

**AGENDA**  
**REGULAR MEETING OF THE AMES CITY COUNCIL**  
**COUNCIL CHAMBERS - CITY HALL**  
**MARCH 1, 2016**

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

**CALL TO ORDER:** 6:00 p.m.

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

1. Motion approving payment of claims
2. Motion approving Minutes of Special Meeting of February 16, 2016, and Regular Meeting of February 23, 2016
3. Motion approving certification of civil service applicants
4. Motion referring to Planning and Zoning Commission the Voluntary Annexation Petition for 5871 Ontario Street
5. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
  - a. Class C Liquor & Outdoor Service – Coldwater Golf Links, 615 S. 16<sup>th</sup> Street
  - b. Class E Liquor, C Beer, & B Wine – Kum & Go #227, 2108 Isaac Newton Drive
  - c. Class E Liquor, C Beer, & B Wine – Kum & Go #113, 2801 E. 13<sup>th</sup> Street
  - d. Class A Liquor & Outdoor Service – Elks Lodge #1626, 522 Douglas Avenue
  - e. Class C Beer & B Native Wine – Swift Stop #4, 1118 South Duff Ave.
  - f. Class C Beer & B Wine – Swift Stop #5, 3218 Orion Street
  - g. Special Class C Liquor – The Spice Thai Cuisine, 402 Main Street
  - h. Class E Liquor, C Beer, & B Wine – Sam’s Club #6568, 305 Airport Road
  - i. Class E Liquor, C Beer, & B Wine – Wal-Mart Store #749, 3015 Grand Avenue
  - j. Special Class C Liquor & B Wine - Southgate Expresse, 110 Airport Road
6. Motion approving 5-day (March 18-22) Class C Liquor License for Christiani Events at Lied Rec Center, 518 Beach Road
7. Motion approving Ownership Change of Class C Liquor License for +39 Restaurant, Market, & Cantina, 2640 Stange Road
8. Motion approving Outdoor Service Privilege April 16 and 17 for Sips and Paddy’s Irish Pub, 126 Welch Avenue
9. Resolution approving appointments to City’s various boards and commissions
10. Resolution approving Change Order No. 9 to the Ritts Law Group for specialized environmental legal support, extensive environmental analysis, and Iowa DNR construction permit preparation work
11. Resolution authorizing continued offering of health insurance benefits to temporary employee in Electric Services to complete special project in support of Power Plant fuel conversion
12. Resolution approving allocation to repair and restock Street ‘n Greet Block Party Trailer
13. Greek Week 2016 Requests:
  - a. Motion approving blanket Temporary Obstruction Permit

- b. Resolution approving closure of portions of Sunset Drive, Ash Avenue, Gray Avenue, Greeley Street, and Lynn Avenue from 8:00 a.m. to 8:00 p.m. on Saturday, April 2
  - c. Resolution approving suspension of parking regulations for portions of Gray Avenue, Ash Avenue, Greeley Street, Pearson Avenue, Lynn Avenue, and Sunset Drive from 5:00 p.m. Friday, April 1 to 8:00 p.m. Saturday, April 2
14. Resolution approving preliminary plans and specifications for Skate Park Renovations; setting March 30, 2016, as bid due date and April 12, 2016, as date of public hearing
  15. Resolution approving contract and bond for Furman Aquatic Center Pool Basin Repainting Project

**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.**

**ADMINISTRATION:**

16. Requests from Ames Chamber of Commerce for Ames Main Street Farmers' Market on Saturdays from May 7 to October 15, 2016:
  - a. Motion approving/denying blanket Temporary Obstruction Permit and Blanket Vending License
  - b. Resolution approving/motion denying closure of 300 and 400 blocks of Main Street, and Burnett Avenue from Main Street north to alley, from 5:00 a.m. to 1:30 p.m.
  - c. Resolution approving/motion denying waiver of fee for blanket Vending License
  - d. Resolution approving/motion denying request to waive parking enforcement in CBD Lots X and Y
  - e. Resolution approving/motion denying request to waive parking meter fees in 300 and 400 blocks of Main Street and portion of Burnett Avenue and electric usage fees

**PLANNING & HOUSING:**

17. Staff Report on North Growth Area (Cameron School Road, Dankbar/Muench-Friedrich)
18. Resolution approving/motion denying Land Use Policy Plan Minor Map Amendment for the end of Cedar Lane
19. Community Development Block Grant Program:
  - a. Resolution approving amendment to the 2014-18 Five-year Consolidated Plan to create a Neighborhood Revitalization Strategy Area for redevelopment of 321 State Avenue (Old Ames Middle School) site as a 51% Low- to Moderate-Income housing development
  - b. Resolution approving FY 2016/17 Proposed Annual Action Plan projects and budget

**HEARINGS:**

20. Hearing on Amendments to Fiscal Year 2015/16 Budget:
  - a. Resolution amending budget for current Fiscal Year ending June 30, 2016
21. Hearing on adoption of FY 2016/17 budget:
  - a. Resolution approving 2016/17 budget
22. Hearing on General Obligation Corporate Purpose and Refunding Loan Agreement in a Principal Amount Not to Exceed \$13,225,000:
  - a. Resolution approving Loan Agreement
23. Hearing on rezoning of properties at 1405, 1415, 1425, 1502, 1509, 1510, 1511, and 1519 Baltimore Drive and 1428, 1429, 1506, 1514, and 1522 Boston Avenue from Community

Commercial Node (CCN) to Highway-Oriented Commercial (HOC):

- a. First passage of ordinance

**ORDINANCES:**

24. Second passage of ordinance rezoning property at 217-6<sup>th</sup> Street from Neighborhood Commercial (NC) to Downtown Service Center (DSC)

**COUNCIL COMMENTS:**

**ADJOURNMENT:**

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

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

AMES, IOWA

FEBRUARY 16, 2016

The Ames City Council met in special session at 6:01 p.m. on the 16<sup>th</sup> day of February 2016, 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, Chris Nelson, and Bronwyn Beatty-Hansen. *Ex officio* Member Sam Schulte was also present.

Also attending were Planning and Housing Director Kelly Diekmann and City Planner Karen Marren. Representatives present from Houseal Lavigne Associates were Senior Associate Doug Hammel and Principals Devin Lavigne and Dan Gardner.

Mr. Hammel briefly went over the workshop agenda and discussed the role of City Council in the Lincoln Way Corridor Plan.

The project website was shown to be an educational tool and would allow the public to provide input through questionnaires, read news and updates, review documents as they are released, and add their own points on sMAP—an interactive map that allows the community to add categorical points in order to provide insight along the Lincoln Way Corridor. It was recommended by Hammel that the Council Members create their own maps to show activity and encourage the community to get engaged in the process. Ideally, staff would like to execute outreach before the University is out of session to gain more input from the public.

Mr. Hammel led an exercise that consisted of the Council answering four key questions, similar to what will be asked of residents and businesses, to help identify relevant issues and desires. Those questions consisted of 1) identify five issues/concerns facing the Lincoln Way Corridor, 2) list, in order of importance, the three most important issues discussed thus far, 3) identify three specific projects or actions that you would like to see undertaken with the Lincoln Way Corridor, and 4) what are the primary strengths and assets of the Lincoln Way Corridor.

The results showed that the largest concerns were having Complete Streets opportunities, housing options, a sense of place, and mixed-use opportunities. Other projects and actions mentioned were having safe pedestrian connectivity, encouraging the development to the east on Lincoln Way, and having the Corridor be aesthetically pleasing. The primary strengths and assets of the Corridor were discussed as being its central location, tremendous potential for development, and it being a main corridor in Ames.

As part of the community outreach, two workshops have been scheduled for March 2 at Zeke's, 3329 Lincoln Way. A Corridor Neighborhood Workshop will be held from 5:30-7:00 p.m. and will allow the neighborhood associations and residential property owners abutting the corridor to provide feedback and concerns prior to the Public Workshop that will follow at 7:30 p.m. A Business Workshop will be held March 3 at 8:00 a.m. at Ames City Hall, 515 Clark Avenue, and will focus on issues and opportunities related to business growth and economic development along the Lincoln Way Corridor.

**COUNCIL COMMENTS:**

Council Member Gartin wanted to remind everyone that the City of Ames Cornerstone to Capstone Plan (C2C) will be having its final open house on February 22 at 6:00 p.m. at the Ames Public Library.

Moved by Orazem, seconded by Nelson, to appoint Council Member Betcher to serve on the Downtown Housing Study Project Committee.

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

**ADJOURNMENT:** Moved by Betcher to adjourn the meeting at 7:25 p.m.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor

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Heidi Petersen, Recording Secretary

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

**AMES, IOWA**

**FEBRUARY 23, 2016**

**REGULAR MEETING OF THE AMES CONFERENCE BOARD**

The Regular Meeting of the Ames Conference Board was called to order by Chairperson Ann Campbell at 5:30 p.m. on February 23, 2016. Present from the Ames City Council were Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, Chris Nelson, and Peter Orazem. Story County Board of Supervisors was represented by Rick Sanders and Paul Toot. Representing the Ames School Board were Lewis Rosser and Bill Talbot. Gilbert and United Community School Districts were not represented.

**MINUTES OF JANUARY 12, 2016, MEETING OF THE CONFERENCE BOARD:** Moved by Sanders, seconded by Rosser, to approve the Minutes of the January 12, 2016, meeting of the Ames Conference Board.

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

**PUBLIC HEARING ON PROPOSED FY 2015/16 BUDGET FOR CITY ASSESSOR'S OFFICE:** Chairperson Campbell opened the public hearing. After no one came forward to speak, the hearing was closed.

Moved by Nelson, seconded by Sanders, to adopt the FY 2016/17 budget for the Ames City Assessor's Office.

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

**ADJOURNMENT:** Moved by Toot, seconded by Rosser, to adjourn the Ames Conference Board meeting at 5:32 p.m.

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

**REGULAR MEETING OF THE AMES CITY COUNCIL**

The Regular Meeting of the Ames City Council was called to order by Mayor Ann Campbell at 5:37 p.m. on February 23, 2016, in the City Council Chambers in City Hall, 515 Clark Avenue. Present were Council Members Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, Chris Nelson, and Peter Orazem. *Ex officio* Member Sam Schulte was absent.

Mayor Campbell announced that the Council would be working off an Amended Agenda. The bidding due date and public hearing date had changed for Item No. 21:Ames/ISU Ice Arena Flooring Project. Also, added was a Closed Session to discuss collective bargaining strategy and ratify the contract with IUOE 235 (Power Plant).

**CONSENT AGENDA:** Council Member Betcher asked that Item No. 5 (Request from Healthiest Ames for Open Streets) and No. 7 (Application for 2016/17 Governor's Traffic Safety Bureau Enforcement Grant) be pulled for separate discussion.

Moved by Gartin, seconded by Corrieri, to approve the following items on the Consent Agenda:

1. Motion approving payment of claims
2. Motion approving Regular Meeting of February 9, 2016
3. Motion approving Report of Contract Change Orders for February 1-15, 2016

4. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
    - a. Class E Liquor, C Beer, & B Wine – Wal-Mart Supercenter #4256, 534 South Duff Avenue
    - b. Class C Liquor & Outdoor Service – Buffalo Wild Wings, 400 South Duff Avenue
    - c. Special Class C Liquor & Outdoor Service – Stomping Grounds, 303 Welch Avenue, #101
    - d. Class C Liquor – Sips/Paddy’s Irish Pub, 124 Welch Avenue
    - e. Class C Beer & B Native Wine – Casey’s General Store #2905, 3612 Stange Road
  5. RESOLUTION NO. 16-074 approving appointment of Amelia Schoeneman to fill vacancy on Zoning Board of Adjustment
  6. RESOLUTION NO. 16-076 setting date of public hearing for April 12, 2016, for transfer of property and granting of Easements to Iowa Department of Transportation for I-35 improvements
  7. RESOLUTION NO. 16-077 waiving City’s Purchasing Policy requirement for formal bidding procedures and awarding a contract to Open Systems International, Inc., of Medina, Minnesota, for Monarch Diamond Support for Power Plant SCADA in the amount of \$98,056
  8. RESOLUTION NO. 16-078 approving purchase of one Mini-Bus from Hogle Bus and Truck in the amount of \$81,153
  9. RESOLUTION NO. 16-079 awarding contract to RESCO of Ankeny, Iowa, for purchase of Distribution Transformers for Electric Services in accordance with unit prices bid
  10. RESOLUTION NO. 16-080 approving Change Orders for 2015/16 Airport Terminal Building and Hangar (Phase 1: Site Work) in a net reduction amount of \$28,469
  11. RESOLUTION NO. 16-081 approving Change Order No. 5 with Knutson Construction of Minneapolis, Minnesota, for New Water Plant Project - Contract 2, in the amount of \$21,790
  12. RESOLUTION NO. 16-082 accepting completion of Water and Pollution Control Facility Raw Water Pump Station Elbow Replacement Project
  13. RESOLUTION NO. 16-083 accepting completion of Water and Pollution Control Facility Screw Pump Repainting and Drive Replacement Project
- Roll Call Vote: 6-0. Resolutions/motions declared adopted/carried unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**REQUESTS FROM HEALTHIEST AMES FOR OPEN STREETS ON SUNDAY, APRIL 24:**  
 Council Member Betcher cited her concerns about closing Main Street all the way to Pearle Avenue since the accesses to the businesses west of Main Street would be closed off. She questioned why staff did not recommend going up Douglas instead, as had been done in the past. Ms. Betcher said she is particularly concerned that it would be difficult for people to access Wheatsfield Grocery if the intersection of Main and Pearle is closed. Council Member Bronwyn Beatty-Hansen commented that the parking lots to the south of the HyVee Drug Store would still be open. She felt that perhaps Wheatsfield could capitalize on the opportunity from increased pedestrian traffic down Pearle Avenue with possibly some vending outside the store.

Assistant City Manager Brian Phillips advised that they had activities and vendors around the library on Douglas Avenue in the past. However, parts of the demonstrations and activities were not well attended because attendees did not go around the corner from Main Street; that was the main reason for the organizers to ask to close that long stretch of Main Street.

Kristen Thompson, Healthiest Ames Events Coordinator, clarified that the intersection of Pearle and Main will not be closed; the barricades will be placed to the east of the intersection. The parking lot for HyVee Drug Store will be closed; however, it will still be accessible from the parking lot across the street south of that business. At the inquiry of Council Member Gartin as to why close such a long stretch of street closure was requested, Ms. Thompson noted that the main goal of Open Streets

is to encourage walking, biking, and other physical activity; to have only two blocks of Main Street closed actually seemed more like a street fair. Ms. Thompson reiterated that, in the past, when Douglas had been closed, people did not turn the corner to go up that street from Main Street; so they missed those activities being conducted on Douglas. It was also their intention to have the longer stretch of street closure to promote the continuous movement of people up and down the street.

Moved by Corrieri, seconded by Betcher, to approve the following requests from Healthiest Ames for Open Streets on Sunday, April 24:

- a. Motion approving blanket Temporary Obstruction Permit
- b. RESOLUTION NO. 16-072 approving street closure and suspension of parking enforcement for Main Street from Douglas Avenue to Pearlee Avenue from 8:00 a.m. to 6:00 p.m.
- c. RESOLUTION NO. 16-073 approving waiver of fee for electrical usage

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

**2016/17 GOVERNOR’S TRAFFIC SAFETY BUREAU ENFORCEMENT GRANT:** Council Member Betcher noted that the Grant was general in nature and wondered if it could work for areas around Campus, which has a high volume of pedestrian and vehicle traffic. Police Chief Cychosz responded that the Department chooses the locations based on crash data, citizen complaints, and to some extent, officer observations. He stated that this year, there was particular emphasis placed on pedestrian conflicts and specifically included Walk Smart and Bike Smart activities. Mr. Cychosz advised that the Police Department is very mindful of the conflicts in the area.

Moved by Betcher, seconded by Nelson, to adopt RESOLUTION NO. 16-075 approving submission of the application for 2016/17 Governor’s Traffic Safety Bureau Enforcement Grant, and if awarded, authorizing participation by Police Department.

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

**PUBLIC FORUM:** Merlin Pfannkuch, 1424 Kellogg Avenue, Ames, said that in Ames, it is often talked about how much the City values citizen input. Mr. Pfannkuch believes that the City Council’s approval of spending \$5.3 million to extend infrastructure across the Interstate is totally mind-boggling. He commented that he had sent an email this morning to Council Member Beatty-Hansen, but decided that he should read it at this meeting. Mr. Pfannkuch said that Ms. Beatty-Hansen has the wrong idea about this industrial area in that previous Councils have made no real decisions that bind the City to pursue this. In summary, Mr Pfannkuch acknowledged that the industrial area east of I-35 (or a business-indutrial area) has been talked about for at least a decade, but the discussion had never, to his knowledge, dealt with the question of whether it wa a good idea. He contends that the public has never been asked for input. Mr. Pfannkuch commented that Council Member Orazem, at the Council meeting held February 9, 2016, referenced a Council goal made in 2014, which was to pursue development in the Eastern Industrial Area. Council Member Orazem alleged that that comment was proof that the Council had never talked about this concretely, except at a more or less private meeting held where it can’t be televised and the public can have no input even if they attend.

