OF SERVICES**

A. In consideration for the payment of \$90,000 in accordance with Section III, the AEDC shall provide the following economic development related services to the City of Ames and its citizens during the term of this agreement:

- The AEDC will serve as the lead contact for business representatives hoping to locate in Ames or to expand in our community. In this capacity the President of the AEDC will respond to information requests, coordinate the completion and submittal of state and local incentive applications, and show available industrial and commercial sites to prospects.
- The AEDC will visit annually with all major companies to identify challenges and opportunities facing Ames businesses.
- The AEDC will serve as the primary marketing entity for business recruitment to highlight Ames.

- The AEDC will deploy an aggressive marketing campaign that will focus on targeted industries such as ag-biotechnology and advanced manufacturing businesses that do not overtax our infrastructure.
- The AEDC will invest in significantly revising its marketing materials including website, brochures, and proposal packets to better reflect the image of Ames as a great place to do business.

B. In consideration for the payment of \$60,000 in accordance with Section III, the AEDC shall provide the following economic development marketing and liaison services related to the City of Ames and its citizens during the term of this agreement by maintaining a jointly funded Vice-President for Business Development & Marketing position to carry out the following duties and tasks:

- Focus on the development of “small” or new businesses start-ups in the retail, commercial, and industrial sectors by: a) assisting with the recruitment and/or expansion of these types of businesses in the community; b) assisting entrepreneurs as they navigate through the various City, State, and Federal approval processes; and c) assisting entrepreneurs in obtaining the services available through the Small Business Development Center.
- Serve as the City Economic Development Liaison, work closely with developers and clients that need assistance in working through the City of Ames approval processes. This will include periodic meetings with the City Manager to keep him apprised of progress related to serving in the Liaison capacity.
- Provide input on communication pieces that will highlight the efforts of the AEDC and the City of Ames related to the positive developments in the community where the City and/or the AEDC have played an integral role.
- Implement an aggressive marketing plan focused on targeted industries that dovetail with the competencies of Iowa State University related to food and nutrition technology, plant biotechnology, information technology, and animal science. These efforts should not be limited to the aforementioned, as the AEDC service territory includes site options for advanced manufacturing and distribution facilities.
- Maintain frequent communication with stakeholders such as the Iowa Department of Economic Development, Alliant Energy, Iowa State University, and partners of the Ames-Des Moines Corridor.
- Maintain, in conjunction with the President & CEO and Vice-President of Existing Industry, a current list of active projects via the AEDC’s internal project tracking system.
- Maintain a current list of consultants and site selectors, with assistance from the Director of Member Services & Organizational Programming, for periodic mailings and contacts

in various markets so that the AEDC has a fresh list to choose from when visiting various locations around the U.S.

- Coordinate the activities of the Ames-Des Moines Corridor providing administrative leadership and coordination of its events.
- Review and analyze, with the President & CEO and Vice-President of Existing Industry, potential recipients of assistance from various economic development incentive offering entities.
- Assist other AEDC/ACC staff in responding to inquiries and working with economic development prospects, consultants, and supplier contacts, as needed.
- Provide input into the overall plan of the AEDC and assist in its implementation where appropriate.
- The position will be jointly supervised by the President and CEO of the Ames Economic Development Commission and the Ames City Manager. As such, perform work as assigned by the City Manager related to the liaison activities and the President and CEO of the AEDC related to marketing activities.
- The position will be expected to periodically use a secondary office provided in the City Manager's office to better assure assimilation into the City of Ames organization.

### **III METHOD OF PAYMENT**

A. All payments to be made by the City of Ames pursuant to Section II.A of this Agreement shall be reimbursement for actual costs incurred by AEDC in providing services required by Section II.A above. Payments made by the City of Ames pursuant to Section II.B. of this Agreement shall be made in advance of services provide per terms in section III B of this Agreement.

B. The City will disburse payments twice annually on requisitions of the AEDC in January and July of each year. Requisitions for services pursuant to Section II A will be on a reimbursement basis and reflect cost for delivery of services for the prior six months. Requisitions for services pursuant to Section II B will be one-half (\$30,000) of the City's annual contribution for the jointly funded position and paid in advance. If the jointly held position is vacant for more than 30 days, AEDC will provide the City with a pro-rata refund for the payment made in advance.

Requisitions for disbursement shall be made in such form and in accordance with such procedures as the Director of Finance for the City shall prescribe. Said form shall include, but not be limited to, an itemization of the nature and amount of costs for which reimbursement is requested, and must be filled out completely.



C. The maximum total amount payable by the City of Ames under this agreement is \$150,000 as detailed in the SCOPE OF SERVICES (Section II of this contract), and no greater amount shall be paid.

**IV  
FINANCIAL ACCOUNTING AND ADMINISTRATION**

A. All monies disbursed under this Agreement shall be accounted for by the accrual method of accounting.

B. Monies disbursed to AEDC by the City will be deposited by AEDC in an account under the AEDC's name, with a bank located in Story County, Iowa. All checks drawn on the said account shall bear a memorandum line on which the drawer shall note the nature of the costs for which the check is drawn in payment, and the program(s) of service.

C. All costs for which reimbursement is claimed shall be supported by documentation evidencing in proper detail the nature and propriety of the charges. All checks or other accounting documents pertaining in whole or in part to this Agreement shall be clearly identified as such and readily accessible for examination and audit by the City or its authorized representative.

D. All records shall be maintained in accordance with procedures and requirements as established by the City Finance Director, and the City Finance Director may, prior to any disbursement under this Agreement, conduct a pre-audit of record keeping and financial accounting procedures of the AEDC for the purpose of determining changes and modifications necessary with respect to accounting for funds made available hereunder. All records and documents required by this Agreement shall be maintained for a period of three (3) years following final disbursement by the City.

E. At such time and in such form as the City may require, there shall be furnished to the City such statements, records, reports, data, and information as the City may require with respect to the use made of monies disbursed hereunder.

F. At any time during normal business hours, and as often as the City may deem necessary, there shall be made available to the City for examination all records with respect to all matters covered by this Agreement and AEDC will permit the City to audit, examine, and make excerpts or transcripts from such records.

**V  
REPRESENTATION ON THE BOARD OF DIRECTORS**

It is agreed that the City of Ames will be guaranteed three representatives on the AEDC Board of Directors (two City Council members appointed by the Mayor, and the City Manager).

Furthermore, the City Manager will be guaranteed membership on the Executive Committee of the Board of Directors.

**VI  
SUMMARY REPORT**

The AEDC further agrees to provide the City of Ames a written report no later than August 31, 2015, summarizing the accomplishments of the activities promised in Section II.

**VII  
DURATION**

This Agreement shall be in full force and effect from and after July 1, 2014, until June 30, 2015.

**VIII  
DISCRIMINATION PROHIBITED**

In accordance with Chapter 14 of the Municipal Code, no person shall, on the grounds of age, race, color, creed, religion, national origin, disability, sexual orientation, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under this Agreement.

**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**

**ATTEST:**

BY \_\_\_\_\_

\_\_\_\_\_

Ann Campbell, Mayor

Diane Voss, City Clerk

**AMES ECONOMIC DEVELOPMENT COMMISSION**

BY \_\_\_\_\_

Daniel A. Culhane, President/CEO

\_\_\_\_\_  
Print Name:

**COUNCIL ACTION FORM**

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

**BACKGROUND:**

On January 24, 2014, City Council referred a 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, for transport to a property owned by Brian Hoyle at 1204 S. 4th Street. As the letter mentioned, the airport farm property was disturbed during the 2013 farming season by off-site grading activities during construction of a warehouse for Ag Leader Technologies along the west side of the City's property, and has not yet been restored. City Council directed staff at the February 25, 2014 meeting to move forward and work with Brian Hoyle/FOX Engineering to develop an agreement for removal of fill soil from the airport farm property and to return it to farmable condition.

Since that time, staff has worked with FOX Engineering, who represents Mr. Hoyle and American Healthcare Investments, LLC of Oklahoma, to draft an agreement. The main points of the agreement are as follows:

- Mr. Hoyle will pay \$1.00 per cubic yard for the soil as measured by a FOX Engineering survey. (The cubic total will be verified by City staff.)
- A minimum of six inches of topsoil will be removed from the site, stockpiled, and reapplied at the completion of 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 estimated that less than six inches currently 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 facilitate farming.
- Any additional lost revenue due to being unable to farm will be compensated by Mr. Hoyle. This work should be completed by the end of 2014.
- A cover crop of oats or annual rye will be planted to prevent erosion of the site prior to the 2015 planting season.

This agreement will provide income of \$50,000 to the Airport Construction Fund. This would also cover any lost revenue for the 2014 crop season, which is estimated at

\$3,149. This is in addition to the anticipated total farm cash rent of \$102,600 from all of the City-owned farmland surrounding the airport.

It is important to note that Ag Leader's facility on Airport Court is still operating under a temporary occupancy permit until the farm ground is restored. When the agreement is executed, 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.

A aerial map showing the affected property is attached.

**ALTERNATIVES:**

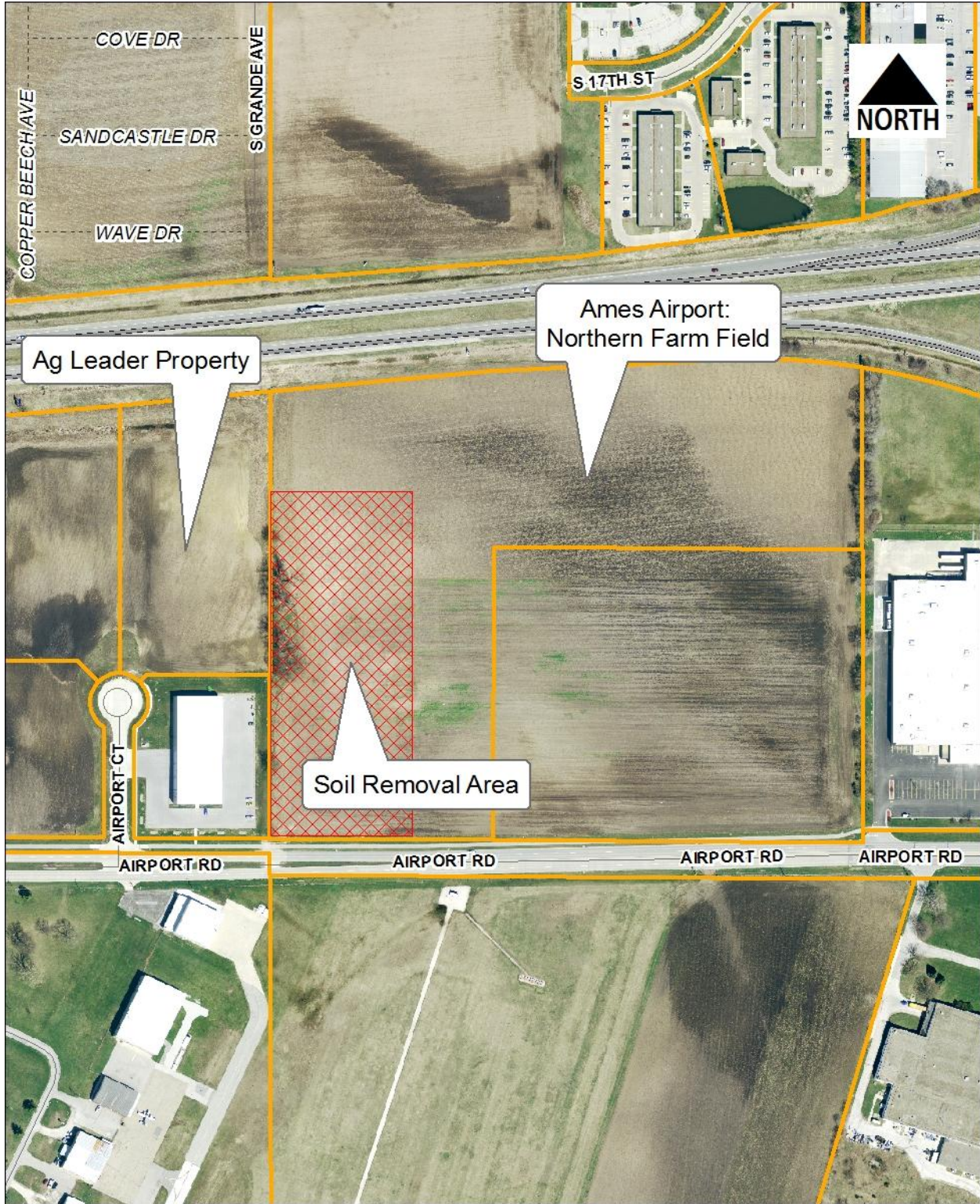
1. Approve the attached agreement with American Healthcare Investments, LLC to purchase soil from the City's airport property.
2. Direct staff to modify the agreement

**MANAGER'S RECOMMENDED ACTION:**

This project can benefit the City in three ways. First, it would improve the airport ground for farming purposes, which would enhance long-term profitability. 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 airport's main runway. Additionally, it would provide extra income to the Airport Construction Fund, which will increase the amount available for future airport improvements.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the agreement with American Healthcare Investments, LLC to purchase soil from the City's airport property.

**Map of Affected Airport Property**



## **Agreement**

## SOIL PURCHASE AGREEMENT

**THIS SOIL PURCHASE AGREEMENT** is made and entered into this \_\_\_\_ day of June 2014, by and between **CITY OF AMES**, an Iowa municipal authority ("**Seller**"), and **AMERICAN HEALTHCARE INVESTMENT, L.L.C.**, an Oklahoma limited liability company ("**Buyer**");

**WHEREAS**, Buyer owns certain real property generally located at 1204 S. 4<sup>th</sup> Street, Ames, Iowa, containing approximately 11.23 acres, more or less (the "**Property**"), and desires to develop a portion of such property by the addition of soil to increase the elevation of a portion of such property,

**WHEREAS**, Seller has soil available for sale to and use by Buyer in relation to the development of the Property, and desires to sell the same to Buyer, and Buyer desires to purchase such soil from Seller, on the terms and conditions herein.