Mr. Pfannkuch further stated that never not in his 20 years following Council had he seen something not even in the CIP being stuck in at the absolutely last minute. He told the Council that this is a big deal - it equates to one-fifth the cost of the Library renovation, 12 CyRide buses, or 20 to 25 City Managers for the year. He asked why the Council would listen to the Ames Economic Development



Commission, as maybe it is right and maybe it's not. Mr. Pfannkuch noted that the annexation process is so long that it couldn't be completed before August at the earliest. He asked why the Council could not delay the project in the budget for a year so the public could actually talk about it and have some input. He believes to put the money in the budget at this time was an absolutely ridiculous decision by the Council and could not stand up to any real examination. Mr. Pfannkuch adamantly believes that the Council never talked about whether this is a good idea with the public. He specifically asked that this be removed from the Budget at this time.

Dan Breitbarth, Iowa State University Student Body President, said he wanted to come before the Council before the Lincoln Way Corridor Study gets underway. He encouraged the members of the City Council to consider all options that are brought before it and to listen to the students' voices and perspectives when making a decision as to what to do with Lincoln Way. Mr. Breitbarth noted that there are 36,000 individuals who are impacted by vehicular and pedestrian traffic on Lincoln Way. All options should be considered. Mr. Breitbarth said that he would be more than willing to appoint one, two, three, four, five, or more students to serve on a committee to give the students' perspective on the Lincoln Way Corridor Study.

Council Member Gartin asked Mr. Breitbarth for his opinion on how the City could best get student input. Mr. Breitbarth noted that open houses don't always work. Surveys do work to a certain extent, but they can only help so much. He suggested that having a student directly serving on any committee that would be making recommendations would be the best way; that person would then take the information back to the Student Government. Mr. Breitbarth suggested that a multiple of ways be used.

Council Member Orazem asked if the link for the on-line comment section had been sent to the Student Government. Public Relations Gwiasda clarified that there are two different Lincoln Way studies; one is the Lincoln Way Corridor Study, which has gone out and that site is live. The second one is the Lincoln Way Safety Study, which will be coming before the Council at its next meeting.

Ron Semler, 1404 Big Bluestem Court, Ames, spoke about a situation that had occurred for about six months in the cul-de-sac where he lives. He explained that an "old unsightly large motor home" (RV) was parked on the street in his neighborhood. People were living in it and continued to run its motor throughout the night with its noise and exhaust. Mr. Semler said the residents had confrontations with the owner and went to the Police. The Police told the residents to work it out. Mr. Semler said that the owner of the motor home also collected junk cars that were parked in the street. According to Mr. Semler, the RV had been parked in the parking lot of a condominium association until it blocked the garbage area. At that time, the owner of the motor home moved the vehicle onto the street in the Big Bluestem neighborhood. According to Mr. Semler, residents of Big Bluestem Court repeatedly called the police for help. The officer continually told the residents to work it out with the owner of the motor home. At one time, in order to meet the parking ordinance, the motor home owner had the vehicle towed a few feet. Another time, the motor home was actually towed for a parking violation; however, the owner paid the fine and tow charge and parked the RV back in the same spot on the street. Ultimately, the police had it towed away due to its non-operational nature. Mr. Semler requested an ordinance to prohibit this type of situation from ever happening again to any neighborhood. Mr. Semler said that the ordinance they were proposing would address: (1) motor homes, RVs, and bus parking on City streets, and (2) junk or wrecked vehicles parked on City streets. He noted that they had drafted a sample ordinance.

Bob Andrews, 1315 Big Bluestem Court, Ames, stated that the owner of the RV lives in another condominium association that faces Mortensen. It does have a parking lot, but Mr. Andrews assumes that there are rules prohibiting the parking of a RV there. The owner moved it onto the street, ran the generator throughout the night, and people were living in it. The residents of Big Bluestem Court worked through the Police Department. The police officer told the residents to work it out with the owner of the RV. The officer told Mr. Andrews that the only ordinance that would apply would be the parking ordinance. There is nothing on the books that prohibits people from living in a RV on the street. Sara from the Inspections Division was brought in. It ultimately was determined that the RV couldn't just be moved a few feet; it had to actually be driven.

Dan Olk, 1410 Big Bluestem Court, Ames, said that it was unusual that the situation could arise in the first place - i.e., living in a RV on the street, running a generator throughout the night. He felt that the Police did a fairly good job, and ultimately, the situation got resolved. Mr. Olk requested that there be "something put on the books" to ensure the situation doesn't occur again. He also noted the parking of several junk cars in the neighborhood that were owned by the owner of the RV. Mr. Olk said that a car belonging to the owner of the RV was parked in front of Mr. Olk's residence all summer long.

**RESIDENT SATISFACTION SURVEY POLICY QUESTIONS:** Susan Gwiasda, Public Relations Officer, stated that it was time for staff to get with the consultant at ISU to begin the process for the Resident Satisfaction Survey. As part of that Survey, there will be some space available if the Council were to desire to include a couple additional questions. She noted that she was not looking for the actual question, but just the topic, so that she can work with the consultant to craft the question(s). Typically, there is room for two to three questions, depending on how much explanation is necessary for the question. She asked the Council members to share their thoughts on topics.

Council Member Beatty-Hansen asked why an electronic survey is not done. Ms. Gwiasda answered that the City does not have e-mail addresses for all citizens. However, the City does have the physical addresses of all utility users; by using that database, everyone has an equal chance of getting a survey. In addition, all residents do not have the Internet.

Council Member Corrieri asked if it would be possible to ask residents how they feel about formula versus non-formula-retail in Campustown being incentivized. Council Member Nelson said that he would like to know that in the context of Main Street as well. Ms. Corrieri noted that non-formula retail would need to be defined. Susan will ask the consultants at Iowa State University (ISU) to see if that might work.

Council Member Orazem asked how difficult it would be for staff to process open-ended questions, e.g., "What would be the top three things that would make Ames cool?" He said he was curious as to what people might suggest. Ms. Gwiasda stated that the comments are compiled by ISU. It might come down to how much the Council wants to read. Mr. Orazem noted that it doesn't have to be related to government. Mayor Campbell said, that in the past, the Survey has been associated to the role of City government.

Council Member Gartin said that he had had inquiries from citizens about the speed of Internet access. He is not necessarily a proponent of the City providing Internet service, but it might be helpful to see if there is a broad concern about Internet access in Ames.

Council Member Betcher would like to see a question as to whether residents would be in favor of using City-owned land to enhance private projects around the community, i.e., contributing or selling land at a reduced rate for private projects if it brings mixed-use and amenities that are desired in commercial areas in Downtown and Campustown. She clarified that it could be large flat parking lots or open green space for a plaza, for example.

Council Member Gartin asked if a question should be what attributes or amenities people would like to see in the Lincoln Way Corridor. City Manager Schinker noted that the consultants have begun to work on the Lincoln Way Corridor Plan and have public workshops scheduled. He felt it was best to leave that to the consultants at this time.

It was the consensus of the Council to work on including the three questions: (1) What would make Ames cool, (2) Whether residents would be in favor of using City-owned land to enhance private projects around the community if they bring mixed-use and amenities that are desired in Downtown and Campustown; and (3) How residents feel about formula versus non-formula-retail in Campustown and Main Street being incentivized.

**“PROTEST” ORDINANCES:** City Attorney Judy Parks noted that the Council had directed the City Attorney’s Office to investigate other Iowa cities’ ordinances addressing protestors. She gave a summary of the attempts of the City Attorney’s Office to retrieve information from other cities in Iowa.

Assistant City Attorney Mark Lambert said that, in most cities, there is very little - and often no - express regulation of protestors. According to Mr. Lambert, concerns about violating the First Amendment, which provides for freedom of speech and the right to peaceably assemble, are likely the reason that very few cities regulate picketing/protesting/demonstrating. Many of the responses received were really not on target with what Ames was asking. In summary, there were only two cities (Iowa City and Fort Madison) that had any sort of ordinance regulating protestors. Mr. Lambert noted many of the provisions of the ordinances. He stated that the City’s Legal Department questions whether some of the limitations in the Fort Madison ordinance would survive a constitutional challenge. Most of the provisions of the Iowa City ordinance are covered in Ames in other ordinances.

Dale Dyvig, owner of Dyvig’s Pet Shop, 412 Burnett Avenue, Ames, stated that he has had protestors in front of his store trying to discourage customers from coming into their store. He said that the protestors don’t want the Dyvigs to sell puppies. Mr. Dyvig advised that they buy from two kennels, which are registered and USDA- and state-inspected. He stated that they agree with getting pets from the Animal Shelter, but that is not for everyone and people should have a choice. According to Mr. Dyvig, the protestors bring large dogs that intimidate customers from coming into the store, they stand in front of parking meters and block the meters, they sit in chairs on the sidewalk in front of the business, and children who come with the protestors run across the alley, which is very dangerous due to the amount of traffic. Customers and other people drive by and don’t want to come in when they see the protestors. Mr. Dyvig noted that they have sent a petition to the City with over 300 signatures asking for an ordinance that protects the rights of business owners. Accord to Mr. Dyvig, his character has been questioned and untruthful comments have been made on Web sites. He felt that the City should adopt ordinances to protect all customers and business owners. He noted some of the things that he would like an ordinance to include, as follows:

1. The issuance of a permit for 30 days with a monetary value
2. The protestors have to provide proof of insurance similar to what he, as a business owner, has to provide (\$500,000 general liability) to be allowed to put a table out in front of his business during Main Street promotions
3. The protestors cannot stand directly in front of the entrance to the business
4. The protestors cannot hand out pamphlets to vehicles driving by the business

Council Member Gartin asked how long the protests have been going on. Mr. Dyvig answered that they had been going on for approximately four years. He believed that it started as a personal issue, but had turned in to a personal vendetta. Council Member Gartin also asked if Mr. Dyvig had considered legal counsel. He noted that some of the items that Mr. Dyvig was requesting were out of the purview of the City Council.

Lauris Olson, 1705 Buchanan Drive, Ames, said that she was going to speak about First Amendment rights. One of the things that she had personally observed over the past 14 years was that the City had not taken long-term action on people standing on City sidewalks. She gave examples of other people standing on the sidewalk advertising services being offered by businesses and for fund-raising. Ms. Olson pointed out that the protestors are all using the same First Amendment rights to peaceably assemble and free speech, which is what Mr. Dyvig is asking to change just for his business. Ms. Olson asked if the City were going to ban dogs from the sidewalks in front of Dyvig's, would it also prohibit dogs from being at the Farmers' Market or the Octagon Arts Festival. She asked that the Council consider what other groups have exercised their First Amendment rights and urged that the Council carefully consider its actions.

Mindi Callison, 610-9th Street, Ames, said that she was the founder of "Bailing out Benji," which is the group that has been protesting in front of the pet shop. She stated that they have been protesting in front of the Dyvig's store for four and one-half years. No tickets have ever been issued. According to Ms. Callison, the Dyvigs have called the police "dozens of times," and almost every weekend for the first few years, but the officers have never found any violations occurring.

At the request of Council Member Orazem, Chief Cychosz advised that obviously, there is conflict. When called, the officer responding to the complaint has to determine whether or not there is a violation of obstructing traffic or access; that certainly is going to be a judgment call. It is probably intimidating to customers; that is probably the point of the protestors. The officer has to determine if there is a reasonable opportunity for traffic flow and pedestrian access. It is possible that some type of obstruction is occurring, but it has not been witnessed by the responding police officer. According to Chief Cychosz, officers are trying to find a reasonable balance of educating people about the ordinance and achieving compliance. Officers have not observed anything where they have felt that they had justification to cite anyone. Chief Cychosz advised that the ordinance is not specific to protests. The protestors would have to legitimately be violating an ordinance when the officer arrives at the scene to warrant the issuance of a citation.

Council Member Gartin noted that when the police officer arrives at the Dyvig's store, he or she is not finding any violations of ordinances occurring. However, that means that violations are not occurring at that time. Council Member Gartin suggested that perhaps Mr. Dyvig could install a camera to document the actions of the protestors. He also suggested that Mr. Dyvig contact an attorney to see if there is a cause of action involved. Mr. Gartin also addressed Ms. Callison, saying that if protestors violate the law, they should be cited. He doesn't want the officers to find a balance,

he wants a citation to be issued if any ordinance is violated. Mr. Gartin suggested that the protestors conduct their activities peaceably and obey the laws.

**POLICE VEHICLE PURCHASES:** Corey Mellies, Fleet Services Director, told the Council that, over the years, the standard police car has become smaller, while the needed room to house all of the features and equipment has increased. Last year, Fleet Services and the Police Department began to explore the feasibility of moving to the larger body style of the utility vehicles. Before making any final recommendations, it was important to determine differences between the standard sedan police car and utility unit in terms of purchase price, outfitting costs, safety, fuel mileage, and overall cost related to the 11 patrol cars in the City fleet. In order to make the analysis, a Ford Interceptor utility was purchased and put into service in May 2015 for a pilot study that continued until January 4, 2016. Mr. Mellies summarized the staffs' findings identified through the pilot program pertaining to: Safety, Purchase Price and Outfitting Costs, Fuel Mileage, and Resale Value.

Director Mellies also noted that patrol cars idle for an average of 62% of the engine on time. If idling could be reduced by 25%, this would result in an approximate increase in the utility miles per gallon (mpg) to 10.5 mpg. Assuming all 11 units have the same mpg, this would also equate to fuel savings of \$1,190/vehicle and a total savings of \$13,095 over the lifetime of all 11 units. According to Mr. Mellies, anti-idling also provides benefits in maintenance and longevity of the units due to the fact that they are not running the engine. Director Mellies advised that Fleet Services has researched two units for anti-idling. He described the units and the benefits and drawbacks of each. The estimated impact of installing idling devices on utility vehicles was pointed out by Mr. Mellies. The net difference in cost to purchase utility versus sedan vehicles for all 11 units would be \$14,207. It was explained that shifting from sedans to utility vehicles would cost an additional \$30,305; however, if idling units were installed, that cost would be reduced to \$14,207.

Noted that normally, the staff would not involve the Council in a discussion of the tools that are acquired to accomplish City daily functions. However, one of the Council's important objectives is to reduce the City's carbon footprint. That objective intersects with other City objectives, such as holding down costs where possible and providing equipment that meets Departments' operational and safety requirements.

**HEARING ON REZONING PROPERTY AT 217-6TH STREET:** Justin Moore, City Planner, explained the request of the United Church of Christ to rezone approximately 0.5 acres located at 217-6th Street from Neighborhood Commercial Zoning District to the Downtown Service Center (DSC) Zoning District. The request is being sought in an effort to proceed with future Church improvements that would not be permitted under the Neighborhood Commercial zoning due to the built-out site conditions. The DSC standards allow for minimum height and Floor Area Ratio requirements and allow for no setbacks and no parking required on site. It was noted that the Church was built in 1899 and has been zoned Neighborhood Commercial since 2000.

According to Mr. Moore, under the DSC District, religious institutions are allowed to operate with a Special Permit granted from the Zoning Board of Adjustment. There are currently two known religious institutions within DSC zoning. If the rezoning request is granted by the City Council, the Church would need to seek approval of a Special Use Permit for its planned addition.

Mr. Moore advised that the Planning and Zoning Commission recommended, at its January 20, 2016, meeting, rezoning this property from Neighborhood Commercial to Downtown Service Center.

Mayor Campbell opened the public hearing. No one came forward to speak, and the hearing was closed.

Moved by Beatty-Hansen, seconded by Nelson, to pass on first reading an ordinance rezoning property at 217-6<sup>th</sup> Street from Neighborhood Commercial (NC) to Downtown Service Center (DSC).

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

**HEARING ON VACATION OF EXISTING PUBLIC UTILITY EASEMENT AT 3121 GRAND AVENUE:** Mayor Campbell opened the public hearing and closed same after no one came forward to speak.

Moved by Nelson, seconded by Betcher, to adopt RESOLUTION NO. 16-084 approving the vacation of the Public Utility Easement at 3121 Grand Avenue.

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

**HEARING ON AMES/ISU ICE ARENA FLOORING PROJECT:** The public hearing was opened by the Mayor. She closed the hearing after no one asked to speak.

Moved by Nelson, seconded by Gartin, to reject the bid.

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

Moved by Betcher, seconded by Gartin, to adopt RESOLUTION NO. 16-085 approving preliminary plans and specifications; setting April 6, 2016, as bid due date and April 12, 2016, as date of public hearing.

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

**HEARING ON 2013/14 SHARED USE PATH SYSTEM EXPANSION - SKUNK RIVER TRAIL EXTENSION, PHASE 2: EAST LINCOLN WAY TO SOUTH RIVER VALLEY PARK:** The Mayor opened the public hearing and closed same after there was no one asking to speak.

Moved by Nelson, seconded by Betcher, to adopt RESOLUTION NO. 16-086 approving final plans and specifications and awarding a contract to Peterson Contractors, Inc., of Reinbeck, Iowa, in the amount of \$673,442.95.

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

**HEARING ON 2015/16 ASPHALT STREET PAVEMENT IMPROVEMENTS (DOTSON DRIVE, BAUGHMAN ROAD, BEEDLE DRIVE, WELLONS DRIVE, WELLONS CIRCLE, JEFFREY LANE, HARRIS STREET, APLIN ROAD) AND 2015/16 WATER SYSTEM IMPROVEMENTS (WELLONS DRIVE, WELLONS CIRCLE):** Mayor Campbell opened the public hearing. No one came forward to speak, and the hearing was closed.

Moved by Corrieri, seconded by Betcher, to adopt RESOLUTION NO. 16-087 approving final plans and specifications and awarding a contract to Manatt's, Inc., of Ames, Iowa, in the amount of

\$1,762,335.45.

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

**HEARING ON 2015/16 CONCRETE PAVEMENT IMPROVEMENTS PROGRAM #1 (FRILEY ROAD):** The public hearing was opened by Mayor Campbell. She closed same after no one asked to speak.

Moved by Betcher, seconded by Corrieri, to adopt RESOLUTION NO. 16-088 approving final plans and specifications and awarding a contract to Manatt's, Inc., of Ames, Iowa, in the amount of \$317,971.73.

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

Mayor Campbell left the meeting. Mayor Pro-Tem Orazem presided.

**HEARING ON 2015/16 WATER SYSTEMS IMPROVEMENTS PROGRAM #1 - WATER MAIN REPLACEMENT (COUNTRY CLUB BOULEVARD):** Mayor Campbell opened the public hearing. There being no one wishing so speak, the hearing was closed.

Moved by Corrieri, seconded by Betcher, to adopt RESOLUTION NO. 16-089 approving final plans and specifications and awarding a contract to KE Builders, LLC, of Boone, Iowa, in the amount of \$183,323.50.

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

**HEARING ON 2015/16 CLEAR WATER DIVERSION (DUFF AVENUE, EAST 9<sup>TH</sup> STREET, AND McDONALD DRIVE):** Mayor Campbell opened the public hearing. No one came forward to speak, and the Mayor closed the hearing.

Moved by Nelson, seconded by Gartin, to adopt RESOLUTION NO. 16-090 approving final plans and specifications and awarding a contract to Ames Trenching & Excavating, Inc., of Ames, Iowa, in the amount of \$68,496.

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

Mayor Campbell returned to the meeting and presided.

**COUNCIL COMMENTS:** Moved by Betcher, seconded by Corrieri, to refer to staff for a memo from the City's Traffic Engineer pertaining to the request from the Hospital/Medical Area Discussion Group for installation of a permanent traffic signal at the Kellogg and 13<sup>th</sup> Street intersection.

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

Council Betcher noted that individual invitations to participate in certain organizational events are often received by the Mayor and City Council members. Ms. Betcher voiced her concerns that if four of the Council members accept the invitation, a quorum could be present. Oftentimes the Council members are not even aware that there is going to be a quorum of Council members present.

She would like that issue to be discussed in the future. Mayor Campbell advised that this issue as well as requests to serve on committees would be placed on the next work session.

Moved by Nelson, seconded by Gartin, to direct staff to provide a short memo including background information relative to the request of the Vances for a text amendment involving the lineal overhead garage door width limit on houses in the low-density residential zone.

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

Moved by Beatty-Hansen, seconded by Betcher, to direct staff to work with *ex officio* Member Sam Schulte to create a memo detailing how a Campus and Community Board could be created; said memo to be created by the March 22 meeting.

Mayor advised that she had spoken with Sam Schulte about this yesterday. She noted that a variety of options to replace the Student Affairs Commission had been left in the hands of the University, but had not gotten back to the Council. She suggested that the Council examine a broader variety of possibilities.

Motion withdrawn.

Council Member Betcher said that she was concerned about what happened to the 28E Agreement. Mayor Campbell noted the challenges surrounding the Student Affairs Commission. She summarized discussions that had occurred about what could replace that Commission.

Moved by Beatty-Hansen, seconded by Betcher, to direct staff to prepare and bring back two memos a for the March 22 Agenda to address two items: (1) to work with Sam Schulte on how to create a Campus and Community Board as outlined in his letter; and (2) detail where we are with the 28E Agreement.

City Manager Schainker noted that this would actually be in the form of a Staff Report on the March 22 Agenda.

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

Council Member Orazem asked that the City get information out to the public concerning the public meeting being hosted by the U. S. Post Office pertaining to the relocation of the Welch Avenue Post Office.

Moved by Gartin to refer to staff the two letters from Scott Randall requesting rezoning 1420 South Grand Avenue, 623 South 16<sup>th</sup> Street, and 603 South 16<sup>th</sup> Street; and 1325 S. 4<sup>th</sup> Street.

Motion died for lack of a second.

Council Member Gartin announced that April 30 is “Stash the Trash Day;” it will be held from 8:30 a.m. to 2:00 p.m.

Council Member Gartin encouraged anyone who has concerns about or an interest in the East Industrial Area to contact the City Council members.



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

Moved by Gartin, seconded by Betcher, to hold a Closed Session, as provided by Section 20.17(3), *Code of Iowa*, to discuss collective bargaining strategy.

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

The meeting reconvened in Regular Session at 7:35 p.m.

Moved by Betcher, seconded by Gartin, to adopt RESOLUTION NO. 16-091 ratifying a contract with IUOE Local 234 (Power Plant).

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

**ADJOURNMENT:** Moved by Beatty-Hansen, seconded by Gartin, to adjourn the meeting at 7:36 p.m.

Motion declared carried unanimously.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor

**MINUTES OF THE AMES CIVIL SERVICE COMMISSION**

**AMES, IOWA**

**FEBRUARY 25, 2016**

The Ames Civil Service Commission met in regular session at 8:15 a.m. on February 25, 2016, in the Council Chambers of City Hall, 515 Clark Avenue, with Commission Members Crum, Pike, and Ricketts present. Also in attendance was Assistant City Manager Brian Phillips.

**APPROVAL OF MINUTES:** Moved by Pike, seconded by Ricketts, to approve the minutes of the January 28, 2016, Civil Service Commission meeting as written.

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

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

Police Sergeant:	Ryan Hauge	90
	Eric Snyder	84
	Clint Hertz	81
	Amber Christian	78
	Elijah Hansen	77
	Chad Lovig	76
	Cole Hippen	72

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

**COMMENTS:** The next regularly scheduled Civil Service Commission meeting was set for March 24, 2016, at 8:15 a.m.

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

\_\_\_\_\_  
Michael R. Crum, Chair

\_\_\_\_\_  
Jill Ripperger, Recording Secretary

**COUNCIL ACTION FORM**

**SUBJECT: INITIATION OF ANNEXATION FOR 5871 ONTARIO STREET IN THE SOUTHWEST GROWTH AREA**

**BACKGROUND:**

The City of Ames received an annexation petition for the property at 5871 Ontario Street. The property lies on the north side of Ontario Street and south of the Union Pacific railroad. It abuts the existing city limits (see Location Map in Attachment A).

Rich Fitch, representing the owner (D & R Furman LLC), seeks to annex this 34.25 acres for residential development. His application is found in Attachment C.

Southwest Allowable Growth Area and Urban Fringe Plan.: The Land Use Policy Plan (LUPP) has identified areas intended to be annexed and developed for residential purposes, known as Allowable Growth Areas. Although lying north of Ontario Street, the subject property is within the Southwest I Allowable Growth Area—the Northwest Growth Area lies north of the Union Pacific railroad (see Attachment B).

The area also lies within the Urban Residential area of the Ames Urban Fringe Plan. This designation indicates that upon annexation the land will receive the Village/Suburban Residential land use designation.

It is within the Ames Community School District.

Service and Infrastructure Issues: City infrastructure is currently available at the adjacent Brookview Place subdivision to the east. Staff has determined that capacity is available to serve the proposed development and needs only the extension of utilities. There are no issues with any rural water provider to serve the area.

Annexations are governed by the Code of Iowa Section 368.7, and are initiated by the City Council. Annexation requests filed as an application are classified as a voluntary application with consenting property owners. With a voluntary application, the City may include up to 20 percent of the total annexed land area with additional non-consenting property owners. This is often times done to create more uniform boundaries, or to avoid creating islands, since the Code of Iowa does not allow islands to be created as land is annexed into the city. This is commonly referred to as the “80/20 rule.” The owners of a minimum of 80 percent of the total land area must consent to annexation, leaving no more than 20 percent of the land area under the ownership of non-consenting owners. The current annexation request is 100 percent consenting, comprising a single property owner.

In addition to requirements of the Code of Iowa, the City’s intergovernmental agreement implementing the Ames Urban Fringe Plan (AUF) requires the City to consider annexation applications only for those areas designated as “Urban Residential” or

“Planned Industrial” in the Ames Urban Fringe Plan. The land area proposed for annexation is consistent with this agreement.

Next Steps:

Typically, when an annexation request is submitted, especially one of substantial size, the City Council has directed City staff to meet with other property owners to gauge their interest in joining an annexation. However, this parcel is relatively small and only a single owner. In addition, adjacent property owners are not constrained from seeking annexation in the future. Those parcels to the west mostly contain rural residential uses and the owners could pursue annexation at any future time. The development of this Furman parcel would include the extensions of infrastructure for possible future service.

In this instance, the City Council can accept the annexation petition and refer it to the Ames Planning and Zoning Commission with the condition that the City receives the signed waiver of the right to withdraw prior to any statutory notification requirements.

**ALTERNATIVES:**

1. The City Council can accept the petition for annexation from D & R Furman LLC as a 100 percent consenting annexation without seeking whether other owners wish to annex, conditioned upon receiving a signed waiver of the right to withdraw the petition.

*This option would allow the owner to proceed with annexation and development of the property without the added process time of a potential 80/20 annexation. This option would include having the owner submit a binding waiver of his right to withdraw their petition prior to commencing statutory noticing requirements for the annexation area. The petition would then be referred to the Ames Planning and Zoning Commission. City staff would also schedule a consultation with the Story County Supervisors and Franklin Township Trustees.*

2. The City Council can accept the petition for annexation from D & R Furman LLC and direct staff to seek other owners in the Southwest Allowable Growth Area who may wish to seek annexation and return with a report on March 22, 2016.

*This option would delay the initiation of annexation of the property until a report is provided to the Council about the interest from other property owners joining in the annexation. At that time the City Council can determine the extent of the boundaries of the proposed annexation. In addition, this alternative will include having the owner submit a binding waiver of his right to withdraw his petition prior to commencing statutory noticing requirements for the annexation area.*

3. The City Council can choose to not move forward with this annexation request at this time.

**MANAGER’S RECOMMENDED ACTION:**

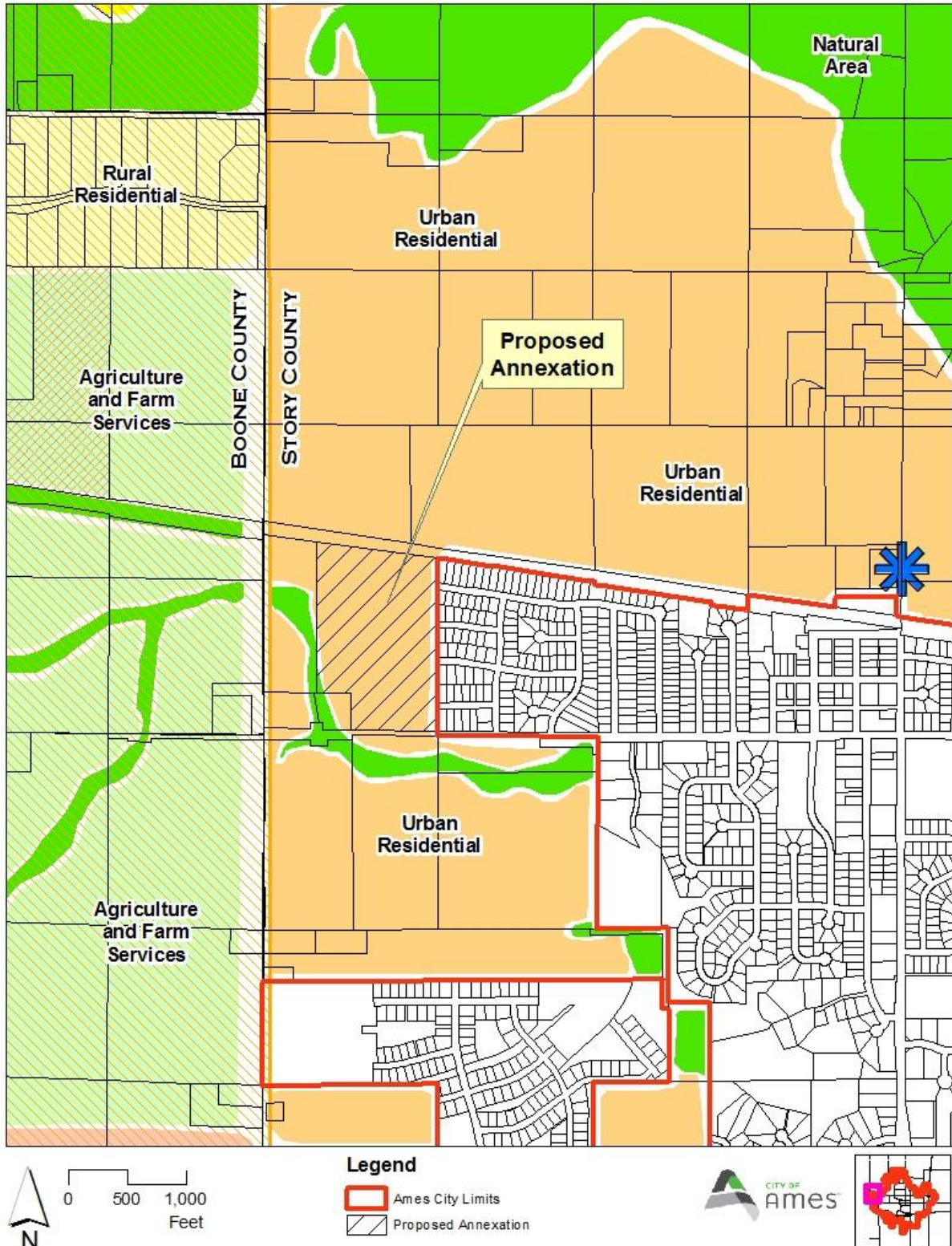
The Southwest Allowable I Growth Area is a relatively easy area to annex and develop since utility extensions have been extended for the previous westward growth of Ames.

Much of the area is not within Xenia service territory and, therefore, can be readily served by Ames water without lengthy negotiations.

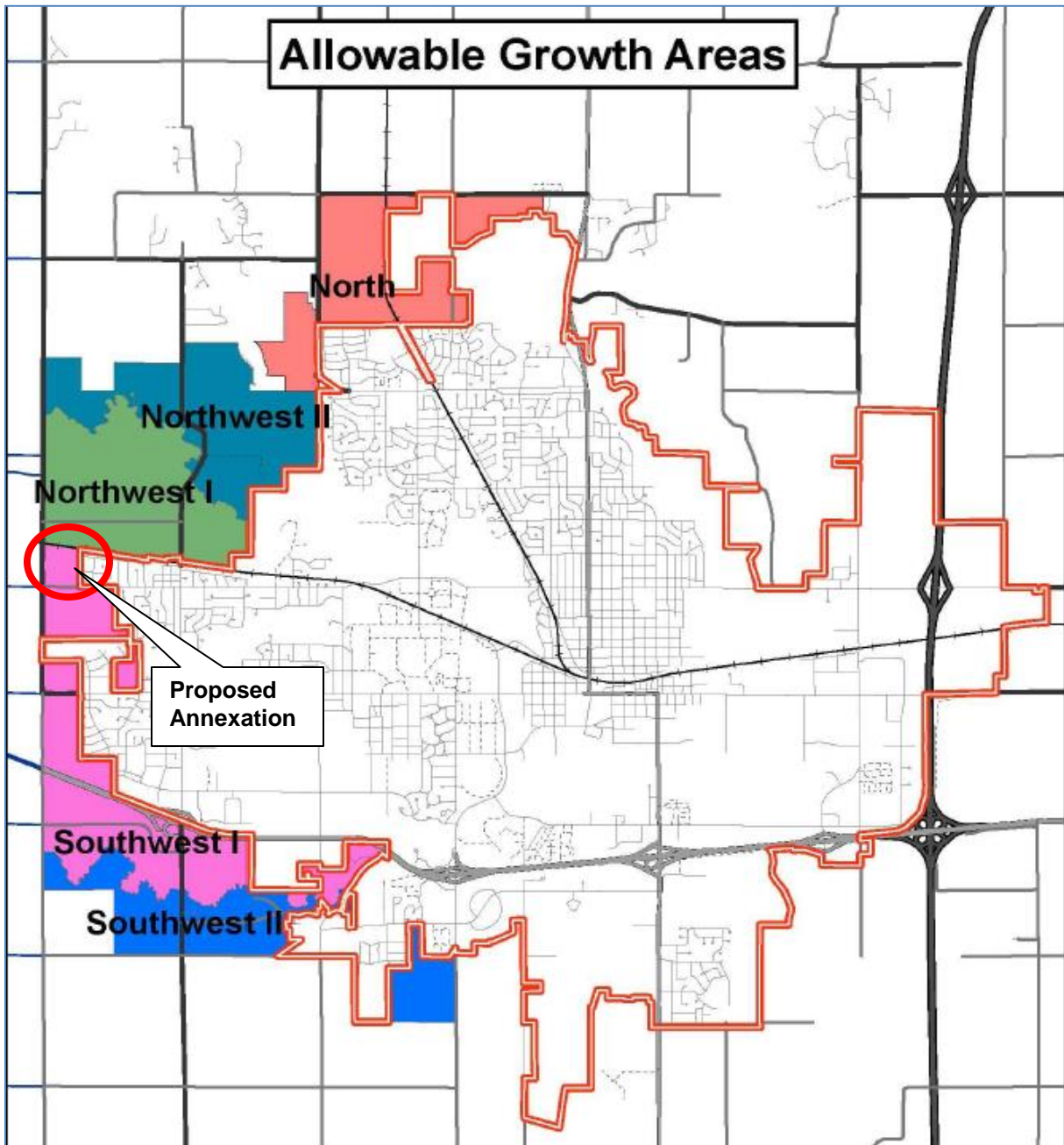
The area lying north of Ontario Street and south of the Union Pacific railroad has seen regular expansion of the city boundaries in 1966, 1977, and 1992. This proposed annexation would not quite reach to the Boone County boundary but may be the ultimate annexation since grade changes would make further annexation westward problematic for sanitary sewer extension.