**NOW, THEREFORE**, the parties hereby agree as follows:

1. **Sale of Soil.** Subject to the terms and conditions herein, Seller does hereby agree to sell to Buyer, and Buyer agrees to purchase from Seller fill soil material. Buyer shall have the right to acquire up to 50,000 cubic yards of fill soil from Seller. The soil will be made available by Seller from an approximately 9.4 acre area at the northern Airport farm parcel owned by Seller as generally depicted on Schedule A hereto (the "**Removal Area**"). Buyer shall be responsible for the costs of removal of the soil from the Removal Area.

2. **Purchase Price.** The purchase price for the fill soil being acquired by Buyer hereunder shall be One and 00/100 Dollar (\$1.00) per cubic yard of soil. The total amount of soil and calculation of the total purchase price due by Buyer for the soil acquired from Seller shall be made by FOX Engineering Associates, Inc. ("**Engineer**"). The purchase price shall be paid upon completion of Buyer's work. Currently the parties estimate the completion date to be approximately September 1, 2014.

3. **Fill Soil Removal and Grading.** In connection with the sale of the soil as contemplated hereunder, it is further agreed that Buyer shall be responsible as follows:

A. *Removal of Topsoil.* In connection with removal of the fill soil being acquired, Buyer shall cause its contractor to remove a minimum of six (6) inches of topsoil (the "**Retained Topsoil**") from the area from which the fill soil is being excavated, and shall be stockpiled by Buyer and reapplied to the Removal Area following completion of Buyer's removal of fill soil from the Removal Area. Notwithstanding the foregoing, it is agreed that the Removal Area is highly eroded and the actual amount of topsoil may be less than six (6) inches. Buyer shall have no obligation to provide additional topsoil to the Removal Area in excess of the amount of Retained Topsoil which is stockpiled in the excavation process.

B. *Regrading of Removal Area.* Following completion of Buyer's removal of fill soil from the Removal Area, Buyer shall cause the site to be graded consistent with the grading plan submitted and approved by Seller, a copy of which is attached hereto as Schedule B. It is

acknowledged that the grading of the area will include that the site will be scarified to a depth of twelve (12) inches prior to replacement of the Retained Topsoil.

C. *Lost Farm Revenue Reimbursement.* To the extent Seller is unable to obtain farm ground lease revenues from the Removal Area as a result of Buyer's excavation at the site during 2014, Buyer will reimburse Seller the amount of such lost farm ground lease revenues. Lost revenues for which Buyer shall be responsible shall be calculated at a rate of \$335 per acre of ground not available due to Buyer's work for a total lost revenue payment of **\$3,149.00**. Buyer shall not be responsible for any other costs related to any ground lease affecting the Removal Area.

D. *Cover Crop.* In the event following Buyer's removal of soil from the Removal Area, Seller does not have any tenant to lease and plant the Removal Area after such removal in 2014, then Buyer shall cause the Removal Area to be seeded with a cover crop of oats or annual rye to prevent erosion. Such work shall be performed in accordance with normal standards and provided the work is so performed, nothing herein shall be construed as a guaranty that there shall be no erosion at the Removal Area site after such planting.

E. *Permits.* Buyer shall be responsible for the cost and compliance with any applicable State and local erosion control permits related to Buyer's work.

4. **Seller Representations and Covenants.** In connection the terms hereof, Seller represents, warrants and covenants to Buyer as follows:

A. *Authorization.* All necessary action and approval for the sale of the soil hereunder has been taken and obtained in accordance with all municipal rules and regulations governing Seller and matters of this nature.

B. *Title.* All soil acquired and removed by Buyer in accordance with this Agreement shall be transferred to Buyer free and clear of any and all liens, claims or encumbrances of any nature, and is not subject to any claim of ownership or interest by any third party.

C. *Cooperation.* Seller shall cause all appropriate employees and agents to cooperate with Buyer, and Buyer's contractors and agents, to permit the removal of the soil as contemplated hereunder, on a commercially reasonable schedule, including granting all necessary access to the Removal Area.

5. **Severability.** If any provision of this Agreement is held invalid or unenforceable, the remainder of this Agreement will nevertheless remain in full force and effect. If any provision is held invalid or unenforceable with respect to particular circumstances, such provision will nevertheless remain in full force and effect in all other circumstances.

6. **Binding Effect.** This Agreement shall be binding upon and inure to the benefit of the Parties and their respective heirs, successors and assigns.

7. **Waiver.** The waiver by either party of any breach or violation of any provision of this Agreement does not operate as, and may not be construed to be, a waiver of any subsequent breach or violation hereof.



8. **Governing Law.** This Agreement is made and entered into in the Iowa and shall in all respects be interpreted, enforced and governed by and under the laws of said state.

9. **Entire Agreement.** This Agreement contains the entire understanding between the parties with respect to the subject matter hereof and supersedes all prior or contemporaneous agreements or understandings between the parties with respect to the subject matter hereof. No change, addition or amendment to this Agreement is effective unless made by a written agreement signed by the parties hereto. No party has made or is relying on any promise, representation or agreement not recited in this Agreement.

10. **Authorized Signature.** Each of the parties hereto represents and warrants that the person signing this Agreement on its behalf is authorized to bind it with respect to the matters contained herein.

11. **Counterparts.** This Agreement may be executed in one or more counterparts (including by means of faxed or other electronic signature pages), any one of which need not contain the signatures of more than one party, but all such counterparts taken together will constitute one and the same instrument.

*[Remainder of page intentionally left blank - Signature Pages to Follow]*

*(Seller Signature Page)*

**IN WITNESS WHEREOF**, the parties hereto have executed this Soil Purchase Agreement on the day and year first above written.

**SELLER:**

**CITY OF AMES**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**ACKNOWLEDGEMENT**

STATE OF IOWA                    )  
  ) ss  
COUNTY OF STORY            )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_ 2014 by \_\_\_\_\_, the \_\_\_\_\_ of **CITY OF AMES**, a municipal corporation, on behalf of such municipal corporation.

\_\_\_\_\_  
Notary Public

*(Buyer Signature Page)*

**IN WITNESS WHEREOF**, the parties hereto have executed this Soil Purchase Agreement on the day and year first above written.

**BUYER:**

**AMERICAN HEALTHCARE INVESTMENT,  
L.L.C.**

By: \_\_\_\_\_  
Name: Brian H. Hoyle  
Title: President

**ACKNOWLEDGEMENT**

STATE OF CALIFORNIA            )  
  ) ss  
COUNTY OF ORANGE            )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of June 2014 by Brian H. Hoyle, President of **AMERICAN HEALTHCARE INVESTMENT, L.L.C.**, an Oklahoma limited liability company, on behalf of such Company.

\_\_\_\_\_  
Notary Public

**COUNCIL ACTION FORM**

**SUBJECT: GRANT WRITING/FUNDING APPLICATION PROCESSING – GRAND AVENUE EXTENSION**

**BACKGROUND:**

In April 2013, City staff worked with a consulting firm to complete a Transportation Funding Study that analyzed potential funding sources for roadway improvements beyond Road Use Tax, Local Option Sales Tax, and General Obligation Bonds. These alternative funding sources include transportation improvement grants, which provide a strong starting point on finalizing a funding strategy for the Grand Avenue Extension from Squaw Creek Drive to South 16<sup>th</sup> Street.

As the next step to secure grant funding, staff sought proposals for services to be performed by consultants to apply for the funding identified by the earlier study. Potential sources could include grant funding through the Iowa Clear Air Attainment Program (ICAAP), Traffic Safety Improvement Program (TSIP), Highway Safety Improvement Program (HSIP), and Federal or State Recreation Trails Grants and Water Quality. The selected consultant will also investigate other potential funding sources and, if applicable, help the City apply for those as well.

Proposals for this work were received from two engineering firms and were evaluated according to the following criteria: Project Understanding, Project Approach, Key Personnel, Previous Experience, Ability to Perform Work, References, and Estimated Contract Cost. Listed below is the ranking information based on this evaluation:

<b>Proposal Ratings/Rankings</b>	<b>Overall Rank</b>	<b>Estimated Fee</b>
<b>Grant Writing/Funding Application Processing – Grand Avenue Extension</b>		
Bolton & Menk, Inc.	<b>2</b>	\$40,000
Howard R. Green, Inc.	<b>1</b>	\$79,460

Staff has negotiated a contract with the highest ranked firm, Howard R. Green, Inc. from Johnston, Iowa. **This consultant has performed satisfactorily on similar City projects in the past and has extensive prior project work history and knowledge regarding the Grand Avenue Extension. The fees were based on the suggested grant applications identified in each consultant’s proposal. The highest ranked firm included additional grant funding opportunities unique to this project, which is the reason they may appear to be at a much higher cost. In actuality, however,**

**their costs included additional grant applications not identified by the other submitting firm. For example, one grant identified for application by HR Green is a federal TIGER grant. They have included in their proposal \$59,240 to develop a TIGER grant application. If this grant program is not funded in the coming federal fiscal year, an application will not be made and their fee would be reduced to \$20,220 which is actually lower than the other firm.**

This project will be funded by G.O. Bonds that are included in the 2013/14 Capital Improvements Program as part of the Grand Avenue Extension project.

**ALTERNATIVES:**

1. Approve the engineering services agreement for the Grant Writing/Funding Application Processing – Grand Avenue Extension with Howard R. Green, Inc. from Johnston, Iowa, in an amount not to exceed \$79,460.
2. Direct staff to negotiate an engineering agreement with another consulting firm.

**MANAGER'S RECOMMENDED ACTION:**

Based on staff's evaluation using the above criteria, Howard R. Green, Inc. will provide the best value to the City in designing this project.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the engineering services agreement for the Grant Writing/Funding Application Processing – Grand Avenue Extension with Howard R. Green, Inc. from Johnston, Iowa, in an amount not to exceed \$79,460.

**COUNCIL ACTION FORM**

**SUBJECT:       RELEASE OF DEVELOPMENT AGREEMENT FOR RENEWABLE ENERGY GROUP PROPERTY AT 416 S. BELL AVENUE**

**BACKGROUND:**

The City of Ames and Ford Street Development Co., L.C. entered into a development agreement on August 26, 1997 for establishment of the Ames Community Industrial Park, Phase II Tax Increment Finance District.

The development agreement specified a timeframe by which the developer had to construct speculative buildings. The agreement also established minimum assessed valuations in order to finance the public improvements within the subdivision. In addition, the sale prices of vacant land were capped in order to avoid speculative purchases.

Renewable Energy Group (REG) jointly owns, with Hunziker, the property at 416 S. Bell Avenue. REG has occupied the building for a number of years and is seeking to purchase the property outright. Their attorney reviewed the abstract and found that the property is still bound by the terms of the 1997 development agreement. In order to clear this entry, the attorney has requested that a statement expressing that the terms of the agreement have been satisfied be approved by the City Council.

The Finance Director has indicated that the G.O Bond debt associated with this property was issued for this Phase II of the Ames Community Industrial Park. In FY 2004/05 sufficient revenue was collected from the incremental property taxes to pay off all outstanding debt regarding this TIF incentive.

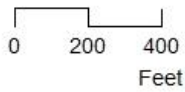
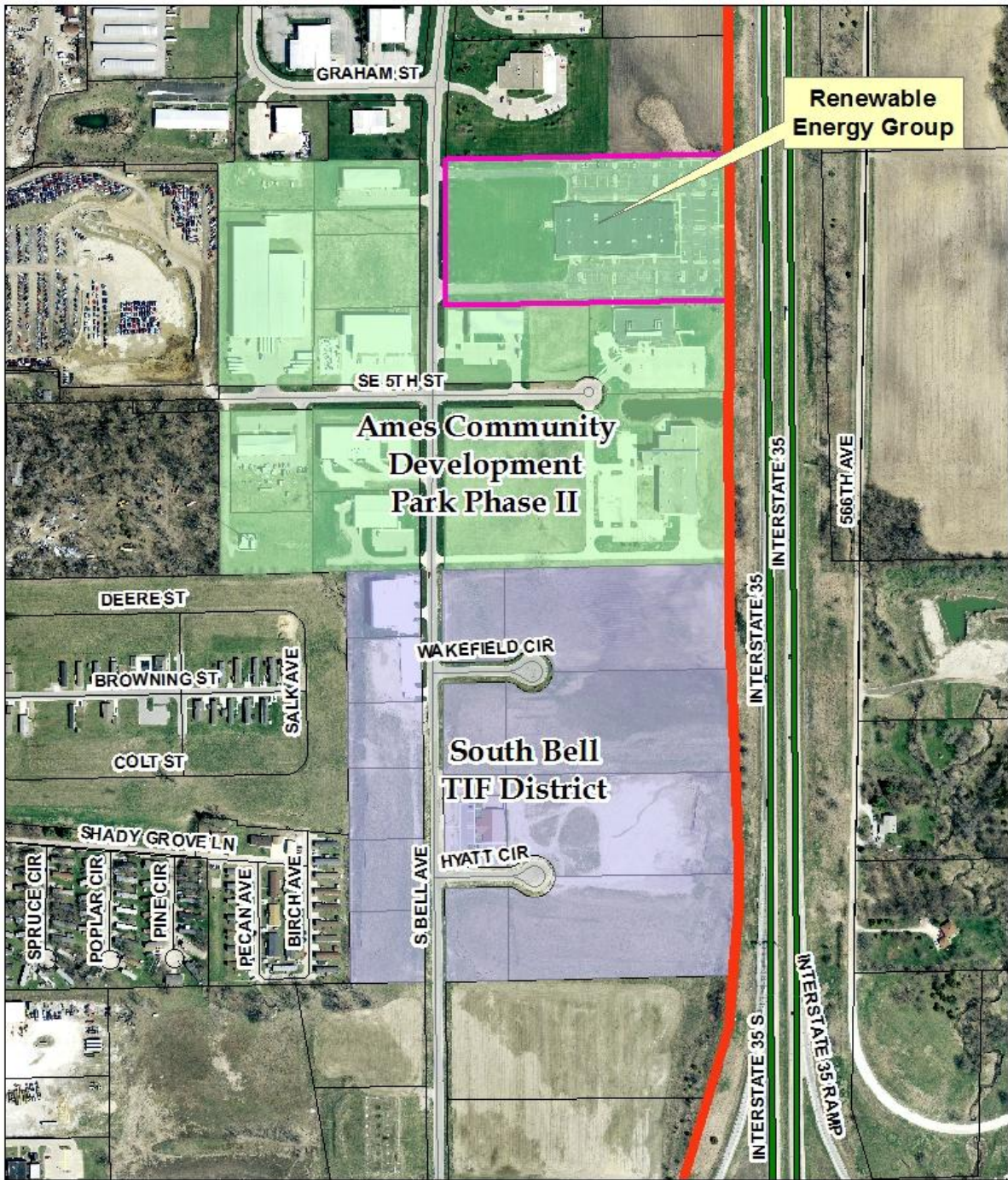
**ALTERNATIVES:**

1. The City Council can approve the resolution stating that the terms of the 1997 development agreement, as they apply to 416 S. Bell Avenue, have been satisfied.
2. The City Council can deny the request.
3. The City Council can refer this item to staff for further information.