The proposed annexation has been identified for annexation and residential development in the Ames Urban Fringe Plan and the Land Use Policy Plan. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative 1, accepting the annexation petition of the D & R Furman and referring it to the Ames Planning and Zoning Commission with the condition that a waiver of the owner's right to withdraw is provided.

# ATTACHMENT A: LOCATION MAP AND AUF DESIGNATION



**ATTACHMENT B: ALLOWABLE GROWTH AREAS**



ATTACHMENT C: ANNEXATION PETITION

RECEIVED

Annex-16-01

Effective Date: February 3, 2014

FEB 23 2016

Voluntary Annexation Petition

Application Form

CITY OF AMES, IOWA DEPT. OF PLANNING & HOUSING

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

1. Property Address for this Voluntary Annexation or a Description of the General Location if an Address has not been assigned: 5871 Ontario St.

2. Legal Description (attach, if lengthy) See Attached

4. Property Owner: Rich Fitch

Business: D&R Furman LLC

Address: 2607 Northridge Prwy Ames IA 50010 (Street) (City) (State) (Zip)

Telephone: 515-232-8884 (Home) (Business) (Fax)

Please attach separate sheets for each Property Owner and Legal Description.

5. Applicant: Rich Fitch

Business: D&R Furman LLC

Address: 2607 Northridge Prwy Ames IA 50010 (Street) (City) (State) (Zip)

Telephone: 515-232-8884 (Home) (Business) (Fax)

6. Contact Person: Greg Broussard

Business: Bolton & Menk

Address: 2730 Ford St. Ames IA 50010 (Street) (City) (State) (Zip)

Telephone: 515-233-6100 (Home) (Business) (Fax)

E-mail address: gregbr@bolton-menk.com



### Signature Page

*I (We) certify that I (we) am (are) familiar with applicable state and local codes and ordinances, the procedural requirements of the City of Ames and have submitted all the required information.*

Legal Description: See Attached Legal Description

Signed by:  Date: 2-23-16  
Property Owner(s)\*

Richard L. Fitch  
Print Name(s)

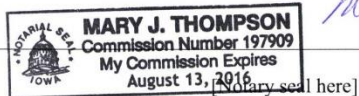
(Note: No other signature may be substituted for the Property Owner's Signature.)


State of Iowa

County of Story

Signed and sworn to (or affirmed) before me on February 23, 2016

by Mary J. Thompson (name of person(s))



  
(signature of Notary Public)

**Please attach additional Signature Pages for the notarized signature of all consenting Property Owner and Contract Buyer (if any). Original signatures for all consenting Property Owners and Contract Buyers (if any) must accompany this application**

\* If a limited liability corporation, association, trust, non-profit organization, or any other legal entity owns the property proposed for voluntary annexation, an agent or agents responsible for the affairs of the legal entity must sign the application as the property owner(s). It must be noted that the assignee(s) is (are) acting on behalf of the legal entity. In addition, documentation, such as incorporation documents, must be included that show the assignee's (assignees') authority to act on behalf of the legal entity. If the property owner is a religious institution, a written explanation must be provided on the institution's letterhead that the person(s) signing the application can act on behalf of the institution. One or more established leaders of the religious congregation must also attest to the letter.

## Voluntary Annexation Petition Checklist

(This form must be filled out completely and the required information must be attached to this form before your application will be accepted.)

**The following information is required as part of the submittal of a Petition for Voluntary Annexation:**

- A **Legal Description** of the each property proposed for annexation, including the amount of land to be annexed. *(Please attach.)*
- A **Plat** that includes the following:
  - Boundaries of the property proposed for annexation, drawn to scale with North indicated. If the Voluntary Annexation request includes non-consenting owners needed to avoid creating an island or to create more uniform boundaries (as allowed by Chapter 368.7(1)(a) of the Code of Iowa), these must be included in the Plat. The Plat shall indicate which parcels are owned by consenting and which are owned by non-consenting owners.
  - The Plat must show the relationship of the subject property(ies) to the existing corporate limits. (For recording purposes, the County Recorder's office requires that the City of Ames corporate limits be clearly shown and labeled as "City of Ames Corporate Limits.")
  - The Plat must be prepared by a licensed professional surveyor. A previously prepared plat of survey or subdivision plat is acceptable.
  - If the Voluntary Annexation request is within 2 miles of another city, the plat document must have the following notation on the Annexation Plat:  
"WITHIN TWO MILES OF \_\_\_\_\_".  
(City's name)

**Voluntary Annexation Petition**  
*Permission to Place a "Zoning Action Pending" Sign  
on Private Property*

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

Section 29.1500(2)(d)(iii) of the Zoning Ordinance, requires that **notice shall be posted by the City on the subject property**. One notice sign shall be posted for each property. Required signs shall be posted along the perimeter of the subject property in locations that are highly visible from adjacent public streets **prior to the public hearing**.

The owner of property at 5871 Ontario St. hereby grants the City of Ames permission to place "Zoning Action Pending" signs on the property for the purpose of informing interested persons of the request for action by the City of Ames.

*I understand that the signs will be placed on the property several days prior to action on the request by the Planning and Zoning Commission or the City Council, and may remain on the property until the request has been approved or denied by the City.*

Signed by: \_\_\_\_\_



Date: \_\_\_\_\_

2-23-16

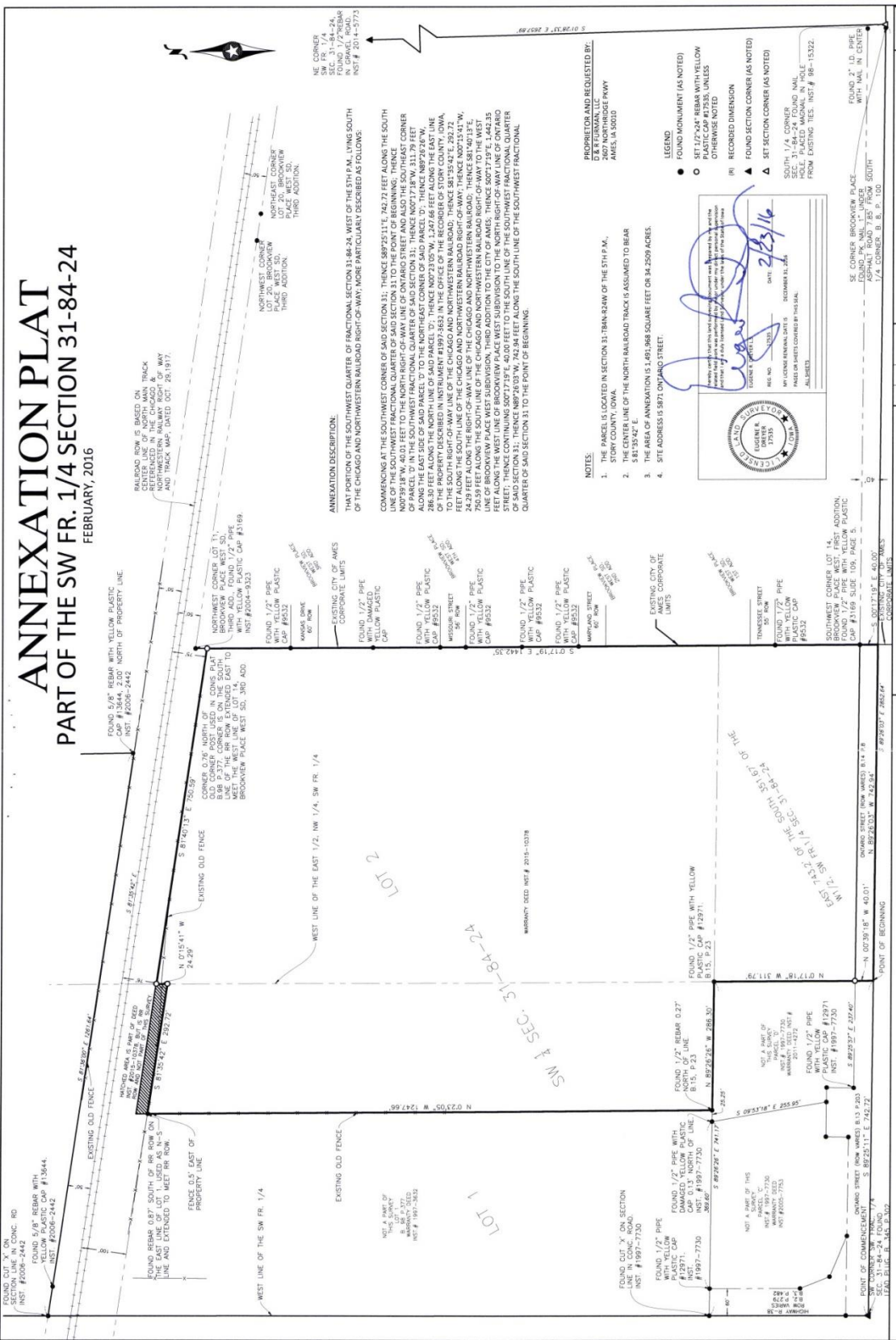
**Property Owner**

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

# ANNEXATION PLAT

## PART OF THE SW FR. 1/4 SECTION 31-84-24

### FEBRUARY, 2016



SE CORNER SW FR. 1/4 SEC. 31-84-24, ILLINOIS, FOUND BY N. CRAIG, ILLINOIS INST. # 2014-5773

**ANNEXATION DESCRIPTION:**  
 THAT PORTION OF THE SOUTHWEST QUARTER OF FRACTIONAL SECTION 31-84-24, WEST OF THE 5TH P.M. LYING SOUTH OF THE CHICAGO AND NORTHWESTERN RAILROAD RIGHT-OF-WAY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 31; THENCE S89°25'11"E, 742.72 FEET ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 31 TO THE POINT OF BEGINNING; THENCE S87°40'13"E, 752.59 FEET ALONG THE WEST LINE OF SAID SECTION 31 TO THE NORTHWEST CORNER OF SAID SECTION 31; THENCE N00°17'38"W, 311.79 FEET ALONG THE EAST SIDE OF SAID PARCEL 'D' TO THE NORTHWEST CORNER OF SAID PARCEL 'D'; THENCE N87°26'26"W, 266.36 FEET ALONG THE EAST SIDE OF SAID PARCEL 'D' TO THE POINT OF BEGINNING; THENCE S87°26'26"W, 266.36 FEET ALONG THE SOUTH LINE OF SAID PARCEL 'D' TO THE SOUTH RIGHT-OF-WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD; THENCE S81°35'42"E, 292.72 FEET ALONG THE SOUTH LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD RIGHT-OF-WAY; THENCE N00°19'41"W, 750.59 FEET ALONG THE SOUTH LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD RIGHT-OF-WAY TO THE WEST LINE OF BROOKVIEW PLACE WEST SUBDIVISION, THIRD ADDITION TO THE CITY OF AMES, THENCE S00°17'59"E, 1,442.35 FEET ALONG THE WEST LINE OF BROOKVIEW PLACE WEST SUBDIVISION TO THE NORTH RIGHT-OF-WAY LINE OF ONTARIO STREET; THENCE N89°26'03"W, 742.84 FEET ALONG THE SOUTH LINE OF THE SOUTHWEST FRACTIONAL QUARTER OF SAID SECTION 31; TO THE POINT OF BEGINNING.

**PREPARED AND REQUESTED BY:**  
 AMES, IA 50009  
 2607 NORTHROSE PKWY

**LEGEND**

- FOUND MONUMENT (AS NOTED)
- SET 1/2" CAP REBAR WITH YELLOW PLASTIC CAP #17535, UNLESS OTHERWISE NOTED
- (R) RECORDED DIMENSION
- ▲ FOUND SECTION CORNER (AS NOTED)
- ▲ SET SECTION CORNER (AS NOTED)

FOUND 1/2" CAP REBAR WITH YELLOW PLASTIC CAP #17535, UNLESS OTHERWISE NOTED

FOUND 1/2" CAP REBAR WITH YELLOW PLASTIC CAP #17535, UNLESS OTHERWISE NOTED

FOUND 1/2" CAP REBAR WITH YELLOW PLASTIC CAP #17535, UNLESS OTHERWISE NOTED

FOUND 1/2" CAP REBAR WITH YELLOW PLASTIC CAP #17535, UNLESS OTHERWISE NOTED

**NOTES:**

- THE PARCEL IS LOCATED IN SECTION 31-T8AN-R24W OF THE 5TH P.M., STORY COUNTY, IOWA.
- THE CENTER LINE OF THE NORTH RAILROAD TRACK IS ASSUMED TO BEAR S89°25'11"E, 742.72 FEET TO THE POINT OF BEGINNING.
- THE AREA OF ANNEXATION IS 1,488,988 SQUARE FEET OR 34.2509 ACRES.
- THE SITE ADDRESS IS 5871 ONTARIO STREET.

**ENGINEER:** B. J. BROWN, LICENSE # 17535  
 DATE: 2/23/16  
 I hereby certify that this plat was prepared and submitted to me by the owner of the property and that I have examined the same and find it to be correct and in accordance with the laws of the State of Iowa.

NO.	DATE	DESCRIPTION

**BOLTON & MENK, INC.**  
 Consulting Engineers & Surveyors  
 2750 GRAND OAK BLVD. SUITE 104  
 IOWA CITY, IOWA 52242  
 (515) 281-9800

PARCEL IN THE SW FR. 1/4 OF SECTION 31-84-24  
 ANNEXATION PLAT

SCALE: HORIZONTAL 1" = 100' VERTICAL 1" = 200'  
 SHEET 1 OF 1

*Caring People  
Quality Programs  
Exceptional Service*

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5

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

**FROM:** Lieutenant Dan Walter – Ames Police Department

**DATE:** February 24, 2016

**SUBJECT:** Beer Permits & Liquor License Renewal Reference City Council Agenda  
March 1, 2016

The Council agenda for March 1, 2016, includes beer permits and liquor license renewals for:

- Class C Liquor & Outdoor Service – Coldwater Golf Links, 615 S. 16<sup>th</sup> Street
- Class E Liquor, C Beer, & B Wine – Kum & Go #227, 2108 Isaac Newton Drive
- Class E Liquor, C Beer, & B Wine – Kum & Go #113, 2801 E. 13<sup>th</sup> Street
- Class A Liquor & Outdoor Service – Elks Lodge #1626, 522 Douglas Avenue
- Class C Beer & B Native Wine – Swift Stop #4, 1118 South Duff Ave.
- Class C Beer & B Wine – Swift Stop #5, 3218 Orion Street
- Special Class C Liquor – The Spice Thai Cuisine, 402 Main Street
- Class E Liquor, C Beer, & B Wine – Sam’s Club #6568, 305 Airport Road
- Class E Liquor, C Beer, & B Wine – Wal-Mart Store #749, 3015 Grand Avenue
- Special Class C Liquor & B Wine - Southgate Expresse, 110 Airport Road

A routine check of police records for the past twelve months found no violations for any of the above listed businesses. The police department recommends renewal of these licenses.

**Applicant License Application ( )**

<b>Name of Applicant:</b> <u>Christiani's Event LLC</u>		
<b>Name of Business (DBA):</b> <u>Christiani's Event</u>		
<b>Address of Premises:</b> <u>518 Beach Road</u>		
<b>City</b> <u>Ames</u>	<b>County:</b> <u>Story</u>	<b>Zip:</b> <u>50011</u>
<b>Business</b> <u>(515) 287-3169</u>		
<b>Mailing</b> <u>1150 E. Diehl</u>		
<b>City</b> <u>Des Moines</u>	<b>State</b> <u>IA</u>	<b>Zip:</b> <u>50315</u>

**Contact Person**

<b>Name</b> Peter Worsham	
<b>Phone:</b> (515) 287-3169	<b>Email</b> peter@christianicatering.com

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

**Term:** 5 days

**Effective Date:** 03/18/2016

**Expiration Date:** 01/01/1900

**Privileges:**

Class C Liquor License (LC) (Commercial)

**Status of Business**

<b>BusinessType:</b> <u>Limited Liability Company</u>
<b>Corporate ID Number:</b> <u>0</u> <b>Federal Employer ID</b> <u>21-2195774</u>

**Ownership**

**Carol Christiani**

**First Name:** Carol

**Last Name:** Christiani

**City:** Des Moines

**State:** Iowa

**Zip:** 50321

**Position:** member

**% of Ownership:** 100.00%

**U.S. Citizen:** Yes

**Insurance Company Information**

<b>Insurance Company:</b> <u>Founders Insurance Company</u>	
<b>Policy Effective Date:</b> <u>03/18/2016</u>	<b>Policy Expiration</b> <u>03/23/2016</u>
<b>Bond Effective</b>	<b>Dram Cancel Date:</b>
<b>Outdoor Service Effective</b>	<b>Outdoor Service Expiration</b>
<b>Temp Transfer Effective</b>	<b>Temp Transfer Expiration Date:</b>

<b>Name of Applicant:</b>	<u>+39 LLC</u>		
<b>Name of Business (DBA):</b>	<u>+39 Restaurant, Market, &amp; Cantina</u>		
<b>Address of Premises:</b>	<u>2640 Stange Road</u>		
<b>City</b>	<u>Ames</u>	<b>County:</b>	<u>Story</u> <b>Zip:</b> <u>50010</u>
<b>Business</b>	<u>(515) 292-0039</u>		
<b>Mailing</b>	<u>23959 580th Ave</u>		
<b>City</b>	<u>Ames</u>	<b>State</b>	<u>IA</u> <b>Zip:</b> <u>50010</u>

**Contact Person**

<b>Name</b>	<u>Brian Gorman</u>		
<b>Phone:</b>	<u>(515) 233-1255</u>	<b>Email</b>	<u>a.mohr@caremoli-usa.com</u>

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

**Term:**12 months

**Effective Date:** 10/01/2016

**Expiration Date:**

**Privileges:**

Class C Liquor License (LC) (Commercial)

**Status of Business**

<b>BusinessType:</b>	<u>Limited Liability Company</u>		
<b>Corporate ID Number:</b>	<u>448341</u>	<b>Federal Employer ID</b>	<u>46-1702400</u>

**Ownership**

**Brian Gorman**

**First Name:** Brian **Last Name:** Gorman  
**City:** Ames **State:** Iowa **Zip:** 50010  
**Position:** Owner  
**% of Ownership:** 10.00% **U.S. Citizen:** Yes

**Elisabetta Barison**

**First Name:** Elisabetta **Last Name:** Barison  
**City:** Ames **State:** Iowa **Zip:** 50010  
**Position:** Owner  
**% of Ownership:** 20.00% **U.S. Citizen:** Yes

**Alessandro Andreoni**

**First Name:** Alessandro **Last Name:** Andreoni  
**City:** Ames **State:** Iowa **Zip:** 50010  
**Position:** Owner  
**% of Ownership:** 20.00% **U.S. Citizen:** Yes

**Andrea Caremoli**

**First Name:** Andrea                      **Last Name:** Caremoli  
**City:** Key Biscayne                      **State:** Florida                      **Zip:** 33149  
**Position:** Owner  
**% of Ownership:** 50.00%                      **U.S. Citizen:** Yes

**Insurance Company Information**

<b>Insurance Company:</b> <u>Allied Insurance</u>	
<b>Policy Effective Date:</b> <u>10/01/2015</u>	<b>Policy Expiration</b> <u>10/01/2016</u>
<b>Bond Effective</b>	<b>Dram Cancel Date:</b>
<b>Outdoor Service Effective</b>	<b>Outdoor Service Expiration</b>
<b>Temp Transfer Effective</b>	<b>Temp Transfer Expiration Date:</b>



<b>Name of Applicant:</b> <u>The Scene, LLC</u>		
<b>Name of Business (DBA):</b> <u>Sips and Paddy's Irish Pub</u>		
<b>Address of Premises:</b> <u>126 Welch Ave.</u>		
<b>City</b> <u>Ames</u>	<b>County:</b> <u>Story</u>	<b>Zip:</b> <u>50014</u>
<b>Business</b>	<u>(515) 296-1400</u>	
<b>Mailing</b>	<u>124 Welch Ave</u>	
<b>City</b> <u>Ames</u>	<b>State</b> <u>IA</u>	<b>Zip:</b> <u>50014</u>

**Contact Person**

<b>Name</b> Andrew White
<b>Phone:</b> (515) 231-8388 <b>Email</b> whitecor@aol.com

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

**Term:**12 months

**Effective Date:** 04/14/2016

**Expiration Date:** 04/13/2017

**Privileges:**

Class C Liquor License (LC) (Commercial)

Outdoor Service

**Status of Business**

<b>BusinessType:</b> <u>Limited Liability Company</u>
<b>Corporate ID Number:</b> <u>219961</u> <b>Federal Employer ID</b> <u>42-1476552</u>

**Ownership**

**Andrew White**

**First Name:** Andrew      **Last Name:** White  
**City:** Urbandale      **State:** Iowa      **Zip:** 50323  
**Position:** managing member  
**% of Ownership:** 42.50%      **U.S. Citizen:** Yes

**Kelly White**

**First Name:** Kelly      **Last Name:** White  
**City:** Urbandale      **State:** Iowa      **Zip:** 50323  
**Position:** member  
**% of Ownership:** 42.50%      **U.S. Citizen:** Yes

**Insurance Company Information**

<b>Insurance Company:</b> <u>Founders Insurance Company</u>
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**Policy Effective Date:**

**Policy Expiration**

**Bond Effective**

**Dram Cancel Date:**

**Outdoor Service Effective**

**Outdoor Service Expiration**

**Temp Transfer Effective**

**Temp Transfer Expiration Date:**

**TO:** Members of the City Council

**FROM:** Ann H. Campbell, Mayor

**DATE:** April 10, 2015

**SUBJECT:** Appointments to City Boards and Commissions

Attached you will find a listing of the City's various boards/commissions that have upcoming vacancies and the individuals I have selected to fill them. I am requesting your approval of these appointments.

Thank you for your assistance and cooperation in this important process.

AHC/jlr

Attachment

**MAYOR'S APPOINTMENTS  
TO CITY OF AMES BOARDS AND COMMISSIONS  
2016**

(\* Incumbents)

<b>Board/Commission</b>	<b>Vacancies</b>	<b>Name</b>
ASSET	2	Mary Beth Golemo Andrea Rich
Building Board of Appeals	3	* Larry Cormicle * Brad Heemstra * Dan Nutini
Civil Service Commission	1	* Charles Ricketts
COTA	2	Tom Lockhart Jason Paull
EUORAB/Project Share	1	* Jim Converse
Historic Preservation Commission	2	* Ted Grevstad-Nordbrock * Kim Hanna
Human Relations Commission	2	* Raghul Ethiraj <b>(1-year term)</b> Amy Harris-Tehan
HRC–Hearing Officers	4	* Aaron Fultz
HRC–Investigative Officers	5	Danny Kuecker
Library Board of Trustees	3	* John Linch Sarah Barchman Charles Glatz
Parks and Recreation Commission	4	* Victoria Feilmeyer * Sarah Litwiller * Edward Moran Allen Bierbaum <b>(1-yr. term)</b>
Partner Cities Association	1	Karlai Thornburg
Planning & Zoning Commission	2	* Julie Gould Doug Ragaller
Property Maintenance Appeals Board	1	* Nathan Joens
Project Share Committee	1	* Jean Kresse (United Way)
Public Art Commission	6	* Heather Johnson Kevin Feeley Kevin Stow

**COUNCIL ACTION FORM**

**SUBJECT: CHANGE ORDER #9 TO THE RITTS LAW GROUP AGREEMENT**

**BACKGROUND:**

In September 2009, the City Council approved an engagement and retainer agreement with The Ritts Law Group, PLLC of Alexandria, Virginia, for legal services related to the regulatory compliance with the Clean Air Act.

For the initial agreement, Council authorized expenditure of an amount not exceed \$100,000. During the initial twelve months, Ritts worked closely with Electric Services and the Legal Department to evaluate projects scheduled at the steam electric plant and the combustion turbines. In the ensuing years Ritts has continued to provide assistance in support of a number of matters facing Electric Services, including the following:

- The City's request to the Iowa Department of Natural Resources (IDNR) for a Prevention of Serious Deterioration (PSD) non-applicability determination.
- Engineering and legal analyses necessary to amend the air permits for the power plant as required by the IDNR.
- Technical assistance to City staff in obtaining a determination that the wastewater treatment facility and the power plant do not comprise a single stationary source for air emissions.
- Support regarding the U.S. Court of Appeals decision regarding the Environmental Protection Agency's Cross-State Air Pollution Rule (CSAPR).
- Iowa DNR construction permit preparation work, specialized environmental legal support and extensive environmental analysis needed for the power plant coal-to-natural gas conversion.

Since its engagement with The Ritts Law Group in 2009, the City has expended a total of \$635,557 with this firm. The initial engagement and the subsequent change order history is summarized below.

Initial Purchase Order	September 8, 2009	\$100,000
Change Order #1	September 28, 2010	\$ 50,000
Change Order #2	March 1, 2011	\$ 50,000
Change Order #3	November 1, 2011	\$ 50,000
Change Order #4	February 14, 2012	\$ 50,000
Change Order #5	July 11, 2013	\$ 50,000
Change Order #6	August 26, 2014	\$100,000

Change Order #7	December 16, 2014	\$100,000
Change Order #8	April 14, 2015	\$100,000

**Additional funding is needed for the City to continue to receive analyses and legal advice from the Ritts Law Group regarding existing Clean Air Act issues and proposed regulations that currently affect the City's electric utility as well as other issues that are critical in planning and mapping out the future of the utility's energy producing resources.**

Staff is now in the process of asking the Environmental Protection Agency for additional time to meet the Mercury and Air Toxics Standards Rule, evaluating and complying with the Clean Power Plan, challenging the CSAPR, renewal of our Title V permit, complying with the Coal Combustion Residual rule, and gaining a construction permit from the Iowa DNR to repair Combustion Turbine #1. All of these tasks will require legal guidance from the Ritts Law Group.

Council authorization is now requested to extend the engagement with Ritts Law Group for an additional amount not to exceed \$100,000. Funding in an amount of \$45,000 in FY 2015/16 and \$100,000 in FY 2016/17 will be available for this outside service from the Fuel and Purchased Power program in the Electric Services operating budget.

**ALTERNATIVES:**

1. Approve contract Change Order #9 in the amount of \$100,000 to Ritts Law Group for specialized environmental legal support, extensive environmental analysis, and Iowa DNR construction permit preparation work.
2. Reject contract Change Order #9.

**MANAGER'S RECOMMENDED ACTION:**

As the EPA continues to issue environmental rules, it is critical to the operation of the City electric generation that the City understands and follows these rules. At the same time, if a rule appears to be unclear, or its implementation could severely impact the utility operation, the City may wish to challenge the EPA in court. This can only be accomplished with specialized legal advice.

A construction permit from the IDNR is required in order to begin the repair of the combustion turbine. In filing a permit application with the IDNR, there is a requirement to submit supporting documents that include extensive environmental analysis. Submitting an incomplete or incorrect permit application would delay issuance of a construction permit and delay the repair of the peaking unit.

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

**COUNCIL ACTION FORM**

**SUBJECT: HEALTH INSURANCE AUTHORIZATION FOR TEMPORARY PROJECT EMPLOYEE**

**BACKGROUND:**

Conversion of the City's power plant from coal to natural gas requires a significant amount of engineering, installation of equipment, and modification and construction in the power plant. One of the critical tasks with this conversion is doing precise, detailed drawings and schematics for the project.

For the past two years a temporary employee has assisted Electric Engineering staff in accomplishing this work. This employee has the unique skill set of architecture, Auto Cad and experience doing this detailed work. The work is critical in keeping the conversion project on track and in documenting the changes that have taken place.

To keep up with this work has required a person working 40 hours per week. The Affordable Care Act (ACA) requires that the City offer health insurance benefits to employees working over 1,560 hours in a year. At the February 2, 2015 City Council meeting, the City Council authorized health insurance coverage for this individual, rather than create or modify a permanent FTE for this short term need. At that time it was anticipated that this individual would work through April of 2016. **With the conversion taking longer than originally planned, and due to the volume of drawings that need updating, staff desires to continue the full time employment of this individual through approximately July of this year.** To do so, health insurance benefits must continue to be extended to comply with the ACA.

This employee will continue to be offered full open enrollment in the City's health insurance program with the same cost sharing options as regular, full-time City employees. If the offer is accepted, funding will come from the Electric Production budget.

**ALTERNATIVES:**

1. Authorize continued health insurance benefits to this temporary employee to complete this special project.
2. Authorize an additional FTE over the next five months to accomplish this work. This would be a more costly way to fill this project need.

3. Reduce the hours this individual works and discontinue health insurance on May 1, 2016. This alternative would jeopardize an important component of the power plant conversion process.

**MANAGER'S RECOMMENDED ACTION:**

This is a unique situation that falls part-way between “permanent” and “temporary” employment. The recommended alternative provides for retaining the current individual in support of the power plant fuel conversion while ensuring that the City is compliant with the federal Affordable Care Act.

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



**COUNCIL ACTION FORM**

**SUBJECT: STREET N GREET BLOCK PARTY TRAILER**

**BACKGROUND:**

The City of Ames has a long tradition of supporting strong neighborhoods, because they are the building blocks of a vibrant, connected community. Over the years the Ames City Council has shown its support for various neighborhood programs, one of which is the Street 'N' Greet Block Party Trailer.

Block parties in the Ames Community have been a great opportunity for neighbors to interact, to welcome new residents, and for the City Council members and/or city staff to receive input about what is important to the neighborhood residents. The addition of the Street N Greet Block Party Trailer has become a very popular and highly sought addition to a Neighborhood Block Party. **The Trailer is free of charge and contains a variety of items such as street barricades, tables, chairs, canopy tent, name tags, sound system, First Aid kit, and outdoor games for children and adults. The trailer is available to be reserved from end of March through the end of October.**

The initial creators and administrators of the trailer was a group called United Ames. The group dissolved in approximately FY 2010-11. The Departments of Planning & Housing, Administrative Services, Police, Fleet Services, and Public Works have since been sharing the responsibilities of administrating the operations of the trailer.

**After the FY 2014-15 block trailer season ended, an assessment and inspection of the trailer was completed. This assessment revealed the following needs for the trailer (see Attachment A), which totals approximately \$1,099.55. There is currently no permanent budget appropriation to cover the cost of these repairs and supplies. Although donations are solicited through a box that is located in the trailer, it is not enough to address the ongoing and higher cost needs of maintaining the trailer. Since the opening season to begin reserving the trailer is approaching, staff is requesting that the City Council authorize an amount not to exceed \$1,200 from their Council Contingency Account to cover the cost of the restocking and repairing the trailer.**

**ALTERNATIVES:**

1. The City Council can approve a resolution to authorize an amount not to exceed \$1,200 from its FY 2015/16 Council Contingency Account to cover the cost of

restocking and repairing the Street N Greet Block Party Trailer.

2. In an attempt to recover the repair and restocking costs associated with the trailer's use, the City Council can implement a new fee to be charged to neighborhoods who utilize the trailer.
3. The City Council can refer this item back to staff for more information.

**MANAGER'S RECOMMENDED ACTION:**

It is important that the Street N Greet Block Party Trailer continues to play a vital role in connecting neighborhoods and building a sense of community. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1. This alternative calls for the approval of a resolution to authorize an amount not to exceed \$1,200 from its FY 2015/16 Council Contingency Account to cover the cost of restocking and repairing the Street N Greet Block Party Trailer so that it is available for use in the spring.

## ATTACHMENT A

<b>Restocking Estimate Items</b>	<b>Price</b>
New H frame for the Street 'N' Greet Trailer sign that is displayed in the yard to help advertise the event.	\$40.00
Adult Horseshoes Set (power coated Steel in a cloth bag).	\$42.99
4-Player Resin Bocce Ball Set with Carrying Case.	\$59.99
Bean Bag Toss Game Set-Superior Aluminum Frame with Carrying case.	\$89.99
Soccer Balls 2 x \$12.99	\$25.98
Frisbees/Plastic Disc (quantity 4).	\$14.24
16 Wand Bubble Machine Auto Blowers.	\$40.99
12-8 oz Bottles of Bubble Solution.	\$ 7.97
12 Gallon (48 Quarts) Plastic Storage Box with Attached Lid (21 ½ inch by 15 inch by 12 ½) \$20.89 each x 3.	\$62.04
24 Gallon Rubbermaid Storage Box (26.5 x 19.3 x 17.4 inches) Need one for larger items. \$52.68 x 2.	\$105.36
Items that need replenished throughout the season such as bubbles etc.	\$50.00
<b>Sub-total</b>	<b>\$539.55</b>
<b>Repair Estimate Items:</b>	<b>\$560.00</b>
Trailer Hitch Repair	
Installation of new Door Hooks & Hinges	
Power Washing & Interior Cleaning	
Additional Locks and Keys	
<b>GRAND TOTAL</b>	<b>\$1,099.55</b>

ITEM # 13a-c  
DATE: 03/01/16

### **COUNCIL ACTION FORM**

**SUBJECT:** REQUESTS FOR GREEK WEEK 2016

**BACKGROUND:**

The Greek Week Committee and the Office of Greek Affairs have submitted plans to host Greek Week in March. To facilitate this event, organizers have requested closure of the following streets from 8:00 a.m. to 8:00 p.m. on Saturday, April 2: Sunset Drive; Ash Avenue from Gable Lane to Knapp Street; Gray Avenue from Gable Lane to Greeley; Greeley Street; Pearson Avenue from Sunset to Greeley; and Lynn Avenue from Chamberlain to Knapp. Lynn Avenue would be closed only until 2:00 p.m. on Saturday to facilitate the Greek Olympics activities.

To clear these streets of parked vehicles prior to the commencement of activities, event organizers have requested that parking be prohibited on both sides of the streets listed above from 5:00 p.m. on Friday, April 1, until each street has re-opened after the activities.

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

Staff recommends that these requests be approved with the following stipulations:

- Organizers and participants will be responsible for picking up trash in the area during and at the conclusion of the event
- Organizers will reimburse the City for any lost or damaged barricades
- Food served and/or sold at private residences is the liability of the residence

**ALTERNATIVES:**

1. Approve the request to close streets and enact temporary parking prohibitions for the Greek Week activities scheduled for Saturday, April 2, subject to the above-listed stipulations.
2. Deny the requests.