**MANAGER'S RECOMMENDED ACTION:**

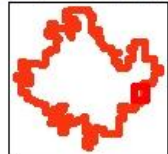
As noted by the City Attorney and Finance Director, the terms of the 1997 development agreement have been satisfied regarding this property, and there is no benefit to the City by retaining the property owner's participation in the terms of the agreement.

Therefore, it is the recommendation of the City Manager that the City Council approve Alternative #1, thereby approving the request to release the owner of 416 S. Bell Avenue from the terms of the 1997 development agreement.



**Legend**

-  Ames City Limits
-  Renewable Energy Group



**COUNCIL ACTION FORM**

**SUBJECT: POWER PLANT UNIT #7 AND #8 FUEL CONVERSION –  
PRELIMINARY PLANS AND SPECIFICATIONS FOR NATURAL GAS  
CONVERSION EQUIPMENT**

**BACKGROUND:**

**This project is required to meet future Environmental Protection Agency (EPA) air quality requirements for electric generating power plants.** In recent years the electric utility industry, and particularly utilities with fossil-fueled generation resources, has been challenged by the introduction of several major environmental regulations promulgated by the United States Environmental Protection Agency (EPA). At the same time, the price and supply of natural gas has dropped significantly in the United States. These two factors together have caused the industry to reevaluate its strategies of how to generate electric power. The City of Ames, with its two coal-fired generating units 47 and 32 years old, has carefully assessed its future role of supplying power for the City's electric ratepayers.

On November 12, 2013, the City Council voted to convert the City's Power Plant from coal to natural gas. Implementing this decision requires a significant amount of engineering, installation of equipment, and modification and construction in the Power Plant. **This specific phase of the project is for the procurement of equipment, including burners, igniters, scanners, thermal analysis and computer modeling.**

The engineer's cost estimate for the procurement of this equipment is \$4,500,000. It is necessary to specify and order this equipment ahead of construction bidding due to the potentially long lead times. Upon City Council approval and receipt of favorable bids, the equipment will be ordered. In the future, Council will also be asked to approve additional phases of the project.

**The approved FY 2014/15 Capital Improvements Plan for Electric Services includes \$36,880,000 for the Unit #7 and #8 Fuel Conversion. This amount includes \$2,000,000 for engineering and \$34,880,000 for equipment and installation.**



To date, the project budget is as follows:

<b>\$36,880,000</b>	<b>FY 2014/15 CIP amount budgeted for project</b>
\$ 1,995,000	Encumbered not-to-exceed amount for Engineering Services (Approved by City Council on May 27, 2014)
<b><u>\$ 1,995,000</u></b>	<b>Total committed to date</b>
<b>\$ 4,500,000</b>	<b>Estimated cost for Natural Gas Conversion Equipment – Pending Council approval of plans and specifications (this agenda item)</b>
\$30,385,000	Remaining Balance to cover Installation, Distributed Control System, Natural Gas piping from the gate, and other miscellaneous equipment needed for the fuel conversion

Prior to award of this contract in October, staff will prepare an overall cash-flow projection for both the fuel conversion project and the associated gas transport line project. That projection will provide a basis for determining which portions of these expenses can be covered using the available balance in the Electric fund, and which portions will require the issuance of long-term debt. Those decisions will affect the level of electric rate increases needed to finance these major projects.

**ALTERNATIVES:**

1. Approve the preliminary plans and specifications for the Natural Gas Conversion Equipment Including Burners, Igniters, Scanners, Thermal Analysis and Computer Modeling, and set September 24, 2014, as the bid due date and October 14, 2014, as the date of hearing and award of contract.
2. Delay the purchase of the gas conversion equipment.

**MANAGER'S RECOMMENDED ACTION:**

Conversion of the City's Power Plant (Units 7 & 8) from coal to natural gas was previously approved by the City Council. This conversion is needed in order for the Power Plant to remain in compliance with state and federal air quality regulations. To meet the project timetable, this conversion equipment must be ordered in advance of scheduling the construction and installation.

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

The City Council should remember that the other essential component of the conversion to natural gas is the determination of how the gas will be transported to our power plant, either through a City-owned or through an Alliant Energy line. Staff is currently analyzing these two options to develop a recommendation for the preferred course of action.

**COUNCIL ACTION FORM**

**SUBJECT: YEAR THREE OF WATER PLANT WELL REHABILITATION  
CONTRACT**

**BACKGROUND:**

On July 24, 2012, City Council awarded a five-year well rehabilitation contract to Northway Well and Pump Company of Waukee, Iowa. The contract provided for the rehabilitation of five water supply wells in FY 2012/13 and four wells in FY 2013/14. The contract offers optional annual renewals to rehabilitate additional wells over the next three years. Bid prices were provided for each year of the contract, with a Consumer Price Index adjustment made annually for each renewal year.

The first two years of the five-year contract were successfully completed, and staff is asking Council to approve year three of the contract. This will provide rehabilitation of an additional five wells in FY 2014/15. Based on the original bid price and the Consumer Price Index adjustment, the recommended contract amount for FY 14/15 is \$74,655.

The FY 2014/15 Water Plant operating budget includes \$98,940 for the rehabilitation of City Well Nos. 6, 7, 12, 19, and 24, including funds for additional repairs as needed.

**ALTERNATIVES:**

1. Award year three of the contract to Northway Well and Pump Company of Waukee, Iowa in the amount of \$74,655 for rehabilitation of five wells in FY 2014/15.
2. Do not award a contract at this time.

**MANAGER'S RECOMMENDED ACTION:**

Regular maintenance of the City's potable water wells is required to ensure adequate water volume to meet the City's current and future drinking water demands. Staff has determined rehabilitation of wells on a five-year cycle to be an effective means of maintaining well production to meet those demands.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving a \$74,655 contract to Northway Well and Pump Company to implement year three of the five-year well rehabilitation cycle.

**COUNCIL ACTION FORM**

**SUBJECT: TECHNICAL SUPPORT FOR GAS TURBINE #2 GENERATOR REPAIRS**

**BACKGROUND:**

As a result of this past winter's extreme cold weather, two fuel pumps on the Gas Turbine #2 (GT-2) were damaged. A project was then initiated to examine all of GT-2's critical systems and make certain all debris was removed from the system.

The project began as a contract with General Electric, the Original Equipment Manufacturer, to provide a mechanical technician for two days to support the removal/cleaning of the GT-2 fuel system disassembly and the NOx Water Piping. A purchase order in the amount of \$13,000 was approved by staff for this purpose. Upon inspection, extensive debris was found in the flow meter, manifold, j tubes and nozzles, which extended the contractor's work by two additional days. Change Order #1 in the amount of \$10,000 was then approved by staff to cover the additional days, thereby increasing the purchase order to \$23,000.

With the mechanical technician present, staff then performed a "start-up" of the unit. The start-up failed due to flameout issues. In addition, "water wash programming" issues were identified. To identify and correct the flameout issue, a different technician was needed from General Electric. Therefore, Change Order #2 was approved by the City Manager's Office per the City's Purchasing Policy, increasing the purchase order to \$31,249. The technician determined that GT-2 had a failed Woodward control valve, which has now been sent in for repair.

**An additional change order is now needed.** Under Change Order No. 3, General Electric will provide a Controls Technician on a time and materials basis to support the installation of the repaired Woodward control valve, calibrate it, and witness a unit start-up to ensure that the flameout issue has been corrected.

This change order will add an additional \$24,000 to the project, bringing the total contract amount to \$55,249. At this dollar level, the City's Purchasing Policy requires City Council approval.

The \$31,249 previously approved was funded from the FY 2013/14 Budget. Since this new work will be performed in FY 2014/15, the added cost will be paid from the FY 2014/15 Budget for GT-2 maintenance, which contains \$48,500.

Staff is waiting to address the "water wash programming" issues until this fall. That issue is not critical to the operation of the unit, and quick return of GT-2 for summer operation is more important.

**ALTERNATIVES:**

1. Approve contract Change Order No. 3 to General Electric, of Houston, Texas, in the amount of \$24,000 for technical support for the GT-2 repairs.
2. Reject contract Change Order No. 3 and delay the installation of the pump and calibration of the unit.

**MANAGER'S RECOMMENDED ACTION:**

This installation and calibrating work is critical because, if not completed, GT-2 will not be available for operation during the peak summer load conditions.

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

**COUNCIL ACTION FORM**

**SUBJECT: LIBRARY ABATEMENT CONTRACT CHANGE ORDER**

**BACKGROUND:**

Terracon Consultants, Inc. has been performing monitoring services related to abatement of asbestos and lead-based paint under a contract for the Library that was first approved by the Board of Trustees in August 2012. Abatement work has concluded, but air sampling was conducted by Terracon on May 30 and June 3, 2014, after concerns were expressed by electricians working on the site about a powdery substance that had filtered into a workroom on the first floor the 1940 building.

Fortunately, the test results demonstrated that the amount of asbestos contained in the samples (0.0094 fiber per cubic centimeter) was well below the Occupational Safety and Health Administration's (OSHA) permissible exposure limit (.1 fiber per cubic centimeter). Terracon Consultants presented the Library with written procedural and analytical details in an Asbestos Air Sampling Report dated June 6, 2014.

Approval of Change Order No. 4 will bring the total cost of Terracon's professional services contract to \$82,740.12. The summary appears below:

Original contract price:	(Not to exceed)	\$41,221.00
Change orders approved to date:		\$39,389.20
Amount of this change order:		\$2,129.92
Adjusted contract price including this change order:		\$82,740.12

City Council approval is sought at this time because the total cost of changes since the Council's last change order review exceeds 20% of the original contract amount. Funds for the services are available in the Renovation and Expansion Project budget. Approval of Change Order No. 4 in the amount of \$2,129.92 will leave an unencumbered bond fund balance of \$ 867,478.38.

**ALTERNATIVES:**

1. Approve Change Order No. 4 with Terracon Consultants, Inc. in the amount of \$2,129.92 for asbestos air sampling, equipment, data analysis, and reporting at the Ames Public Library.
2. Reject the request.

**MANAGER'S RECOMMENDED ACTION:**

The Library was ethically and legally obligated to request air sampling when concerns were expressed by workers about possible asbestos exposure on the library's construction site. Adequate funds are available within the project budget to cover the expense.

Therefore, it is the recommendation of the City Manager that the City Council approve Change Order No. 4 with Terracon Consultants, Inc. in the amount of \$2,129.92 for asbestos air sampling, equipment, data analysis, and reporting for the Ames Public Library.



# MEMO

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

**From:** City Clerk's Office

**Date:**

**Subject:** Contract and Bond Approval

There are no Council Action Forms for Item Nos. 20 through 22. Council approval of the contract and bond for these projects is simply fulfilling a *State Code* requirement.

/jr

**COUNCIL ACTION FORM**

**SUBJECT: COMPLETION OF YEAR TWO OF WATER PLANT WELL  
REHABILITATION CONTRACT**

**BACKGROUND:**

On July 24, 2012, City Council awarded a contract to Northway Well and Pump Company of Waukee, Iowa in the amount of \$72,500 to rehabilitate five of the City's 22 drinking water wells. This was a one year contract with a possibility of four one-year renewal options. A renewal for the second year was approved by City Council on May 28, 2013.

The FY 2013/14 Water Treatment Plant operating budget allocated \$60,000 for the rehabilitation of four wells and an additional \$24,000 for any needed repairs, giving a total of \$84,000 for the project. The four wells completed in this year's contract required additional repairs resulting in change orders totaling \$4,239.25. This year's expended amount totaled \$63,072.25.

All work for this year's contract has been successfully completed as of May 12, 2014; and an Engineer's Statement of Completion has been filed with the City Clerk.