**MANAGER'S RECOMMENDED ACTION:**

Greek Week is an annual student-run event at Iowa State that highlights the fraternities and sororities and their contributions to student life. It is highly dependent upon City

approval of street closures and parking prohibitions so that it may occur in a safe and smooth manner.

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



CITY OF

# Ames SPECIAL EVENT APPLICATION

## SUMMARY OF EVENT

### DESCRIPTION

**Event Name** Greek Week

**Description**

Members of the Greek Community team up to compete in a week full of activities including sports tournaments, Lip Sync performances, artistic displays, fundraising and Olympic events. The theme of this year's Greek Week is "For Unity, Community and Opportunity."

**Event Category**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Athletic/Recreation  | <input type="checkbox"/> Concert/Performance               |
| <input type="checkbox"/> Exhibits/Misc.                  | <input type="checkbox"/> Farmer/Outdoor Market             |
| <input checked="" type="checkbox"/> Festival/Celebration | <input checked="" type="checkbox"/> Other (please explain) |
| <input type="checkbox"/> Parade/Procession/March         | Iowa State Greek Community                                 |

**Anticipated Attendance**

Total 2,700 Per Day 2,700

### DATE/TIME

<b>Setup</b>	Date <u>4/2/16</u>	Time <u>8:00 am</u>	Day of Week <u>Saturday</u>
<b>Event Starts</b>	Date <u>4/2/16</u>	Time <u>12:00 pm</u>	Day of Week <u>Saturday</u>
<b>Event Ends</b>	Date <u>4/2/16</u>	Time <u>6:00 pm</u>	Day of Week <u>Saturday</u>
<b>Teardown Complete</b>	Date <u>4/2/16</u>	Time <u>8:00 pm</u>	Day of Week <u>Saturday</u>

Rain Date, if applicable \_\_\_\_\_

Rain Location, if applicable \_\_\_\_\_

**LOCATION**

**Region**

*(Select one or more)*

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

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

Please contact the appropriate office well in advance:

- Downtown - Main Street Cultural District: (515) 233-3472
- Campustown - Campustown Action Association: (515) 450-8771
- Iowa State University - Events Authorization Committee: (515) 294-1437

director@amescampustown.com  
eventauthorization@iast

**CONTACTS**

**Host Organization**

Greek Week

**Local Contact (Required)**

*Must be present during event*

Name: Rebecca Kohlmann

Address: 2118 Sunset Drive

Telephone: (952) 356-6168

Cell phone: (952) 356-6168

*Must be available by cell phone during event*

Email: kohlmann@iastate.edu

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

Yes    No

Is this an annual event? How many years have you been holding this event? 62

Is this event open to the public?

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

If yes, please list

Item #: 14

Date: 3-1-16

**COUNCIL ACTION FORM**

**SUBJECT: SKATE PARK RENOVATION PROJECT  
PLANS AND SPECIFICATIONS**

**BACKGROUND:**

This project is to make needed repairs to the Skate Park and add additional features as funds allow. The base bid is to repair and/or replace concrete sections, seal cracks, repair coping, fill popouts, and add two additional skate elements. These two elements include a LA Highbank on the west side of the park and a five foot Floating Ramp on the northwest corner. Alternate 1 adds a five foot Floating Ramp to the southwest corner of the park, while Alternate 2 adds a twelve foot Grind Edge to the east side.

This year marks the sixteenth year the Skate Park has been open. The renovation project would be the first time major improvements have been made to the park. The project is expected to be completed by September 2, 2016.

American Ramp Company (ARC), a skate park design company from Joplin, Missouri, was hired to conduct a public input session with users, conduct a site review, develop preliminary design specs, conduct a design review meeting with users, provide a cost estimate, and provide final design specifications. Project details and costs are as follows.

**Engineer's Estimate:**

Base Bid w/ Contingency (15%)	\$ 94,029
Alternate 1 w/Contingency (15%)	\$ 7,582
Alternate 2 w/Contingency (15%)	\$ 4,179
Design Fees	<u>\$ 10,000</u>
<b>Total Estimate</b>	<b>\$ 115,790</b>

In the FY 2013/14 Capital Improvements Plan (CIP), \$75,000 was appropriated to replace concrete sections at the skate park. Initial cost estimates from a local consultant who estimated costs would exceed the appropriated CIP amount. As a result of this new information, an additional \$30,000 was added to the project to ensure all recommended repairs were completed. ARC conducted a public input session with users in FY 2014/15 to gain feedback regarding issues, concerns, and what skating elements should be added to the park. **ARC believes the funds appropriated will be sufficient to address needed repairs and add additional skating elements included in the base bid.**

In order to complete the base bid and Alternates 1 & 2, an additional \$10,790 is needed. Earlier this year, a contract for the Water Line Installation Project at Ada Hayden Heritage Park was awarded which resulted in savings of \$58,500. Therefore, there



appears to be sufficient savings available to cover the base bid plus the two alternates for the Skate Park Renovation Project.

**ALTERNATIVES:**

1. Approve Plans and Specifications for the Skate Park Renovation Project and set the bid due date for March 30, 2016, and April 12, 2016, as the date of hearing and award of the contract.
2. Do not approve the plans and specifications at this time, delaying the Skate Park Renovation Project.
3. Refer back to staff.

**MANAGER'S RECOMMENDED ACTION:**

The proposed project will address needed repairs and add additional skating elements to a well used facility in the park system. Completing the entire project including Alternates 1 and 2 adds uniqueness to the Skate Park as well as displays to users that the City is continually committed to providing excellent parks and facilities. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1 approving Plans and Specifications for the Skate Park Renovation Project and setting the bid due date for March 30, 2016, and April 12, 2016, as the date of hearing and award of the contract.



CITY OF  
Ames™

*Caring People ♦ Quality Programs ♦ Exceptional Service*

# MEMO

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

**From:** City Clerk's Office

**Date:** February 26, 2016

**Subject:** Contract and Bond Approval

There is no Council Action Form for Item No. 15. Council approval of the contract and bond for this project is simply fulfilling a *State Code* requirement.

/jr

**COUNCIL ACTION FORM**

**SUBJECT: REQUESTS FOR MAIN STREET FARMERS' MARKET**

**BACKGROUND:**

The Ames Chamber of Commerce is planning to host the sixth annual Main Street Farmers' Market this summer, which will take place on the 300 and 400 blocks of Main Street and on Burnett Avenue from Main Street to the U.S. Bank drive-through. The Market will operate on 24 Saturdays from May 7<sup>th</sup> to October 15<sup>th</sup> from 8:00 a.m. to 12:30 p.m. To facilitate set-up and tear-down, streets and parking spaces need to be closed from 5:00 a.m. to 1:30 p.m. each day.

To facilitate the event, organizers request a blanket Temporary Obstruction Permit and blanket Vending License for the entire Central Business District from 8:00 a.m. to 6:00 p.m. each day of the Market, which will allow downtown businesses who file an insurance certificate with the City to display items for sale on the sidewalks. The Chamber has requested that the \$50 Vending License fee be waived.

Organizers have also requested the use of Tom Evans Plaza between the hours of 6:00 a.m. and 1:00 p.m. for vendor booths and entertainment. City staff supports the use of this space for entertainment and educational activities for children and families as has been done in previous years. **However, to prevent damaging the turf in the plaza, City staff does not support using this space for regular Farmers' Market vendors.**

The use of electricity in Tom Evans Plaza, along Main Street and on Burnett Avenue has also been requested. Organizers have requested a waiver of the \$1 per day fee for use of electricity.

To facilitate the Market, organizers have also requested that the two- and four-hour limits on parking in CBD Lots X and Y be waived during Market hours, which City staff supports. Additionally, 75 metered parking spaces will be closed for 4.5 metered hours each day the Market operates. **City staff estimates that this will result in a maximum potential loss of \$1,620 to the Parking Fund.**

Market organizers have requested that the meter fees be waived because the Market is a non-profit organization, and in return the City would be included as a sponsor on all Market advertising materials. However, City staff notes that although the Market organization is non-profit, the vendors using the public space are primarily for-profit. **In 2014, the City Council waived 50% of the meter costs, which was \$900. Last year, the City Council waived all meter fees for this event.**

The portion of Clark Avenue between the Main Street and Lincoln Way will be reconstructed this summer as part of the FY 2015/16 Downtown Pavement Improvements. This project includes full depth pavement removal and replacement. The timing of this project will not be known until it is bid in April, but it is anticipated to affect traffic between Clark Avenue and the CBD parking lot for several weeks during the Farmer's Market season. Farmer's Market organizers have been made aware of this project and City staff will communicate updates to them and other affected businesses as details are available.

**The City Council should note that a letter concerning the location of the Farmer's Market was received from Swank's Jewelry (letter attached). Mr. Swank's letter indicates the Farmer's Market causes an inconvenience to his and other downtown businesses, as well as irritation to downtown residents. He suggests alternative locations for the Farmer's Market.** City staff has relayed Mr. Swank's concerns to the Farmer's Market organizers, who indicate they have met with Mr. Swank to discuss these concerns. The Farmer's Market organizers suggest that the downtown businesses have been surveyed and overwhelmingly support the market. The alternative locations suggested in Mr. Swank's letter have not been evaluated by the Farmer's Market or City staff for feasibility.

**ALTERNATIVES:**

1. Approve the requested street and parking space closures from 5:00 a.m. to 1:30 p.m. on Saturdays from May 7 to October 15, use of Tom Evans Plaza for entertainers, use of City electrical outlets, a blanket Temporary Obstruction Permit, a blanket Vending License, and suspension of enforcement in CBD Lots X and Y, and waive the fee for the Vending License, electricity use, and lost parking meter revenue.
2. Approve the requests as stated in Alternative No. 1, but require Farmers' Market to reimburse the City \$810 (50%) for lost parking meter revenue.
3. Approve the requests as stated in Alternative No. 1, but require Farmers' Market to reimburse the City \$1,620 (100%) for lost parking meter revenue.
4. Direct staff to work with Farmer's Market organizers to find an alternative location for the event.
5. Do not approve the requests.

**MANAGER'S RECOMMENDED ACTION:**

The Main Street Farmers' Market has successfully attracted visitors to the Main Street Cultural District for the last several years. It has become a signature event in Ames, enhancing the local economy and providing a family-friendly activity that showcases the Ames community.

The City Council has received a letter expressing concern about the operation of the Market in its present location. However, Farmer's Market organizers have surveyed downtown businesses regarding the event, and have indicated the majority of businesses support the Market.

Assuming the City Council is supportive of the event's location and would support the latest precedent to waive parking fees to facilitate this event, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as described above.



January 28, 2016

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

Dear Honorable Mayor Campbell and City Council,

The Ames Chamber of Commerce is planning to hold the sixth season of the *Ames Main Street Farmers' Market* this summer. The event is scheduled to be held on the 300 and 400 block of Main Street every Saturday from May 7th to October 15th, 8:00AM to 12:30PM (the road is scheduled to be closed from 5:00AM to 1:30PM to allow for setup, teardown, and cleanup). The 24-week event will showcase the area's best farmers, crafters, artist and prepared food experts as well as offering weekly live entertainment and children's activities. At this time, Ames Chamber of Commerce asks the City Council to consider four specific requests:

1. The Ames Chamber of Commerce requests a Blanket Vending Permit for the entire CBD to allow businesses to sell merchandise outside their stores if they so choose. The Chamber of Commerce further requests the fee be waived as any businesses selling products on the sidewalk are members.
2. The Ames Chamber of Commerce requests free use of electricity along the 300 and 400 Blocks of Main Street and for the outlets in the Tom Evans Park.
3. The Ames Chamber of Commerce requests that the fee be waived for the parking meters on the 300 and 400 Blocks during the Ames Main Street Farmers' Market as the Market is a Non-Profit organization. In return the City of Ames would be considered a Sponsor of our Ames Main Street Farmers' Market and would be included in all advertising, newsletters and on our Website. For the 24 week period the Market brings conservatively 60,000 - 72,000 people to the Main Street Cultural District. The benefit from these visitors coming to the Market will increase income in parking, shopping and eating in our beautiful city.
4. The Ames Chamber of Commerce also requests that that any timed, 2hr or 4 hr. parking fees in the back lots of the 300 and 400 Blocks of Main street be waived from 6:30am to 1:00pm during the Market season.

Thank you for your consideration of these requests and continued support of downtown Ames. We look forward to seeing you in the sixth year of the Ames Main Street Farmers' Market throughout the 2016 season.

Sincerely,

Lojean Petersen  
Ames Main Street Farmers' Market Manager

304 Main Street, Ames, IA 50010 | 515.232.2310 | Ames Chamber of Commerce

# Swank's

319 Main St. Ames, IA

27 January 2016

Steve Schainker, City Manager, Ames  
cc: Mayor, City Council

Dear Mr. Schainker et al:

On behalf of numerous Downtown District Businesses, this letter opens for consideration the relocation of the 2016 Downtown Farmers Market (DFM).

Currently, DFM strictly limits access to the 300/400 block businesses, on twenty-six (26) Saturdays. DFM effectively closes the north side 300/400 block businesses (Main Street access only) for 50% of Saturdays, annually.

The current DFM location causes great inconvenience to our established customer base and offers no opportunity for new customer sales, causing financial hardship to said DT businesses.

DowntownFarmersMarket alternative locations for consideration:

- A. 5<sup>th</sup> Street (most businesses closed – Saturday)
- B. City Hall parking lot (5<sup>th</sup>/Clark)
- C. Behind Main St. (south side parking lot)
- D. East 5<sup>th</sup> St. (Bandshell for music/E.5<sup>th</sup> St. for commerce)

The 5<sup>th</sup> St. DFM location offers similar Downtown Ames look and feel.

The Bandshell DFM location offers a casual, festival atmosphere.

The City Hall DFM offers ultimate downtown landscape.

Main Street South DFM offers MainStreet look and feel without inconveniencing the regular MainStreet customer.

The DFM event is a 40-vendor, family festival experience not to be confused with a convenience-shopping event.

Finally, after surveying MainStreet shoppers and residents, we learned the DFM festival Saturdays not only create inconvenience to the shoppers, but the activity/noise level is irritating to the residents.

Thank you for your review and timely response.

Sincerely,

Rick Swank  
swjewels@yahoo.com



Current Market Location

Alternative Sites Proposed by Mr. Swank:  
City Hall Lot N  
5th Street  
CBD Lot  
Bandshell Park





## SUMMARY OF EVENT

### DESCRIPTION

**Event Name** Ames Main Street Farmers' Market

**Description**

The Ames Main Street Farmers' Market would like to hold the Market in the 300 and 400 blocks of Main Street, including the Tom Evans Park and south half of Burnett Street which is the same location as last year. The event is scheduled for every Saturday between May 7th through October 15th, 2016. We would close the streets from 5:00 am and have them back open at 1:30 pm. We have "No Parking" signs made to put on the parking meters telling of the the no parking between those hours. We put these signs on the meters Friday night at 6 pm. The open hours of the Market are from 8am to 12:30 pm.

During the 24 week event we will showcase the area's best local produce farmers, craftsmen, artist and prepared food vendors. as well as offering weekly live entertainment and children's activities.

Last year we had a total of 88 Vendors join us with approximately 78.000 visitors joining us during our 26 week season last year. It was a very successful year for the Ames Main Street Farmers' Market and the Vendors that participated. We believe it will just continue to grow and get better as we continue to promote this exciting and vibrant event in the heart of our downtown.

- Event Category**
- Athletic/Recreation
  - Exhibits/Misc.
  - Festival/Celebration
  - Parade/Procession/March
  - Concert/Performance
  - Farmer/Outdoor Market
  - Other (please explain)

**Anticipated Attendance** Total 72,000 Per Day 3,000

### DATE/TIME

<b>Setup</b>	Date <u>5/7/16</u>	Time <u>5:00 am</u>	Day of Week <u>Saturday</u>
<b>Event Starts</b>	Date <u>5/7/16</u>	Time <u>8:00 am</u>	Day of Week <u>Saturday</u>
<b>Event Ends</b>	Date <u>5/7/16</u>	Time <u>12:30 pm</u>	Day of Week <u>Saturday</u>
<b>Teardown Complete</b>	Date <u>5/7/16</u>	Time <u>1:30 pm</u>	Day of Week <u>Saturday</u>

**Rain Date, if applicable** \_\_\_\_\_

**Rain Location, if applicable** \_\_\_\_\_

## LOCATION

### Region

(Select one or more)

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

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

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

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

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

events@amesdowntown.org

director@amescampustown.com

eventauthorization@iastate.edu

## CONTACTS

### Host Organization

Ames Chamber of Commerce

### Local Contact (Required)

*Must be present during event*

Name: Lojean Petersen

Address: 304 Main Street

Telephone: ( 515 ) 232-2310

Cell phone: ( 515 ) 520-0702

*Must be available by cell phone during event*

Email: amesmarket@gmail.com

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

### Yes No

Is this an annual event? How many years have you been holding this event? 5

Is this event open to the public?