**ALTERNATIVES:**

1. Accept final completion of year two of the five-year Water Plant well rehabilitation contract and authorize final payment in the amount of \$63,072.25.
2. Do not accept completion of year two of the Water Plant well rehabilitation contract at this time.

**MANAGER'S RECOMMENDED ACTION:**

Year two of the Water Plant well rehabilitation contract has been successfully completed in accordance with the City's plans and specifications.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby accepting completion of year two of this five-year contract with Northway Well and Pump Company of Waukee, Iowa and authorizing final payment in the amount of \$63,072.25.



**COUNCIL ACTION FORM**

**SUBJECT: WATER POLLUTION CONTROL FACILITY THREE-YEAR BIOSOLIDS HAULING AND DIGESTER CLEANING PROJECT**

**BACKGROUND:**

On September 24, 2013, Council approved a contract with Nutri-Ject Systems, Inc. of Hudson, Iowa in the amount of \$139,859.38 for the Water Pollution Control (WPC) Facility Biosolids Hauling and Digester Cleaning Project. This contract included the option of annually extending the contract up to a period of three years contingent upon the contractor successfully completing each prior year's work. As part of the original bid submittal, Nutri-Ject Systems, Inc. included an annual price adjustment for the unit prices bid based on the Construction Cost Index (CCI).

**FY 2013/14 Contract**

Nutri-Ject Systems, Inc. has completed all work required under the FY 13/14 contract to staff's satisfaction. One change order was issued on June 30, 2014 to adjust the contract quantities of biosolids and digester solids to be disposed of to reflect the actual quantities requiring hauling and disposal. While the change order increased the contract quantity for biosolids hauling, the contract quantity for digester cleaning was reduced so the final contract amount for FY 13/14 was reduced to \$119,799.41. **Staff is recommending acceptance of the FY 13/14 contract.**

**FY 2014/15 Contract**

The authorized budget for this new fiscal year is shown below.

Biosolids Hauling (Operating Budget)	= \$100,000
<u>Digester Cleaning (CIP Project Budget)</u>	<u>= \$ 86,000</u>
Total Project Budget	= \$186,000

The work for this project was bid on a unit price basis, since the exact number of gallons disposed may vary from year to year. Because the work takes place in a very short window each fall, staff is recommending that this year's award include, as was done in the previous year's contract, a "not to exceed" cap that would allow up to a 25% increase in quantities over what was specified in the original base bid without the need to suspend work to obtain change order approval from Council to adjust quantities. Adjusting the previous year's unit prices based on the CCI increases the FY 14/15 contract to \$143,407.25, a 2.54% increase over the previous year's contract. This includes a \$2,563.50 lump sum for mobilization/demobilization, \$0.01823 per gallon for biosolids hauling, and \$0.1342 per gallon for digester cleaning. **Staff is recommending a renewal award to Nutri-Ject Systems for the second year of the three year agreement in this amount.**

**ALTERNATIVES:**

1. Accept completion of the FY 13/14 WPC Facility Biosolids Hauling and Digester Cleaning project, and award the second year of the three-year contract to Nutri-Ject Systems, Inc., of Hudson, Iowa, with payment for FY 14/15 work based on \$2,563.50 lump sum for mobilization/demobilization, \$0.01823 per gallon for biosolids hauling and \$0.1342 per gallon for digester cleaning with the total contract amount not to exceed \$143,407.25.
2. Accept completion of the FY 13/14 WPC Biosolids Hauling and Digester Cleaning project; but do not award the second year of the contract to Nutri-Jects Systems and direct staff to solicit new bids for the project.
3. Accept completion of the FY 13/14 WPC Facility Biosolids Hauling and Digester Cleaning project, do not award a contract for biosolids hauling to Nutri-Ject Systems, Inc., and direct staff to purchase the additional equipment necessary to perform the work with City staff.

**MANAGER'S RECOMMENDED ACTION:**

Disposal of biosolids at the WPC Facility is necessary for uninterrupted operation of the facility and continued compliance with the facility's NPDES permit. Additionally, cleaning of the digesters is necessary for the completion of a separate project to rehabilitate the digester facilities. Nutri-Ject Systems, Inc. has satisfactorily completed all work required under the previous year's contract. The existing contract with Nutri-Ject allows for up to two annual renewals with the cost to be adjusted based on the Construction Cost Index.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving completion of the FY 13/14 Biosolids Hauling and Digester Cleaning Project, and awarding the second year of the three-year contract to Nutri-Ject Systems, Inc. Since the actual amount of the solids disposed may vary, the total contract will be in an amount not to exceed \$143,407.25 with the actual reimbursement based on the previous year's unit prices increased by the Construction Cost Index increase of 2.54%.

## Staff Report

**PROPOSAL REGARDING THE REDEVELOPMENT OF LAND OWNED BY  
BRECKENRIDGE GROUP LOCATED AT 321 AND 601 SOUTH STATE AVENUE  
AND 205 SOUTH WILMOTH**

July 8, 2014

**BACKGROUND:**

These three parcels are owned by Breckenridge Group LLC of Austin, Texas, which purchased the land from the Ames Community School District in 2012. Breckenridge purchased the three parcels with the intention of developing them with rental housing marketed toward students. The balance of this report outlines the relevant history of events occurring to give context to the proposal before Council to settle pending litigation.

**Land Description**

The three parcels of land under consideration are located at 205 South Wilmoth Avenue (North parcel), 321 State Avenue (Middle Parcel) and 601 State Avenue (South Parcel).

**South Parcel** – The south parcel is an L-shaped site that has 28.9 acres. There are approximately 1.6 acres north of College Creek and 27.4 acres south of the creek. The site contains notable natural features of College Creek adjacent to the north border of the site, rolling terrain with slopes in excess of 10% along the west third of the site and north border, wooded areas surrounding the creek, and grasses across the remainder of the site. This land has not been developed previously with the exception of a multi-use bike path that traverses east to west through the south side of the site. Vacant land owned by ISU for agricultural research plots abuts this parcel on the south. To the west, it abuts undeveloped land owned by the Ames Community School District. To the northwest, it abuts a neighborhood populated primarily with single-family residential properties and having some medium-density zoned properties built with multi-plex apartments. To the north and northeast, the parcel is bordered by the parcel which formerly was occupied by the Ames Middle School. The parcel's eastern frontage abuts State Avenue with ISU controlled land further to the east. (See Attachment A – Location Map)

**Middle Parcel** – The middle parcel is a rectangular shaped lot comprised of 10.8 acres. It had been developed and used as the Ames Middle School until it was vacated when the new Middle School was built at 3915 Mortensen Road and occupied in 2005. The vacant school building was

demolished and removed from the site in February of 2014. The site currently stands as vacant. The site includes a row of mature trees along its western frontage of Wilmoth Avenue with some wooded area along its south boundary along College Creek. The site is relatively flat due to the former development area of the Middle school. However, it does slope downward from the west to the southeast. This parcel has frontage on the west with South Wilmoth Avenue, and across that street is a neighborhood of low density single family detached residential homes on individual lots. The north side of this parcel abuts an unimproved alley right-of-way and the backyards of a block of homes addressed on Lettie Street. These homes are similar in makeup to those found on Wilmoth, with low density single family detached residential housing on individual lots. This parcel also has frontage to the east on State Avenue. Across State Avenue is the ISU Arboretum. The south property line of this parcel is where it abuts the south parcel. The only street access to this site that had been used for the school was off of State Avenue. However, Wilmoth abuts its whole western side running north-south; and Tripp Street runs east-west to the western edge of this parcel, and if continued east, would be able to create a street across this parcel that could connect with State Avenue.

**North Parcel** – The north site is made up of multiple parcels which are generally rectangular in shape. The former Middle School track and athletic field is 8.3 acres and the three parcels at the corner of Wilmoth and Lincoln Way total approximately 0.5 acres. There is one property fronting along Lincoln Way and surrounded by Breckenridge property that is not part of the north site. The northern edge of this site has frontage along Lincoln Way. Across Lincoln Way to the north, properties are mostly commercially developed, although there are also some detached single-family residences. To the south of this site is a neighborhood of single family homes on individual lots. At the very northwest corner of the parcel, there is property sitting on the intersection of Franklin and Lincoln Way which is commercially developed. Streets abut this parcel for a distance of 430 feet on both the east (Wilmoth) and the north (Lincoln Way). Lettie and Hilltop both run in to this parcel perpendicular to it; and if continued, could create street access through the parcel.

### **Ownership History**

The three parcels are owned by Breckenridge Group LLC of 1301 S. Capital, Texas Highway Suite B301, Austin, Texas. Until March 11, 2013 this land had been owned by the Ames Community School District (ACSD). Of these three sites, the south parcel came into ownership of ACSD after it was sold to ACSD by Iowa State University as land for a new middle school. The sale of this land by auction took place on December 7, 2012. The sale was conditioned on the requirement that the buyer remove the deteriorated middle school building within one year of its purchase. No other use restrictions were placed on the buyer by ACSD as part of the sale.

## **Land Use Policy Plan / Zoning Designation Background**

The Ames City Council directed staff on May 24, 2005 to initiate a citywide study of Government Land designations of the Land Use Policy Plan (LUPP) Future Land Use Map. This study was intended to give governmental sellers and potential buyers a clear indication of the acceptable zoning that would be applied if the lands moved from public to private ownership.

Staff initiated the study in 2006 and presented initial findings in February of 2007. After additional analysis and outreach to governmental land owners, the City Council ultimately adopted LUPP amendments in February of 2008 that included a variety of different designations across the city. At the time of the study the north and middle parcels were under ACSD control and specifically were considered as to what the appropriate options were for future development. The north parcel included options for a limited amount of commercial or high density residential with the large majority of the site retained as low density residential. After consultation with the ACSD Board of Trustees, low density residential was ultimately selected as the preferred choice for the entire north site and for the middle parcel. The implementing zoning for Low Density Residential is most commonly RL zoning. Since the lands were still owned by ACSD, however, the zoning on the two sites remained Government/Airport District upon the change of the future land use designations.

The south parcel was designated as University/Affiliated at the time and was included in the general redesignation of the area around Mortensen and State as Village/Suburban Residential. The University, which owned the land at that time, did not provide specific comment about this individual site, although it commented on land use designations of other sites. The zoning of this site remained Government/Airport District upon the change of the future land use designations. Under the current LUPP designation, there are multiple implementing zoning options for the south parcel's Village/Suburban Residential land use designation. This includes FS-RM, FS-RL, F-VR, and F-PRD zoning districts.

## **Rezoning Status**

Breckenridge submitted rezoning applications for the middle and south parcel in March of 2013 with a request that the Council make a determination regarding the need for a master plan for each property. A north site rezoning application was not submitted at that time. On April 9, 2013, the City Council indicated that a master plan should be prepared for the middle and south property, as well as for the north site. They also requested that additional master planning issues be addressed by the applicant, beyond the minimum requirements of the Zoning Code.

The applicant requested agreement on the neighborhood outreach process as part of developing a master plan. 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. City Council agreed on May 14, 2013 to the proposed four neighborhood workshop process, prior to submitting a master plan with the rezoning applications.

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 for the south and middle parcel in October of 2013. The applicant requested RL for the middle parcel and FS-RM for the south parcel. Staff requested a traffic study in November of 2013 to analyze the impacts of the proposed development of the south and middle parcels. The applicant submitted a traffic study on January 7, 2014.

The Planning and Zoning Commission held a public hearing on January 15, 2014 for the proposed RL rezoning of the middle parcel and recommended approval of the application. City Council held a public hearing on February 25, 2014 and approved rezoning of the middle parcel to RL, but with no master plan requirement.

The Planning and Zoning Commission held a public hearing for the south parcel rezoning request to FS-RM on February 3, 2014 and after hearing testimony and discussing the application referred it back to staff for more information on the rezoning options and continued the item until March 3, 2014. On March 3, 2014 the Planning and Zoning Commission recommended that the south property be rezoned to FS-RL with conditions placed on the master plan that limited development area and density of the site. City Council noticed a public hearing for consideration of the south parcel rezoning application to FS-RM on March 25, 2014. Prior to the hearing, the applicant withdrew their application on March 25<sup>th</sup> to avoid a potential denial of the FS rezoning request.

The applicant submitted a new FS-RL rezoning request for the south parcel on April 3, 2014 and the City Council determined that a master plan was required on April 22, 2014. The Planning and Zoning Commission held a public hearing on the proposed FS-RL request on June 4, 2014, and recommended denial of the FS-RL application with its proposed master plan. The City Council then gave notice of a public hearing for consideration of the FS-RL rezoning request for June 24, 2014. The applicant requested a continuance of the hearing to allow for Council and the applicant to pursue a settlement agreement of a pending lawsuit. The south parcel rezoning to FS-RL with a master plan is currently a tabled pending application.

The north site has a Low Density Residential designation for the former ACSD parcel owned by Breckenridge. Breckenridge originally requested that Council consider a LUPP amendment for this parcel. This request was referred to staff by Council on August 27, 2014 for a report that was considered on September 24, 2013. At that time, no one appeared at the Council meeting for Breckenridge to explain or support the request. Since Council was unable to get information it needed to determine the best action, it declined to move the request forward. On October 25, 2013, Breckenridge again asked the council to reconsider the LUPP amendment for the north site and also asked that Council direct whatever City staff it deemed appropriate to begin negotiations with Breckenridge toward a development agreement related to the development of all three parcels.

That date was approximately one week before the general election, at which time the Mayor's position and five of the six City Council positions were on the ballot. Since this number of open positions was unprecedented, it was known that there were going to be as many as three and possibly four brand new Council members after the election. The election did result in four brand new Council members, and the sitting Council chose not to move that request forward in deference to the new members who may have different wishes with respect to their approach to the whole development. The letter from Breckenridge was not referred during the time the sitting Council was in office.

Breckenridge ultimately applied for rezoning of the north property from S-GA to RL (Low Density Residential) on April 7, 2014. Council determined that a master plan was not needed on April 22, 2014. That application was considered by the Planning and Zoning Commission on June 4, 2014, and they recommended approval of the RL rezoning request. The application was noticed for a City Council public hearing on June 24, 2014. The applicant requested a continuance of the hearing to allow for Council and the applicant to pursue a settlement of a pending lawsuit. The north parcel rezoning to RL is currently a tabled pending application.

## **Other Significant Events**

**Litigation and Administrative Appeals.** Upon a request to rezone the south and middle parcels, City Council requested that staff provide an overview of the development process and the master plan process related to the sites. In light of the trends for multi-family development in addition to the Breckenridge development, staff presented a report on July 9, 2013 that described different housing types and development obligations with or without subdivision. One of the issues discussed was the ability to build multiple structures on a single lot. The City already had a prohibition of multiple single-family homes on lots less than one acre in size. Staff presented a follow up report on August 13, 2013 discussing subdivision improvement requirements and zone development standards. On August 13, 2013, the City Council directed staff to prepare a zoning text amendment applicable citywide to prohibit multiple single-family detached homes on any size of individual lot.

The Planning and Zoning Commission first reviewed the proposed text amendment on August 21, 2013, and referred it back to staff for more information regarding its potential for creating non-conformities. The Planning and Zoning Commission reconsidered the item on September 4, 2014 and voted to support the proposed text amendment and recommended it to the City Council. The City Council held a public hearing on September 10, 2014 and approved the first reading of the ordinance to prohibit multiple-single family homes on individual lots. The second reading of the ordinance occurred on September 24, 2014, and the third reading occurred on October 8, 2013.

On November 6, 2013, Breckenridge filed a petition in Story County District Court against the City of Ames alleging that the City had exceeded its authority in enactment of the above zoning ordinance text amendment. Breckenridge's petition was answered on November 15, 2013, and on November 25, 2013, the lawsuit was referred to the Iowa Communities Assurance Pool (ICAP), which provides liability insurance to the City. ICAP then selected outside counsel to represent the City in that litigation. The parcels were also assessed for taxation, since as privately-owned property they are no longer tax exempt. The tax assessments for all three have been appealed, and those appeals are also pending and are being handled by in-house legal counsel.

**Request for Settlement Negotiations.** In the meantime, Breckenridge had moved ahead with rezoning of the three sites as described above.

In April 2014, when Breckenridge's application for rezoning the south parcel to FS-RL and North parcel to RL was scheduled, Breckenridge broached the subject of negotiating a settlement of the litigation with counsel representing the City. However, at this point, only one parcel had gone through the rezoning process. As to the potential combined impacts of all three, the City



Council had only indirect knowledge of concerns of neighbors or other community members; since it had not participated directly in the facilitated neighborhood meetings nor been at the Planning and Zoning Commission meetings. In order to try to get a more fully informed view about the paramount concerns of citizens and other community entities for development of all three sites, the Council scheduled an open workshop for that purpose to determine if there was an interest to negotiate.

The workshop was held on May 6, 2014 with a presentation of interests by both the Developer and neighborhood representatives, followed by questions and discussion by the City Council. After that workshop, a series of closed meetings were held by Council with their legal counsel to discuss the strategic determinations by the attorneys on the pending litigation and potential settlement of the pending litigation. Legal counsel of the respective parties communicated negotiations. The proposal before the City Council at this meeting is the result of that process.

**Public Input.** The City Council was aware that whatever proposal was finally considered, its approval would still be required to follow all statutory steps for rezoning and other related approvals. This necessarily would allow additional opportunities for public input at both preliminary stages as recommendations were made by the Planning and Zoning Commission, as well as at other City Council meetings for hearings and other Council actions. However, Council had the desire to give as much advance notice as possible, rather than waiting only until the next statutory public input opportunity. Therefore, it requested publication of this staff report with an opportunity for public input about the proposal at their next regular City Council meeting.

### **Proposal Key Elements**

Even though the middle parcel has already been rezoned and Breckenridge, as owner, would by right be able to proceed with development consistent with its marketing plan, the settlement proposal involves all three parcels instead of just the two which still must be rezoned. Also, in order to facilitate negotiation, the proposal has been developed between the parties at a conceptual level, rather than as a formalized agreement. The components of the proposal are as follows:

#### **Middle Parcel**

Breckenridge will agree to:

- Sell this parcel as a whole to a developer for owner-occupied housing to be kept as owner-occupied homes for at least 21 years by way of deed restriction or restrictive covenants.
- If such sale has not been accomplished at the end of two years, this parcel will be given to the City of Ames without compensation.

### **South Parcel**

Breckenridge will be allowed:

- To develop the eastern two-thirds of this parcel with up to 305 beds in detached structures that allow for two, three, four, or five bedrooms per structure.
- To develop a clubhouse.
- To move the bike path to accommodate site design.

Other considerations:

- Site approval will be required, so the site will be subject to City Council site plan approval, but no subdivision will be required.
- Developer will be responsible for its proportion of off-site improvement costs.
- Basements will be constructed in roughly one dozen of the units.
- Developer will give a conservation easement to the City of Ames that encompasses the western third of the parcel.
- Developer will give a conservation easement to the City of Ames over the area within at least 100 feet on either side of College Creek.

### **North Parcel**

Breckenridge will be allowed:

- To develop a high density residential development with no more than 535 beds.
- To develop a clubhouse.
- Site plan will be subject to City Council review and approval of site layout and features including, but not limited to, building placement and orientation to Lincoln Way, enhanced architectural design, and expanded buffering and screening to the south and west.

It is also a condition that all litigation and administrative appeals related to the properties will be dismissed.

### **POLICY OPTIONS:**

1. The Council can decide to move forward with the proposal and direct staff to take the next steps to formalize it.

Should Council decide to accept this proposal, there are a number of procedural steps that would still need to be accomplished. The first of those would be to direct the City Attorney to draw up a development agreement that would include the component terms outlined above. The next action following that would be Council approval of the development agreement, after which would follow the additional steps and processes to carry out the terms of the agreement. These steps could include, but are not limited to, LUPP amendment, necessary rezonings of the parcels from their current S-GA designation with rezoning contracts to accompany them if needed, possible zoning code text amendments, and subsequent or simultaneous site plan approval for the two parcels.

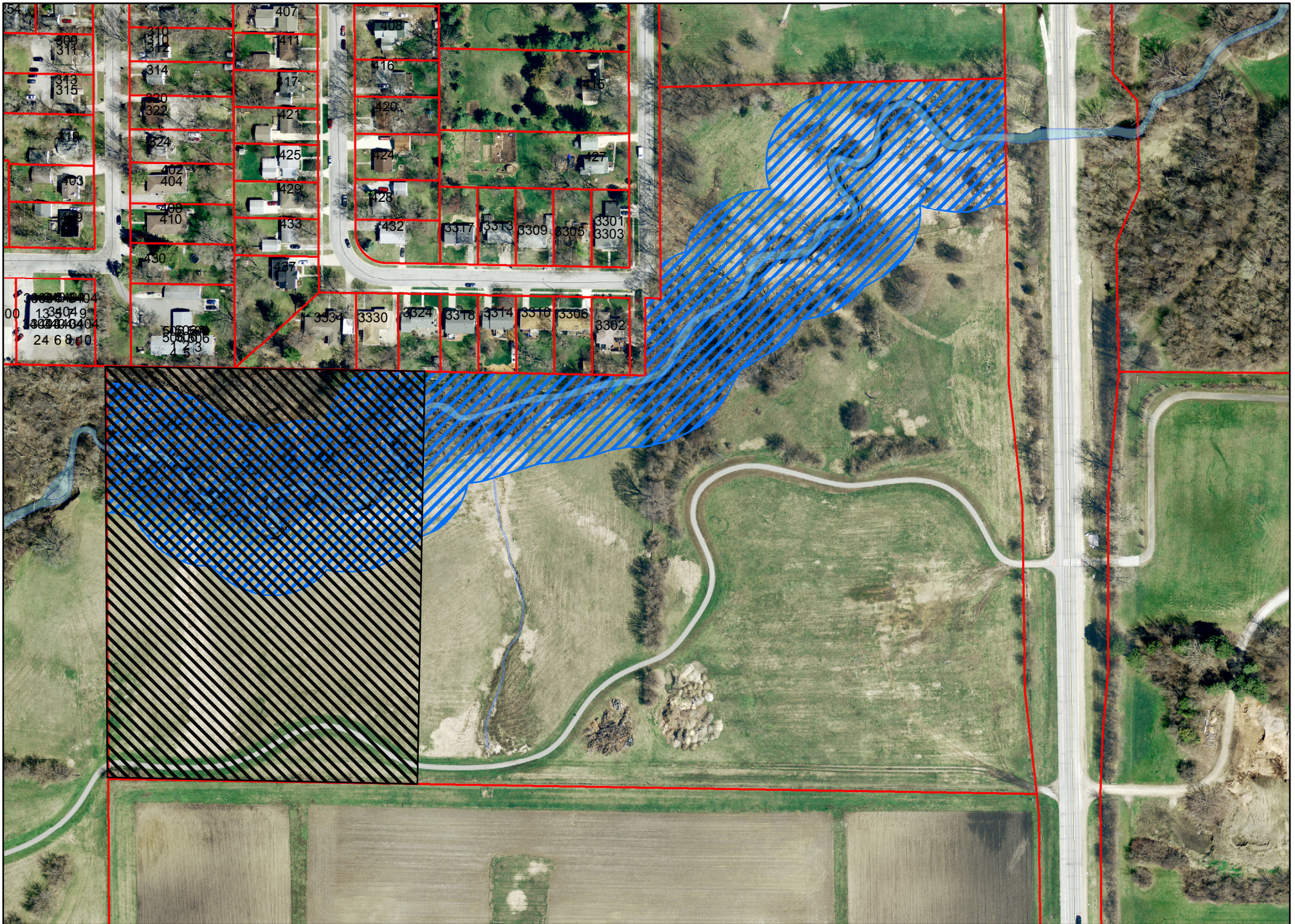
2. The Council can delay action to allow additional time for public input.

3. Based on public feedback received on July 8th, the City Council could modify some elements of the proposed settlement agreement. However, there would be no guarantee that the developer will accept these changes.
4. The Council can reject the proposal.

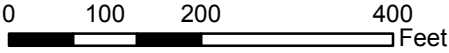
Should the Council reject the proposal, it is likely that Breckenridge would move forward with tabled pending rezoning applications.



**Breckenridge Development Parcels**



South Parcel Proposed Easement Area



**COUNCIL ACTION FORM**

**SUBJECT: ENGINEERING SERVICES AGREEMENT CHANGE ORDER FOR DESIGN OF NEW WATER TREATMENT PLANT**

**BACKGROUND:**

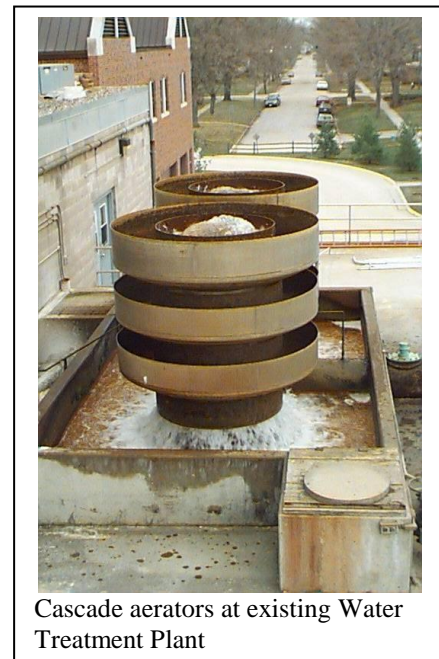
Informal reviews with the Iowa Department of Natural Resources (IDNR) of the design for the new Water Treatment Plant took place throughout calendar year 2013. The preliminary designs shared with the IDNR included the use of external (i.e. installed outdoors) cascade aerators. This style of aerator is currently in use at the existing Water Plant. Based on a life-cycle cost analysis, staff recommended its use in lieu of more efficient but more expensive forced draft aerators at the new facility.

In April of 2014 the completed final design for the new Water Treatment Plant was submitted to the IDNR for review and issuance of a construction permit. **During their review, staff from IDNR informed City staff that the use of external cascade aerators would not be permitted based on concerns that it posed an unacceptable potential for contamination of the water.**

The design standards for water systems that have been adopted by the IDNR are contained in the document "Recommended Standards for Water Works," frequently referred to as the "Ten States Standards." Part 4.5 of that document describes the considerations for aeration equipment. Five styles of aerators are explicitly allowed: Natural Draft Aeration, Forced or Induced Draft Aeration, Spray Aeration, Pressure Aeration, and Packed Tower Aeration. The cascade aerators preferred by City staff are not specifically included in the design standard. However, the standard does include the following (emphasis added):

*4.5.6 Other methods of aeration*

*Other methods of aeration may be used if applicable to the treatment needs. Such methods include but are not restricted to spraying, diffused air, **cascades**, and mechanical aeration. The treatment process must be designed to meet the particular needs of the water to be treated and are subject to the approval of the reviewing authority.*



IDNR staff has indicated that they are concerned about the potential for contamination, and report that they have not allowed the installation of external cascade aerators for groundwater systems in Iowa for more than 40 years. It should be noted that the existing external cascade aerators used in Ames were installed in 1971. Ames staff pointed out to IDNR the next two paragraphs from the Ten States Standards (emphasis added):

4.5.7 *Protection of aerators*

*All aerators **except those discharging to lime softening or clarification plants** shall be protected from contamination by birds, insects, wind borne debris, rainfall and water draining off the exterior of the aerator.*

4.5.8 *Disinfection*

***Groundwater supplies** exposed to the atmosphere by aeration must receive **chlorination** as the minimum additional treatment.*

Staff asked IDNR why they were uncomfortable allowing the use of external cascade aerators for Ames, given that Ames is a lime softening groundwater system that chlorinates, and that the Ten States Standards appear to contemplate such a design and in fact includes applicable standards to allow them. IDNR's position was that to allow their use would be inconsistent with their previous practices, and to point to the last clause in Ten States Standard paragraph 4.5.6 that says the use of 'other methods of aeration' is solely at their discretion. IDNR did offer two alternatives to the City.