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

If yes, please list

## Staff Report

**Review of North Growth Designation and the Ames Urban Fringe Plan for Cameron School Road and GW Carver Avenue**

March 1, 2016

**BACKGROUND:**

The City Council identified 6 tasks for the Planning Division to address over the next two years. One of the tasks is to review the Ames Urban Fringe Plan and development options for the area between the Northwest and Northern Growth Area. (See Attachment A-Location Map) This “Gap Area” sits between the Northern Growth Area to the east of GW Carver and the Northwest Growth Area that is situated west of Squaw Creek and centered upon North Dakota Avenue.

The Gap Area is part of the Ames Urban Fringe Plan (Fringe Plan). The Fringe Plan has a designation of Priority Transitional Residential for this area. (See Attachment B-Fringe Plan Map and Attachment C-LUPP Northern Growth) **Priority Transitional Residential allows for rural residential development at a minimum of 3.75 units per net acre, but does not require annexation to the City prior to development and leaves the timing of annexation to the discretion of the City.** (See Attachment E-Summary of Fringe Plan Designations) The Priority Transitional designation covers approximately 220 acres and 80 acres have a Natural Area designation within the Fringe Plan. The Ames Golf and Country Club land is approximately 160 acres of Recreation Area bordered by Rural Residential. Lands to the northwest of the Gap Area have a Rural Transitional Residential designation.

The Gap Area is mostly undeveloped with only a handful of homes existing in the area, before reaching rural subdivisions along Squaw Creek. Three property owners, Borgmeyer, Muench, and Dankbar, control over 90% of the area (See Attachment D-Ownership Map). Staff estimates there is approximately 160 net developable acres in the Gap Area when accounting for natural areas, future right-of-way, and open space requirements of City zoning. **Development at minimum required densities would provide for approximately 600 homes.** Development under the LUPP’s New Lands assumptions of an average of 5 units per acre, the area would generate approximately 800 homes.

The City Council analyzed annexation policies as part of the 2008 Targeted Growth Study and last reviewed its policies as part of Northern Growth amendment in 2011. **Following this review, the City Council amended the Land Use Policy Plan (LUPP) in 2011 to allow for annexation and development of land along Grant/Hyde Avenue as a non-incentivized growth area.** The area west of the railroad tracks was also designated as Northern Growth in the LUPP in 2011, but no changes were made to the Fringe Plan to implement such a designation. The “Athen” property that is now

under development as the Scenic Valley Subdivision was the subject of an individual Fringe Plan and LUPP Amendment in 2012 that allowed for it to be annexed and approved for development. Council agreed in 2014 to waive subdivisions standards and not require annexation of the Ames Golf and Country Club (AGCC) for their proposed 30 home development along GW Carver, However, the AGCC project has not yet been submitted for approval by the City and the waiver requests must again be reviewed by the Council.

## **City Services**

The Gap Area was previously left out of the City's expansion plans due to costs of extending infrastructure and providing city services. This report provides background on what staff sees the primary policy issues related to considering whether the Gap Area should be planned for service by the City in the future. **The most significant issues known at this time relates to the sanitary sewer service. If Council chooses to move ahead with initiating a LUPP or Fringe Plan amendments, additional details concerning site development densities and options would need to be investigated as well.**

- **Sanitary Sewer**

There are two distinct sanitary sewer watersheds to discuss. The Borgmeyer/Ames Golf and Country Club and the Dankbar/Meunch areas.

Sanitary sewer for the Borgmeyer and the Ames Golf and Country Club is intended to be served from a main extension that will be a part of the Rose Prairie development and ultimately connect to the newly installed sanitary sewer along Grant Avenue. These areas were included in the sewer pipe sizing calculations for the Grant Avenue sewer along with the proposed single family residential homes in Rose Prairie, Quarry Estates, Hayden's Crossing and the proposed Hunziker development on the west side of Grant Avenue just north of the existing city limits. The Borgmeyer and Ames Golf and Country Club areas were included in the sanitary sewer connection district established in 2014 to recoup the City cost of the installation of the sanitary sewer along Grant Avenue.

The Dankbar and Meunch properties provide challenges for being served by City sanitary sewer. This area of concern was highlighted during the Sanitary Sewer System Evaluation Council Workshop in May 2015. During the Sanitary Sewer System Evaluation, all manholes and pipes were inspected for condition as well as survey grade elevation to be utilized in updating the City's sanitary sewer model.

Staff, at the developer's direction, requested an evaluation of the ability to serve 350 single family homes with sanitary sewer by Veenstra & Kimm. **In July 2015, Staff received the report showing, according to the model, the sanitary sewer model there is no additional capacity available.** The proposed development would create sanitary sewer overflows in 4 downstream manholes, near overflow in another and a surcharge pipe situation through the majority of the main trunk line within Northridge based on the density provided by the developer. Attachment F shows these locations.

As a result of this finding, Staff directed Veenstra & Kimm to develop options to be able to serve the Dankbar and Meunch properties. Three options were developed based on the densities provided by the developer. The locations are shown in Attachment G and the description and conceptual construction costs estimates are shown below:

Sewer Project 1. Construction of a new trunk sewer \$2.5M – \$3.0M

Sewer Project 2. Intercepting Somerset Subdivision \$0.5M - \$0.7M

Sewer Project 3. Intercept Northridge Heights, Somerset, Scenic Valley and the Dankbar/Meunch development \$1.5M - \$2.0M

Sewer Project 1 bypasses the Northridge trunk line and would provide the additional capacity needed to serve the Dankbar/Meunch area as well as potential future growth areas. However, this option requires two crossings of Squaw Creek.

Sewer Project 2 provides capacity for the Dankbar/Meunch area, however additional capacity for future development, beyond Dankbar/Meunch may not be available. There are concerns with the installation of a new sewer line adjacent to the newly reconstructed pond at Moore Memorial Park and the options have not evaluated in detail the impact to the proposed routes.

Sewer Project 3 bypasses the Northridge trunk line and would provide the additional capacity needed to serve the Dankbar/Meunch area as well as potential future growth areas. However, there are concerns with the installation of a new sewer line adjacent to the newly reconstructed pond at Moore Memorial Park and the options have not evaluated in detail the impact to the proposed routes.

There is potential for the Meunch property and/or part of the Dankbar property to be served wholly or in part by a sanitary sewer lift station that would take the sanitary sewer under GW Carver through Borgmeyer and Rose Prairie to Grant Avenue. However, this scenario has not been modeled for its viability.

- **Transportation**

A specific traffic impact study has not been done for development of this area. Staff has general information about traffic levels created during a 2040 Long Range Transportation Plan (LRTP) alternative scenarios analysis. The LRTP modeling utilized the current Fringe Plan and the LUPP designations to forecast development in the Gap Area. As part of the LRTP process, staff also analyzed broad alternative scenarios for growth locations in the City. One of the alternatives analyzed the traffic levels between development of the Gap Area and no development.

The total homes shown in this area was roughly 600 additional homes beyond existing approvals. Due to the Northern Growth designation in the LUPP, most of the density was modeled as occurring east of GW Carver on the Borgmeyer property. The alternative scenario had all of the new development from the Gap Area reallocated to

other parts of the City to keep the population and growth targets equal overall. **The general effects of development within the Gap Area were an increase of roughly 8% on traffic levels along GW Carver as people travel into the City along Stange Road, Bloomington, and 24<sup>th</sup> Street.** The LRTP identified areas of congestion at intersections along GW Carver and Stange Road as the primary arterial streets that bring people into the City and directly to Iowa State University from the north. The LRTP also includes medium and long term projects to address congestion in these corridors. **If the City moves forward with more refined development details for this area, a project specific traffic impact assessment would likely be needed.**

- **Parks and Recreation**

The LUPP establishes a goal of providing 5 acres of parkland for every 1,000 residents of the City. Additionally, the Parks and Recreation Department has facility guidelines for neighborhood and community parks based upon service populations and distances between parks. Neighborhood parks are planned to serve residents within a ½ mile of a park and the City plans to strategically locate these parks in growing areas.

The Gap Area is situated in a manner that approximately half of the Borgmeyer property is within a 1/2 mile radius of the neighborhood park located in Northridge Heights. The other properties within the Gap Area are not located in close proximity to a public park. The City would need to consider how to plan for park facilities in this area and if they could be efficiently situated to serve the neighborhood needs or if alternative private common spaces could meet open space and recreation needs.

- **Emergency Services**

The Fire Department tracks emergency response times as one of its many performance measures. The department's performance measurement goal is to provide an average response travel time of 5 minutes or less to 85% of all incidents during a rolling five year period. As development moves to the north, the length of the average response time has the potential to increase based upon the location of existing stations. Using the City's Geographic Information Systems (GIS) to analyze response times, development in the Gap Area would exceed the 5 minute travel time goal. Development in the Gap Area may affect the city-wide averages if new development in this area produced an inordinately high amount of emergency incidents.

### **Rural Development Requirements**

Because the Gap Area land is designated as Priority Transitional Residential rather than an Urban Service area, it may be developed without annexation. **However, development would need to meet a minimum density of 3.75 units per acre and infrastructure must be installed to meet City specifications.** Approval of a subdivision would require consistency with Story County zoning and subdivision requirements, as well as the City's subdivision standards. **The Fringe Plan also specifies that development would need to occur with common water and sewer services within the Priority Transitional Residential designation.**

The Gap Area is within Xenia Rural Water territory. Development would likely be able to connect to Xenia to serve the area. Xenia has a water main already in place along GW Carver and Cameron School Road. Staff has not talked to Xenia about their ability or desire to serve homes in the area, but believes it has infrastructure capable of supporting rural development.

Sewer service is a more difficult issue to manage for rural development. Most rural development occurs with the use of individual septic systems. Individual septic systems are not consistent with the Priority Transitional Residential Designation nor would septic systems likely meet the County's standards. To meet requirements for sewer service, rural development would likely require partnering with the existing sewer treatment package plant of the Squaw Creek Subdivision located north of the Gap Area or creation of a new common system. A new common system would be subject to approval of the County and the Iowa Department of Natural Resources (DNR) with maintenance and monitoring the responsibility of the customers (homeowners) that use the system.

### **POLICY OPTIONS:**

The Dankbar's have expressed to staff that they are very interested in pursuing options for development of their property. Staff does not believe the Borgmeyer's are interested in development of their property in the near term based upon correspondence within the past 18 months about participating in an annexation. Staff has not reached out to other property owners in the area.

**In review of the Gap Area, staff believes there are three primary policy options for the City Council to consider. City Council could also ask for more information or studies before giving policy direction for the area.**

**Policy Option #1: Maintain the Ames Urban Fringe Plan Priority Transitional Residential designation with no amendments to the Ames Urban Fringe Plan. No further policy direction would be needed from the City Council.**

Under this option, a property owner could pursue development in a manner consistent with the Fringe Plan, but they would not be able to annex to the City. Developers would need to formulate solutions for water and sewer services and install infrastructure that meets City standards to be approved for development. The City of Ames would have to approve a Preliminary and Final Plat prior to development a property in the Gap Area.

**Policy Option #2: Initiate an Ames Urban Fringe Plan Amendment to Urban Services Area for all or a portion of the Gap Area. An Urban Services designation mandates that a property must be annexed prior to development, but does not compel the City to annex property at any particular time.**

City Council could initiate an Ames Urban Fringe Plan Amendment for review by Story County, Gilbert, and Ames with the intent of pursuing the eventual annexation of lands in the Gap Area rather than allowing for rural development to occur.

Under this option, if a Fringe Plan Amendment was approved, a property owner would not be able to subdivide their property without first annexing to the City. Prior to annexation, the costs of services and utilities would be further analyzed, and additional development details about densities and land use types would need to be projected for the overall area.

**Policy Option #3: Initiate an Ames Urban Fringe Plan Amendment for the area (Dankbar and Muench) to the west of GW Carver to Rural Transitional. Rural Transitional designation allows for lower densities of development without immediate annexation to the City. Allowable minimum densities would drop to 1.0 unit per acre and allow for a maximum of 3.75 units per acre.**

The properties to the west of GW Carver are in a different position for city services than the properties to the east of GW Carver. The City may not have an interest of annexing the land or intensifying its development to urban densities as is currently shown in the Fringe Plan.

The City Council could initiate a Fringe Plan amendment west of GW Carver if it believed there was no need to annex the land for development and lower density rural development abutting the City would be acceptable. This scenario would allow for Xenia rural water services and septic systems on individual lots to serve rural development. The land could still be annexed to the City in the future with infrastructure installed to City specifications, i.e. Bella Woods Subdivision is an example. Staff estimates that potential development density west of GW Carver could drop as low as a minimum of 70 homes versus a minimum of approximately 200 homes under the current Fringe Plan designation.

**STAFF COMMENTS:**

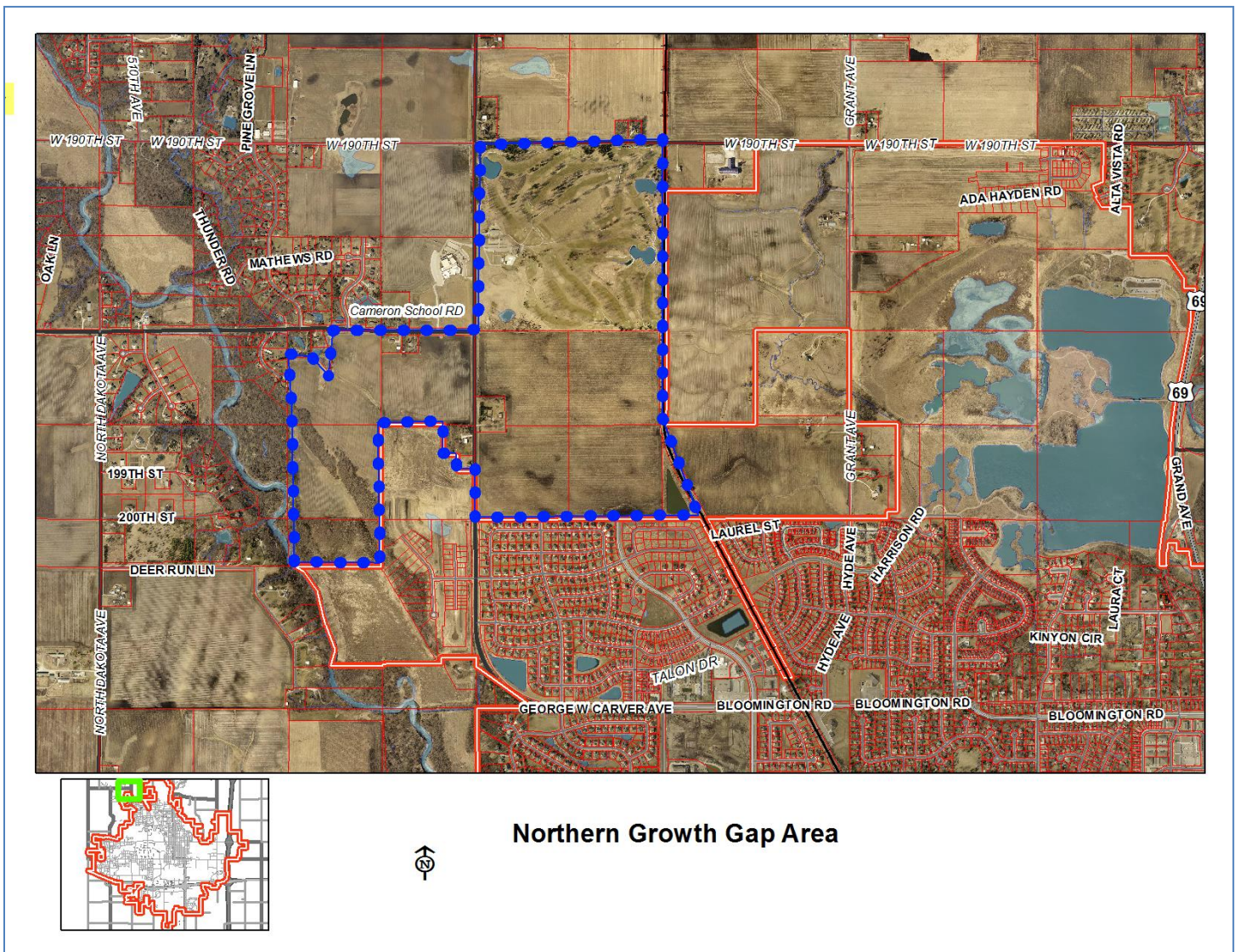
At the September 15, 2015 LUPP Update Strategy Workshop staff provided an assessment of the housing availability for readily developable land. Staff estimated that there is land available for development of 1,100 to 1,370 homes to house 3,000 to 3,800 people over the next 5 to 10 years. Development of the Gap Area was not included as part of these near term growth calculations. If the City Council was to plan for and permit development in the Gap Area, it would be in addition to the growth capacity described at the workshop.

Based on the issues of providing services to the area and the apparent availability of land in the short term for single-family home development, staff believes that the area is not an immediate priority of the City to have annexed to the City. This belief is also influenced by the City Council's prior direction to prepare a Master Plan for the Southwest Growth Area that facilitates development beginning in 2020.