- **The first alternative would be for Ames to agree to change its classification from being a “groundwater” system to being a “surface water” system.** This would impose additional regular process monitoring, which is not a significant cost or operational issue. However, it would require that a much more restrictive disinfection standard be met. That alternative would require piping modifications and baffling of the existing finished water storage tanks and/or a substantial increase in on-site finished water storage in order to meet the criteria for disinfection that applies to surface water systems. It could also preclude the ability to cost-effectively pump treated drinking water directly from the new treatment plant to the distribution system. Staff believes reclassifying to a surface water system is an unacceptable option for the long-term operation of the treatment facility.
- **The second alternative offered by the IDNR was for the City to enclose the cascade aerators.** The City's consultants have indicated that enclosing the aerators in a pre-cast concrete room would cost approximately \$250,000 in increased construction costs, plus an additional design fee to the consultants to redesign the concrete platform and add the necessary electrical and ventilation equipment. This option would result in the new room becoming an OSHA “confined space,” would increase the operational expense due to the additional heating and ventilation requirements, and would create an atmosphere that would lead to shortened life for equipment and structural components. The

increased energy demand would likely reduce the LEED credits the project could obtain, which is important because the City is pursuing a LEED Certified facility in order to receive approximately \$6 million of forgivable loan proceeds.

Staff has identified the following two additional options to be considered:

- **A third alternative available to the City would be to change from using cascade aerators to using an induced (mechanical) draft aerator.** The IDNR has routinely approved the use of external induced draft aerators for groundwater systems, and staff believes the change would be acceptable to the IDNR. The City's consultants have indicated that making this switch would increase the construction cost by approximately \$400,000, and would necessitate an additional \$107,780 in redesign fees. It would also delay the issuance of a Notice to Bidders by approximately four weeks. On the plus side, it would generate some very modest operational efficiencies; but these would have an extended payback period of 20 years or more.
- **A fourth alternative available would be to pursue an appeal of the IDNR staff's decision to disallow external cascade aerators.** While City staff understands the desire of the IDNR to err on the side of caution, the marginal increase in protection from contamination seems entirely out of proportion with the increased cost. Further, the unwillingness by IDNR to consider the use of a treatment technique that appears to clearly be contemplated and planned for in the Ten States Standards could be construed as an abuse of the IDNR's administrative discretion. The City's Legal Department has confirmed that the proper first step in filing an appeal would be in front of an administrative law judge with the Iowa Department of Inspections and Appeals. Based on the City's experience with previous such appeals, the likely timeframe for resolution would be on the order of nine to twelve months. During that period, the project could not move forward with bidding or construction. **Using the Consumer Price Index as an approximation of inflation, the cost to the project for delaying construction is estimated at more than \$125,000 per month.** As a result, while this option could grant the relief that staff believes is appropriate, it also comes with the greatest cost to the project with no guarantee of a successful outcome. Based purely on the cost of the delay, staff is recommending against this option.

Even though two separate discussions had failed to result in the IDNR's willingness to allow the external cascade aerators, staff believed one additional attempt was needed to see if there was any possibility of





providing additional information to the IDNR that would allow them to be comfortable with accepting the conditions described in Ten States Standards paragraphs 4.5.7 and 4.5.8. **Staff has arranged an in-person meeting with staff from the IDNR's Water Supply Engineering Division for Thursday, July 3. The results of that meeting were not known at the time this Council Action Form was finalized. Staff will share the outcome of that meeting at the July 8 City Council meeting.**

**Staff is recommending what is described above as the third alternative – switching the basis of design from cascade aerators to induced draft aerators. To make this change will require a change order to the existing agreement with FOX Engineering.**

On October 13, 2009, Council approved a professional services agreement with FOX Engineering of Ames, Iowa for design work related to the new Water Treatment Plant. The contract consists of a “master agreement” that contains all of the legal terms and conditions, and a series of “task orders” that describe the specific scope of work and associated fees. The use of “task orders” allows the engineering work to be authorized in segments as the project progresses.

On August 28, 2012, Council authorized a series of task orders associated with the final design, bidding, construction, and start-up of the new facility. These task orders were for a combined total of \$8,240,000. Change Order No. 1 in the amount of \$529,745 was authorized by Council on August 27, 2013 to undertake the revisions recommended by the Value Engineering review. Change Order No. 2 in the amount of \$15,400 was authorized by staff on January 14, 2014 to add additional tree removal and modifications to the entrance drive at the lime ponds. Change Order No. 3 in the amount of \$7,500 was authorized by staff on March 14, 2014 to add additional stormwater quality features to the site design.

FOX Engineering has prepared an amended scope of work to complete the redesign of the induced draft aerators and incorporate it into the already completed plans and specifications. This changed scope includes a fixed fee of \$107,780. Staff is recommending this change order to allow the redesign work to begin immediately in an effort to save at least a portion of the 2014 construction season.

**Should the final discussion with IDNR scheduled for Thursday, July 3 bring a resolution or offer any additional attractive alternative, staff may present new or modified recommendations at the July 8 City Council meeting.**

**ALTERNATIVES:**

1. Authorize Change Order No. 4 to the existing Master Agreement between the City of Ames and FOX Engineering to redesign the aeration process for the new Water Treatment Plant in a fixed fee amount of \$107,780.

2. Direct staff to put any redesign effort on hold and pursue a formal appeal of the IDNR staff decision through the Iowa Department of Inspections and Appeals. This alternative would delay by several months the Notice to Bidders with an estimated inflationary cost in the bid prices of \$125,000 per month. There is no guarantee that the City would prevail in the appeal, and a redesign to induced draft aerators could still be necessary.
3. Direct staff to pursue another alternative.

**MANAGER'S RECOMMENDED ACTION:**

City staff believes that the existing design of the aeration process provided by FOX Engineering appropriately meets the requirements of the State's adopted design standards contained in the Ten States Standards, and that the IDNR staff's decision to not allow the use of external cascade aerators was made without adequate justification. City staff believes it has exhausted all options for an informal, negotiated resolution with IDNR staff. Pursuing a formal appeal through the Iowa Department of Inspections and Appeals, however, could lead to a delay of up to a year in soliciting bids for the project, resulting in additional inflationary increases in the bids ultimately received.

While staff strongly disagrees with the IDNR's interpretation of the Ten States Standards, staff also recognizes the significant cost impact that would occur from a protracted appeal. For that reason, staff believes that the option to convert the design from external cascade aerators to induced draft aerators is the most responsible alternative from both a cost and operational impact perspective.

**Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving Change Order No. 4 with FOX Engineering for the design, bidding, and construction of the new water treatment plant in an additional fixed fee amount of \$107,780.**

**COUNCIL ACTION FORM**

**SUBJECT: MAJOR SITE DEVELOPMENT PLAN FOR 3299 E. 13<sup>TH</sup> STREET  
(PROPOSED MARKETING SIGN)**

**BACKGROUND:**

Elwell-Rueter, LLC of Ankeny owns 136.78 acres of land on the north side of E. 13<sup>th</sup> Street, east of Interstate 35. They own an additional 149.32 acres of land on the south side of E. 13<sup>th</sup> Street. This land was once owned by Wolford Development, LLC and was the site of a proposed regional retail development for which the City approved a master plan in 2006. Elwell-Rueter acquired the property in 2011 and now seeks to market the site by installing a freeway oriented sign on the north side of 13<sup>th</sup> Street to advertise the site as available for development (see Attachment A). Attachment C shows the appearance and height of the sign.

**Project Description**

The proposed sign is a reconditioned sign that previously was used for a similar purpose in Ankeny. The sign is proposed for a limited term of up to five years. The proposed on-premises sign is 48 feet by 18 feet (863 square feet) per sign face (see Attachment C). The sign will be on the top of a steel pole that is set into the ground for a total height of 46 feet. The sign does not include lighting. The proposed sign location is 665 feet east of the Interstate 35 right-of-way, more than 2,000 feet from 13<sup>th</sup> Street, and approximately 600 feet south of the north property line, outside of the Kettleston Marsh buffer area to the north.

The site is zoned Planned Regional Commercial (PRC) with a Northeast Gateway Overlay (O-GNE). PRC requires on-premises signs to be part of an approved site development plan. The approved major site development plan included signage for the regional shopping center. The applicant's proposed major site development plan is shown in Attachment B and would be a supplement to the already approved shopping center plan.

The City's sign code is found in Chapter 21 of the Municipal Code and allows for on-premises signage based upon a property's frontage on a local street, which in this case is E. 13<sup>th</sup> Street. **The City distinguishes on-premises signage from billboards based upon the type of advertising. Billboards are a type of use regulated under provisions of the Zoning Code in Chapter 29.**

This proposal would meet the description of an on-premises type of sign rather than a billboard. The total area of the sign, at 1,726 square feet, is less than the maximum allowed signage total of 2,010 square feet. The proposed sign height exceeds the 35-foot maximum sign height in the O-GNE zoning district. **The applicant would need to seek a variance from the Zoning Board of Adjustment for the 46-foot tall sign, if the major site plan is approved at the requested height.** A full analysis of the sign and zoning code conformance is included in the addendum.

## **Brief History of Wolford Development**

Wolford Development proposed a large commercial development along E. 13<sup>th</sup> Street on the east side of Interstate 35. On the north side of E. 13<sup>th</sup> Street was a lifestyle retail center comprising 498,000 square feet of retail. It was to have a number of anchor stores and smaller shops on 23 separate lots. A “power center” was proposed for the south side of E. 13<sup>th</sup> Street.

In December, 2006, a master plan was approved for both sites. This conceptual plan is shown in Attachments D and E. The approval of this conceptual plan allowed the owner to move forward with the preliminary plat and major site development plan.

In October, 2007, the City Council approved the preliminary plat for the north site and a major site development plan a portion of the north site. The area designated for two of the large anchor stores was not included in that plan.

No preliminary plats or major site development plans for the land south of E. 13<sup>th</sup> Street were ever submitted by the owner or approved by the City.

In November, 2005, a development agreement was executed (but recorded in December, 2007) that, among other things, required the developer to provide evidence that the financing for the project has been secured and that leases for at least 329,000 square feet have been signed. The City has no obligation to approve any plans or permits without the owner having secured the financing and leases.

The Wolford site was conveyed to the bank in lieu of foreclosure and the current owner, Elwell-Rueter LLC, acquired the land by a deed recorded on September 22, 2011. The master plan for both sites, the preliminary plat for the north site, the major site development plan for the bulk of the north site, and the development agreement are all binding and in effect. The proposed major site plan for the on-premises sign does not supplant the prior approvals and developer agreements.

**Planning and Housing Department Recommendation:** The Department of Planning and Housing recommended to the Planning and Zoning Commission approval of the proposed sign with the requirement that the sign be no more than 35 feet in height. The Department believed that the size of the sign, while quite large, was ameliorated by the distance from the highway right-of-way (660 feet). In all other respects, it met the standards of the zoning and sign regulations even though it had the appearance of a billboard.

**Planning and Zoning Commission Recommendation.** The Planning and Zoning Commission considered the proposed major site development plan on June 4, 2014. **The Commission recommended denial of the major site development plan by a vote of 5 to 0.** Prior to the vote, members of the Commission discussed the size of the sign, the maximum signage allowed by the ordinance, the proposed height, and the proposed length of time that the sign would be installed. Members of the Commission generally believed the aesthetic of the proposal was that of a billboard that was not consistent with the area and that the marketing of the site could be met with a smaller sign, potentially closer to the freeway.

**Updated Development Agreement:** If the City Council chooses to allow the erection of a marketing sign, approval of the major site development plan should be contingent upon approval of a development agreement with Elwell-Rueter. This agreement would specify the terms under which the sign can be installed (length of time, message of the sign). This agreement would not abrogate the existing development agreement to which Elwell-Rueter (as a successor to Wolford) is bound. This agreement would be brought back at the subsequent City Council meeting.

**ALTERNATIVES:**

1. The City Council can deny the major site development plan for the on-premises marketing sign as recommended by the Planning and Zoning Commission.
2. The City Council can approve the 35-foot marketing sign as a major site development plan as a supplement to the original approved plans and development agreement. This approval would be conditioned upon the City Council approving a supplemental development agreement specifying the timeframe in which the sign and supports may remain on site and the content of the sign. This alternative will require the applicant to update the major site development plan, to the satisfaction of City staff, to show the sign at 35 feet. A development agreement will be brought back at a subsequent City Council meeting for approval.
3. The City Council can approve the 46-foot marketing sign as a major site development plan supplement to the original approvals. This option can be accomplished only if the applicant subsequently obtains a variance from the Zoning Board of Adjustment. If the owner fails to obtain a variance, then the owner can proceed with the 35-foot sign. A development agreement will be brought back at a subsequent City Council meeting for approval. (This alternative supports the applicant's request)
4. The City Council can conditionally approve the major site development plan for the on-premises marketing sign on changes in its design, size, location, etc. that the City Council wishes. This alternative will require the applicant to update the major site development plan, to the satisfaction of City staff, to meet these conditions. A development agreement will be brought back at a subsequent City Council meeting for approval.
5. Action on this request can be postponed and referred back to City staff and/or the applicant for additional information.

**CITY MANAGER'S RECOMMENDED ACTION:**

The applicant requests the proposed sign to help promote the availability and development of the site. The applicant would also likely market this property through other traditional means through a commercial broker, networking, and internet listings of available commercial property. The size and appearance of the proposed sign is consistent with that of a traditional billboard; however, the content of the sign would only be for marketing of the property allowing for it to be considered as an on-premises sign rather than a billboard.

The Planning and Housing Department recommended approval of the project to the Planning and Zoning Commission, considering the proposed sign to be consistent with the total size limit of signage for the site and that the sign's location 660 feet from I-35 with a height limit of 35 feet reduced its aesthetic impact.

The Planning and Zoning Commission found that the sign was oversized for its purpose, regardless of distance from the roadways. The Commission felt that it has the appearance of a billboard, which is not a use that Ames allows at the size proposed by the applicant. The Commission believed a smaller sign was more appropriate.

**The City Council should weigh this property owner's belief that in order to effectively market the property the sign must be of the size requested against the City requirements and past practices.**

If the Council agrees with the Planning and Zoning Commission that the sign is inconsistent with the City's requirements due to its size and appearance and that the purpose of marketing the property can be met with a smaller sign, Council should either deny the request as described in Alternative 1 or allow for a smaller sign size consistent with Alternative 4. If Alternative 4 is selected, staff would return with a development agreement regarding the terms of the sign's duration and content.

If the Council feels that the size and look of the sign is mitigated by its distance from the abutting roadways, Alternative 2 can be adopted to approve the sign at a 35-foot height limit. Staff would then return with a development agreement regarding the terms of the sign's duration and content.

## ADDENDUM

### CONFORMANCE WITH SIGN AND ZONING REGULATIONS

The Ames sign regulations are found in Chapter 21 of the Municipal Code. The proposed sign is considered to be an on-premises sign since it is marketing the site on which it is located. On-premises signs in the Planned Regional Commercial must be shown on an approved site plan. Billboards are defined use within the Chapter 29 Zoning Code and not regulated by the Sign Code of Chapter 21.

As noted above, each face of the sign is 864 square feet. Because the sign faces are separated by more than 30 inches, the total area of both sign faces are to be counted; thus the total sign area is 1,728 square feet. The total signage allowed for on-premises signs is 3 square feet per each linear foot of street frontage. This parcel has 670 feet of frontage on E. 13<sup>th</sup> Street, allowing for a total signage of 2,010 square feet. The interstate highway and adjacent on-ramp is not considered a "street."

The O-GNE regulations limit the height of signs to 35 feet. The proposed sign is 46 feet, requiring it to be lowered to 35 feet or to be granted a variance for the excess height. The applicant may seek a variance for the height, although staff is recommending, in Alternative 1, compliance with the height limits of the zoning district. Alternative 2 allows the owner to seek a variance for the height from the Zoning Board of Adjustment. If that is unsuccessful, staff recommends, as part of Alternative 2, that the owner may then proceed with the construction of the sign at a 35-foot height without returning to the Commission or Council.

**The O-GNE regulations specifically disallow billboards in the district. It should be noted, however, that billboards in this location (if allowed by zoning) would be limited to 200 square feet, maximum height of 50 feet, and a minimum of a 250 feet setback from the I-35/E 13<sup>th</sup> Street on ramp.**

The O-GNE district includes a buffer for the Kettleson Marsh, which lies north of this parcel. That buffer is 600 feet wide along much of the west portion of the north property line, narrowing to 100 feet to the east portion. The proposed sign location lies outside that buffer zone.

The proposed sign would be interim signage until development of the site as it does not match the sign program approved for the shopping center. The owner, in a letter to the City Council, suggests that he "would agree to remove the marketing sign after 5 years or seek input from the council and city staff after 5 years, as well as agree the sign shall be used for marketing purposes only."

This site received approval for a preliminary plat and major site development plan in 2007 when owned by Wolford Development. It is also governed by a development agreement. When this property is successfully marketed, it is anticipated that a new preliminary plat, major site development plan, and development agreement will be needed as the existing documents are specific to the proposed Wolford development. However, approval of this proposed major site development plan would in no way abrogate the existing approved plans and agreements. This major site development

plan is a temporary plan that allows only the proposed sign and will automatically rescind when the sign is removed. The terms of this major site development plan will be spelled out in a development agreement with the City Council.

#### **MAJOR SITE DEVELOPMENT PLAN CRITERIA**

Additional criteria and standards for review of all Major Site Development Plans are found in Ames *Municipal Code* Section 29.1502(4)(d) and include the following requirements.

***When acting upon an application for a Major Site Development Plan approval, the Planning and Zoning Commission and the City Council shall rely upon generally accepted site planning criteria and design standards. These criteria and standards are necessary to fulfill the intent of the Zoning Ordinance, the Land Use Policy Plan, and are the minimum necessary to safeguard the public health, safety, aesthetics, and general welfare.***

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

The proposed sign will not impact storm water runoff.

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

The proposed sign will not have utilities and will not be lit.

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

This criterion is not applicable as there is no building.

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

It is not anticipated that this proposed sign will be a danger due to its location on the site.

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

No grading or other topographic disturbances will occur to install this proposed sign other than the setting of the pole into the ground.

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



This criterion is not applicable as there will be no access by pedestrians or vehicles, except to service the sign.

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

This criterion is not applicable as there will be no parking, storage, or dumpster areas.

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

No traffic will need to access the site except for the rare vehicle to service the sign.

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

No lighting is proposed.

- 10. The proposed development shall ensure that dust and other forms of air pollution, noise disturbances, odor, glare, and other nuisances will be limited to acceptable levels as prescribed in other applicable State and City regulations.***

The proposed sign will not generate dust, nose, glare or odors.

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

The sign will be the only structure on the site. It will be removed prior to construction of any new buildings on the site.

The Development Review Committee has reviewed the Major Site Development Plan and found that it complies with the other requirements of the Ames Municipal Code.

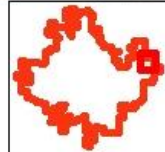
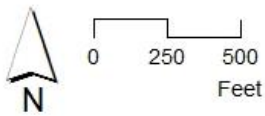
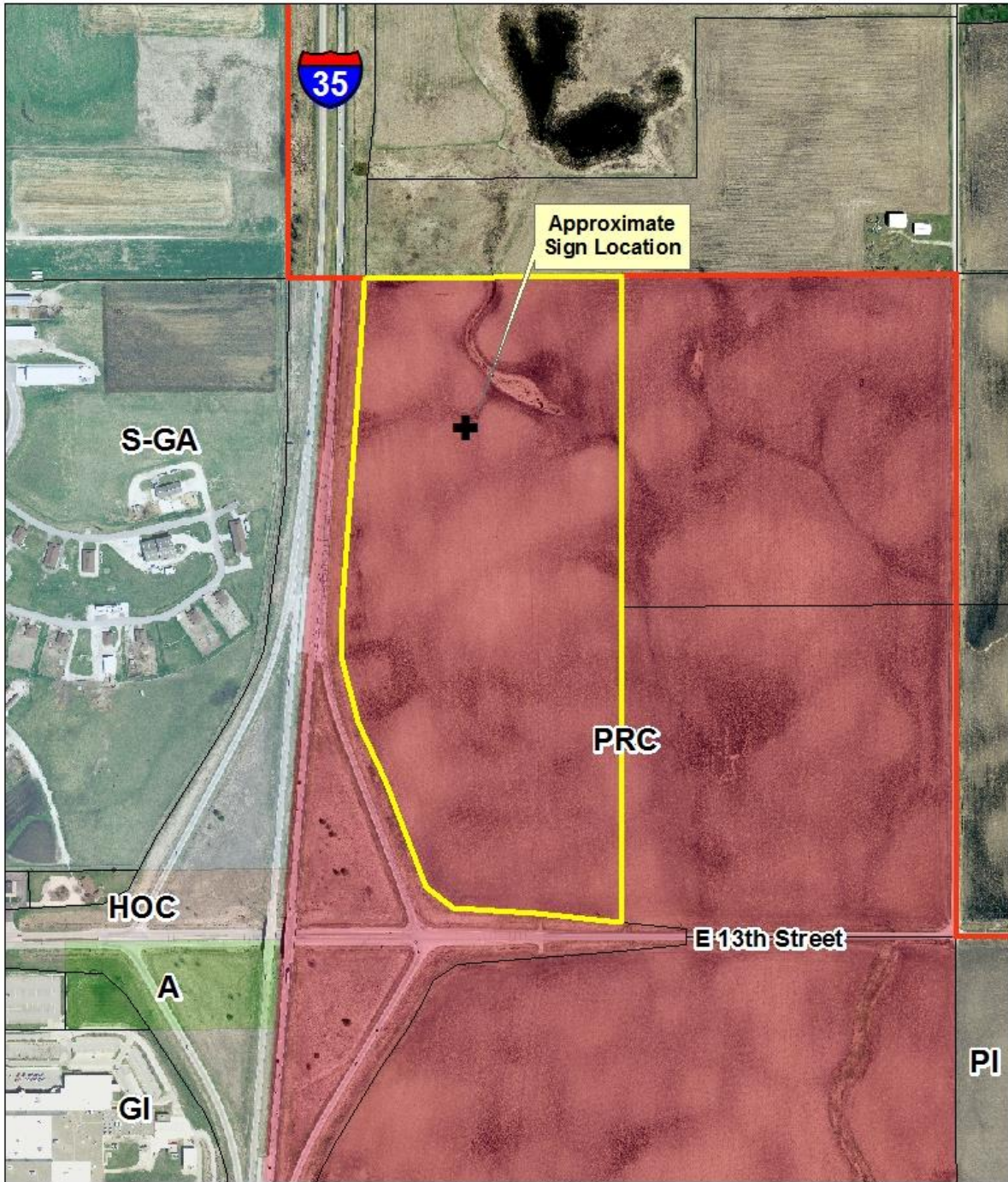
#### **OTHER CONSIDERATIONS**

The O-GNE overlay requires a master plan showing how the overall development will meet the design standards. It is a conceptual plan showing major development patterns. The City Council approved the master plan for this site in 2006 (see Attachment D). The master plan shows a parking area in the general location of the proposed sign. While this particular sign is not indicated on this conceptual plan, the plan does show this area as being heavily developed (not retained as a buffer or green space). The proposed sign is not inconsistent with the master plan, especially since the sign is to be removed prior to commercial development of the site.

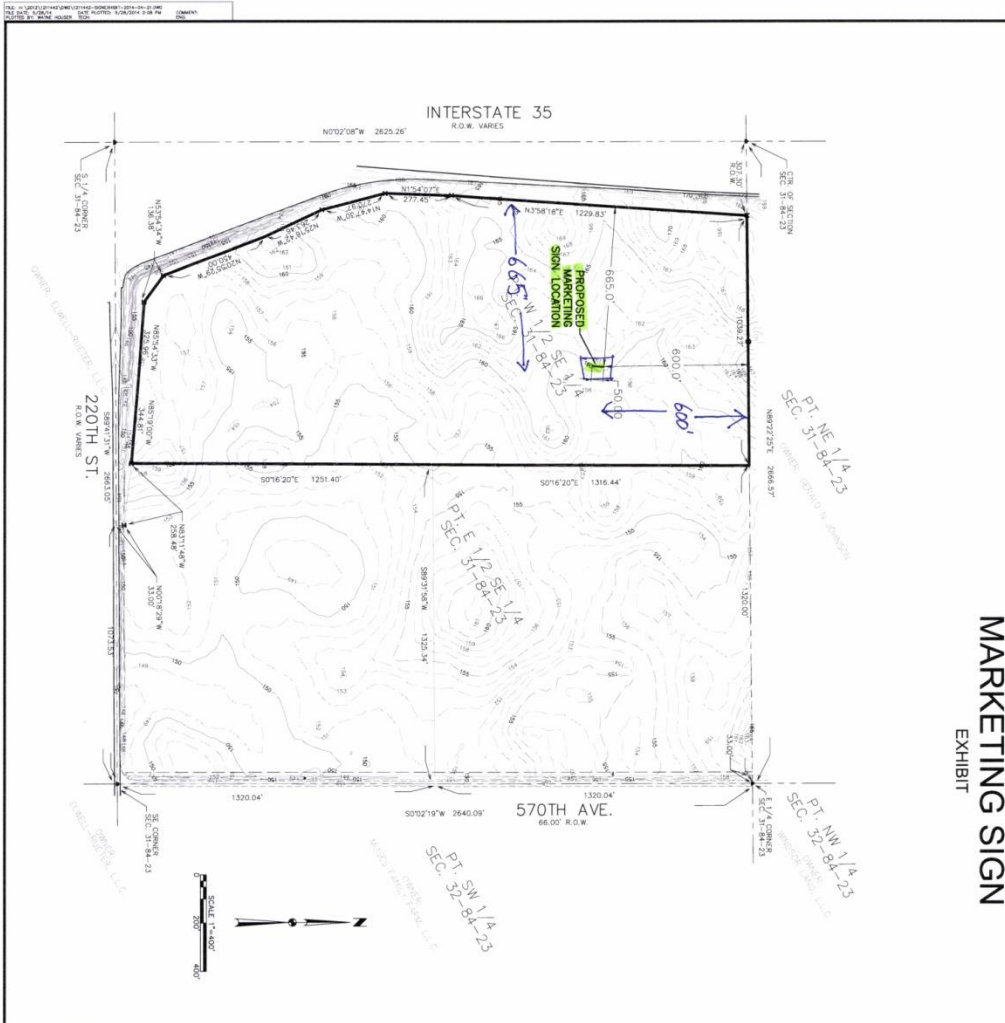
The site plan shows no road—neither is one needed. The construction of a paved road, or even a gravel driveway, to serve the site is unnecessary. Access to the site will be intermittent and only for sign maintenance.

The Iowa Department of Transportation was contacted and, because the sign is more than 660 feet from the right-of-way, no action is needed from IDOT.

ATTACHMENT A: LOCATION MAP



**ATTACHMENT B: MAJOR SITE DEVELOPMENT PLAN  
[HIGHLIGHTED AND EDITED FOR CLARITY]**



**MARKETING SIGN  
EXHIBIT**

**APPLICANT / OWNER:**

ELWELL-RUETER L.L.C.  
2401 SOUTH EAST IONES DRIVE, SUITE 17  
AMES, IOWA 50021

**SURVEYOR:**

CIVIL DESIGN ADVANTAGE  
3405 SE CROSSROADS DR, SUITE G  
AMES, IOWA 50111

**PROPERTY ADDRESS:**

3299 EAST 13TH STREET  
AMES, IOWA 50010

**DATE OF EXHIBIT:**

04-21-2014

**PLAT DESCRIPTION:**

AS RECORDED IN PART OF BOOK 2011, PAGE 09157  
OF THE STORY COUNTY RECORDER'S OFFICE.

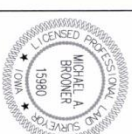
THE WEST ONE-HALF (W $\frac{1}{2}$ ) OF THE SOUTHEAST  
QUARTER (SE $\frac{1}{4}$ ) OF SECTION THIRTY-ONE (31),  
TOWNSHIP EIGHTY-FOUR (84) NORTH, RANGE  
TWENTY-THREE (23) WEST OF THE 5TH P.M., STORY  
COUNTY, IOWA, EXCEPT THAT PART ACQUIRED FOR  
INTERSTATE 35

**ZONING:**

O-ONE - NE GATEWAY OVERLAY DISTRICT

**NOTES:**

- 1) PROPERTY IS VACANT.
- 2) THERE ARE NO UTILITIES PROPOSED TO SERVE  
THE PROPOSED MARKETING SIGN.



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS  
PREPARED AND THE INCLUDED SURVEY WORK WAS PERFORMED  
BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR  
UNDER THE LAWS OF THE STATE OF IOWA.

*Michael A. Brooker*  
MICHAEL A. BROOKER, P.L.S. DATE: 5-28-2014

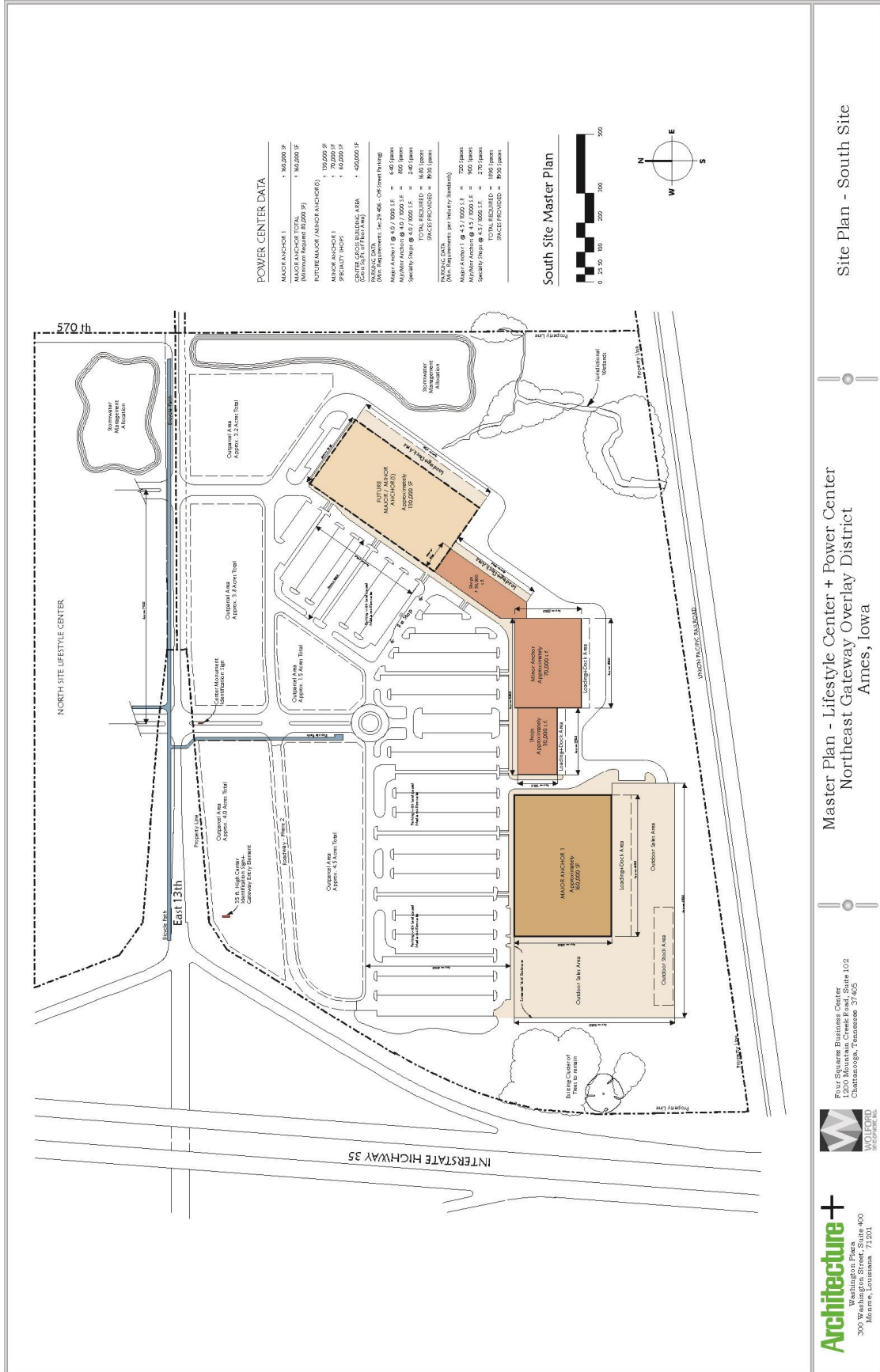
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2014  
PAGES 3 SHEETS COVERED BY THIS SEAL  
THIS SHEET

	3405 S.E. CROSSROADS DRIVE, SUITE G GRIMES, IOWA 50111 PHONE: (515) 369-4400 FAX: (515) 369-4410	REVISIONS _____ _____ _____	DATE _____ _____
	ENGINEER: _____ TECH: _____	SIGN LOCATION _____ _____	DATE _____ _____



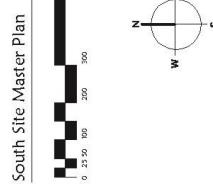


# ATTACHMENT E: APPROVED MASTER PLAN (SOUTH)



**POWER CENTER DATA**

MAJOR ANCHOR 1	± 100,000 SF
MAJOR ANCHOR TOTAL	± 100,000 SF
MAJOR ANCHOR TOTAL	± 100,000 SF
FUTURE MAJOR ANCHOR(S)	± 100,000 SF
MAJOR ANCHOR 1	± 100,000 SF
MAJOR ANCHOR 2	± 100,000 SF
MAJOR ANCHOR 3	± 100,000 SF
MAJOR ANCHOR 4	± 100,000 SF
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MAJOR ANCHOR 99	± 100,000 SF
MAJOR ANCHOR 100	± 100,000 SF



Site Plan - South Site

Master Plan - Lifestyle Center + Power Center  
 Northeast Gateway Overlay District  
 Ames, Iowa

Platt Construction Company  
 1200 Mountain Creek Road, Suite 102  
 Chattanooga, Tennessee 37405



**Architecture+**  
 Washington, DC  
 300 Washington Blvd, Suite 400  
 Monroe, Louisiana 71101

**COUNCIL ACTION FORM**

**SUBJECT:** NUISANCE ASSESSMENTS - SNOW/ICE REMOVAL

**BACKGROUND:**

After a snowfall, abutting property owners have the legal responsibility to remove snow and ice accumulations from the sidewalks. According to the *Municipal Code*, owners must remove these accumulations within 10 daylight hours after the storm has stopped. If sidewalks remain uncleared after that time, the City may have the accumulations removed and assess the actual cost of the removal to the property owner.

This action is performed on a complaint basis. Once a complaint has been received, notice is given to the abutting property owner that the City will clear the sidewalks if the owner has not done so within 24 hours of the notice.

During the past winter City staff removed snow and/or ice at the properties listed below. Also included in the list are the names and addresses of the property owners and the costs associated with the snow/ice removal. The work was completed and bills have been mailed to these individuals; but, to date, the bills have not been paid. A certified notice of this hearing was mailed to the respective property owners.

Michelle Eppert \$212.50  
1919 Clark Avenue  
Ames, IA 50010  
Snow/ice removal for property located at 1919 Clark Avenue  
Date of Service: March 17, 2014

David E. Hansen Trust \$150.00  
1655 Candlelight Drive  
Las Cruces, NM 88011  
Snow/ice removal for property located at 1418 Kellogg Avenue  
Date of Service: March 17, 2014

TL Properties IA 2011, LLC \$125.00  
1420 W. Canal Ct., Suite 250  
Littleton, CO 80120  
Snow/ice removal for property located at 3408 Emerald Drive  
Date of Service: March 17, 2014

**ALTERNATIVES:**

1. The City Council can adopt a resolution assessing the costs of the snow/ice removal to the property owners shown on the above list. The Finance Director



will then prepare a spread sheet on these assessments, and the City Clerk's Office will file the assessments with the Story County Treasurer for collection in the same manner as property taxes as provided for by the *Code of Iowa*.

2. The City Council can choose not to certify these costs to the County Treasurer and, instead, absorb the costs.

**MANAGER'S RECOMMENDED ACTION:**

These property owners failed to clear their sidewalks even after receiving notice to do so, and have neglected to pay the costs incurred by the City in making their sidewalks safe for public use.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby assessing the costs of the snow/ice removal to the property owners shown above.

**COUNCIL ACTION FORM**

**SUBJECT: EGRESS WINDOWS IN BELOW GRADE SPACES IN RENTAL PROPERTIES**

**BACKGROUND:**

At the June 24, 2014 meeting, the City Council discussed Ames *Municipal Code* Chapter 13, Rental Housing Code, and the current requirement to mandate the construction of Code compliant egress windows in below grade habitable spaces. Following discussion, the City Council provided the following direction to City staff:

*Directed staff to prepare an amendment to the Ames Municipal Code, Section 13.403(1)(a), to only require below-grade egress windows in sleeping rooms.*

The following is Ames *Municipal Code* Section 13.403(1)(a) which currently links habitable space to below grade egress windows. The proposed deletion has a strikethrough and the proposed addition is in bold:

**Sec. 13.403(1)(a). INADEQUATE SECOND EXIT CAPABILITY**

All below grade ~~habitable spaces~~ **bedrooms** must have two means of egress leading to the outside. When one of the required means of egress is a window, it must comply with the 2006 International Residential Code. Pre-existing below grade and basement windows and window wells must be brought into compliance with the 2006 International Residential Code by not later than December 31, 2010.

**ALTERNATIVES:**

1. Approve the attached ordinance on first reading. This modifies the Ames *Municipal Code* Section 13.403(1)(a) by deleting the reference to habitable spaces and adding language requiring egress windows in below grade bedrooms.
2. Retain Ames *Municipal Code* Section 13.403(1)(a) as it is currently written, thereby continuing to require egress windows in below grade habitable spaces.

**MANAGER'S RECOMMENDED ACTION:**

Below grade habitable space has been challenging to enforce through rental inspections due to the wide variety of basement uses and finishes. Inspectors frequently encounter basements that are not fully finished; yet the tenant has, for example, a television and a couch in the space. In this example, the space falls under the current definition of habitable space and would require a Code compliant egress window. By

changing the Code to require windows only in below grade bedrooms, Council would establish a much clearer code requirement that can be more consistently implemented by landlords and enforced by inspectors.

**Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the attached ordinance modifying Ames *Municipal Code* Section 13.403(1)(a) by deleting the reference to habitable spaces and adding language that requires egress windows in below grade bedrooms.**

**ORDINANCE NO.**

**AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING CHAPTER 13 SECTION 13.403(1)(a) AND ENACTING A NEW SECTION 13.403(1)(a) THEREOF, FOR THE PURPOSE OF ONLY REQUIRING BELOW-GRADE EGRESS WINDOWS IN BEDROOMS; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; AND ESTABLISHING AN EFFECTIVE DATE.**

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

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by enacting a new Section 13.403(1)(a) as follows:

**“Sec. 13.403     PRIOR APPROVALS SHALL NOT CONTINUE - CONDITIONS.**

**(1)     General**

...

(a) Inadequate second exit capability.

All below grade **bedrooms** must have two means of egress leading to the outside. When one of the required means of egress is a window, it must comply with the 2006 International Residential Code. Pre-existing below grade and basement windows and window wells must be brought into compliance with the 2006 International Residential Code by not later than December 31, 2010.”

...

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

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

Passed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Diane R. Voss, City Clerk

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