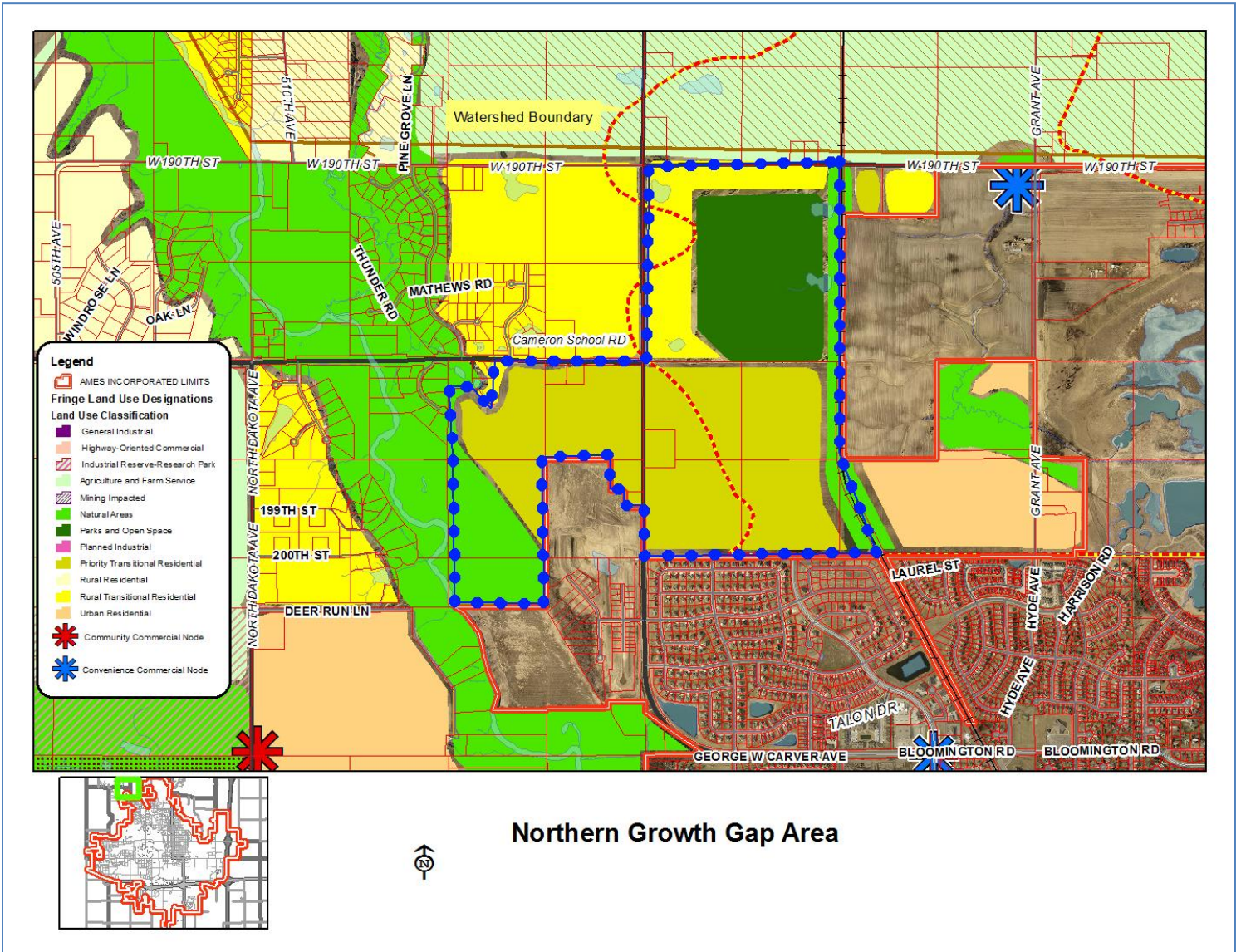


However, in the event the City Council wants to consider LUPP amendments and Fringe Plan amendments in support of potential future annexation, staff believes that the area should be categorized as a Non-Incentivized growth area as was the decision for the other Northern Growth areas along Grant/Hyde Avenue and for Scenic Valley. Additionally, an amendment process for the entire Gap Area would fit within the LUPP Major Amendment category and require development of options, preparation of studies, and conduct outreach on potential changes. City Council would need to establish a timeframe within Planning Division's program of work schedule for a LUPP Major Amendment process and specify which issues to address as part of the amendment process.

### Attachment A-Location Map

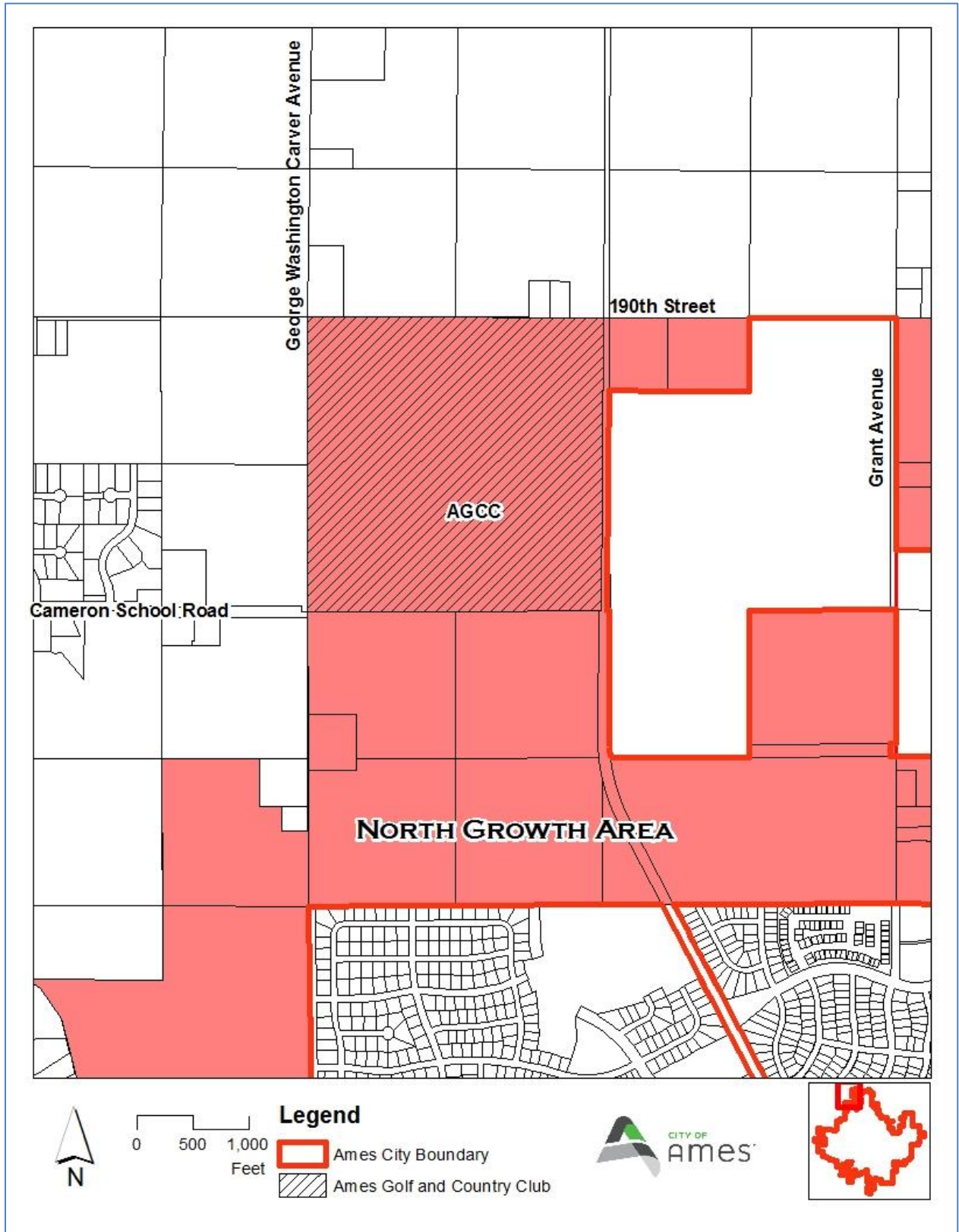


# ATTACHMENT B-FRIDGE PLAN MAP

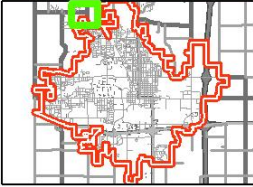
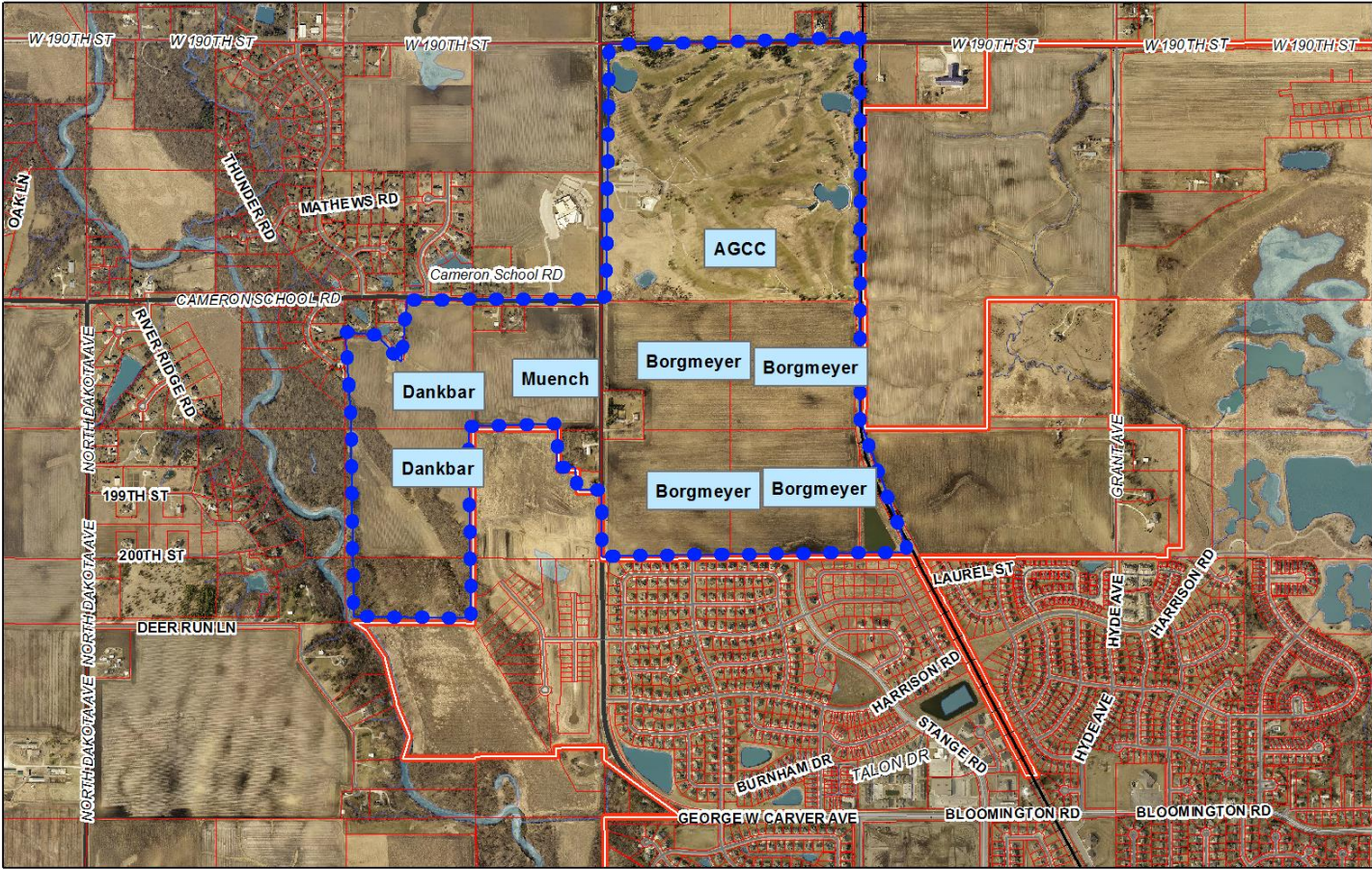


Northern Growth Gap Area

# ATTACHMENT C: LAND USE POLICY PLAN NORTHERN GROWTH



# Attachment D-Major Property Owners



Northern Growth Gap Area

## Attachment E- Summary of AUF Categories

The Ames Urban Fringe Plan (AUF) identifies two broad classes of land use for residential development. Each class has a description of what type of development is allowed and whether annexation into either Ames or Gilbert is expected prior to development during the expected life of the AUF (to 2030). The classifications also set the stage for subdivision improvement expectations.

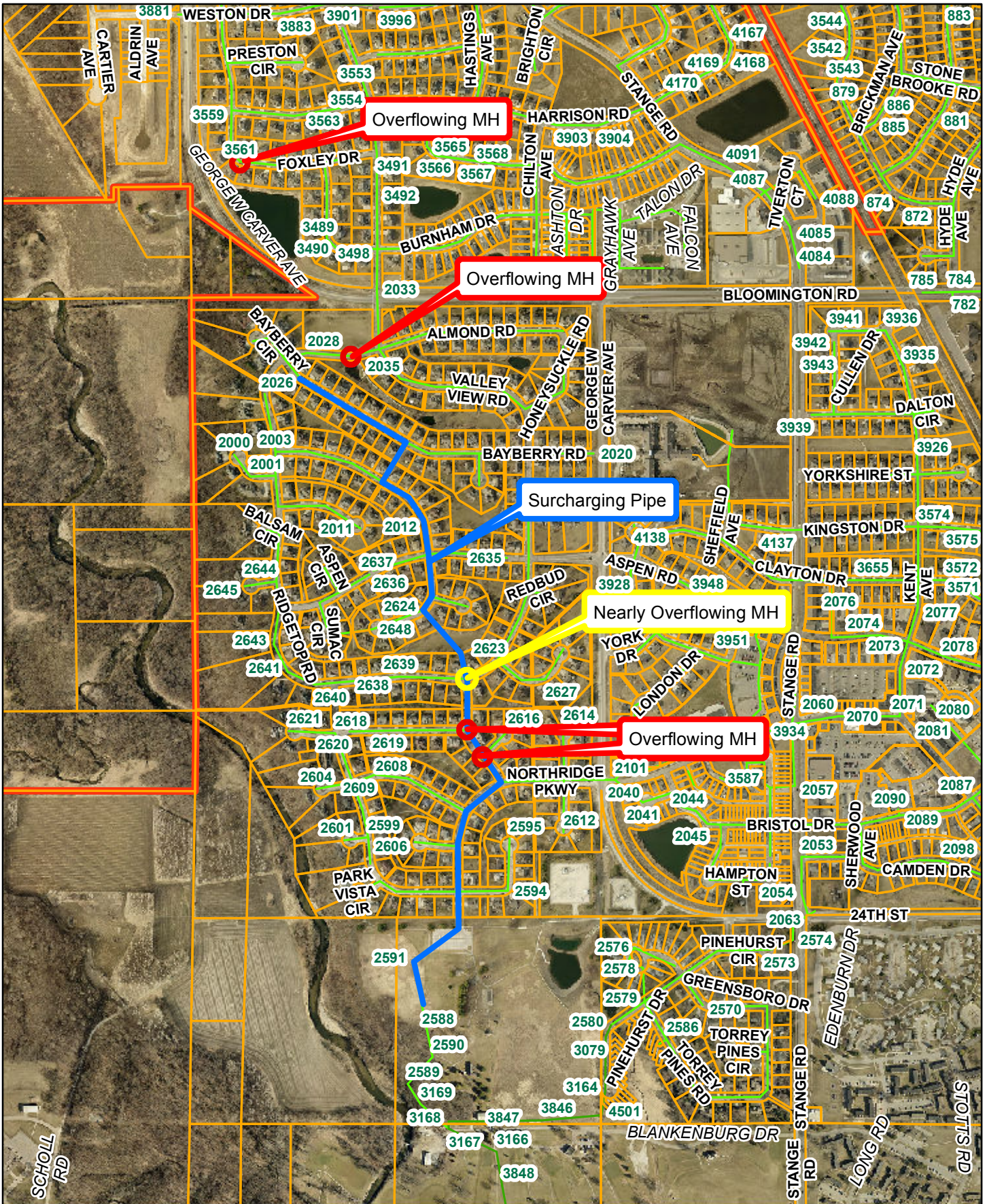
- **Rural/Urban Transitional Classification:** These are areas where development is possible during the life of the AUF and there is potential for annexation depending on proximity to the City.

Rural/Urban Transitional is further divided into Rural Transitional Residential and Priority Transitional Residential.

- **Rural Transitional Residential:** This designation exists further from the City's boundaries and is believed to be less likely than Priority Transitional Residential to be annexed into the City. **The AUF allows for densities between 1.00 and 3.75 dwelling units per acre.** The infrastructure requirements of the City subdivision ordinance (Design and Improvement Standards) apply unless waived by the City Council
- **Priority Transitional Residential:** Areas with this designation are adjacent to the City limits. While annexation is likely within the life of the Plan, development can occur prior to annexation. **However, development is expected to meet a minimum of 3.75 units per acre and provide infrastructure equivalent to City services.**

To date, no development has occurred in a Priority Transitional Residential Area. Developers have sought changes to the AUF to designate portions of the Priority Transitional Area to Urban Residential and subsequent annexation (e. g., Rose Prairie and Athen).

- **Urban Service and Urban Residential Classification:** These are areas that are adjacent to the City limits and are expected to be annexed prior to development. After annexation, full development is allowed at City densities (no less than 3.75 dwelling units per acre) and with full City services.



Geographic Information System (GIS) Product Disclaimer: City of Ames GIS map data does not replace or modify land surveys, deeds, and/or other legal instruments defining land ownership & land use nor does it replace field surveys of utilities or other features contained in the data. All features represented in this product should be field verified. This Product is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, merchantability and fitness for or the appropriateness for use rests solely on the User.

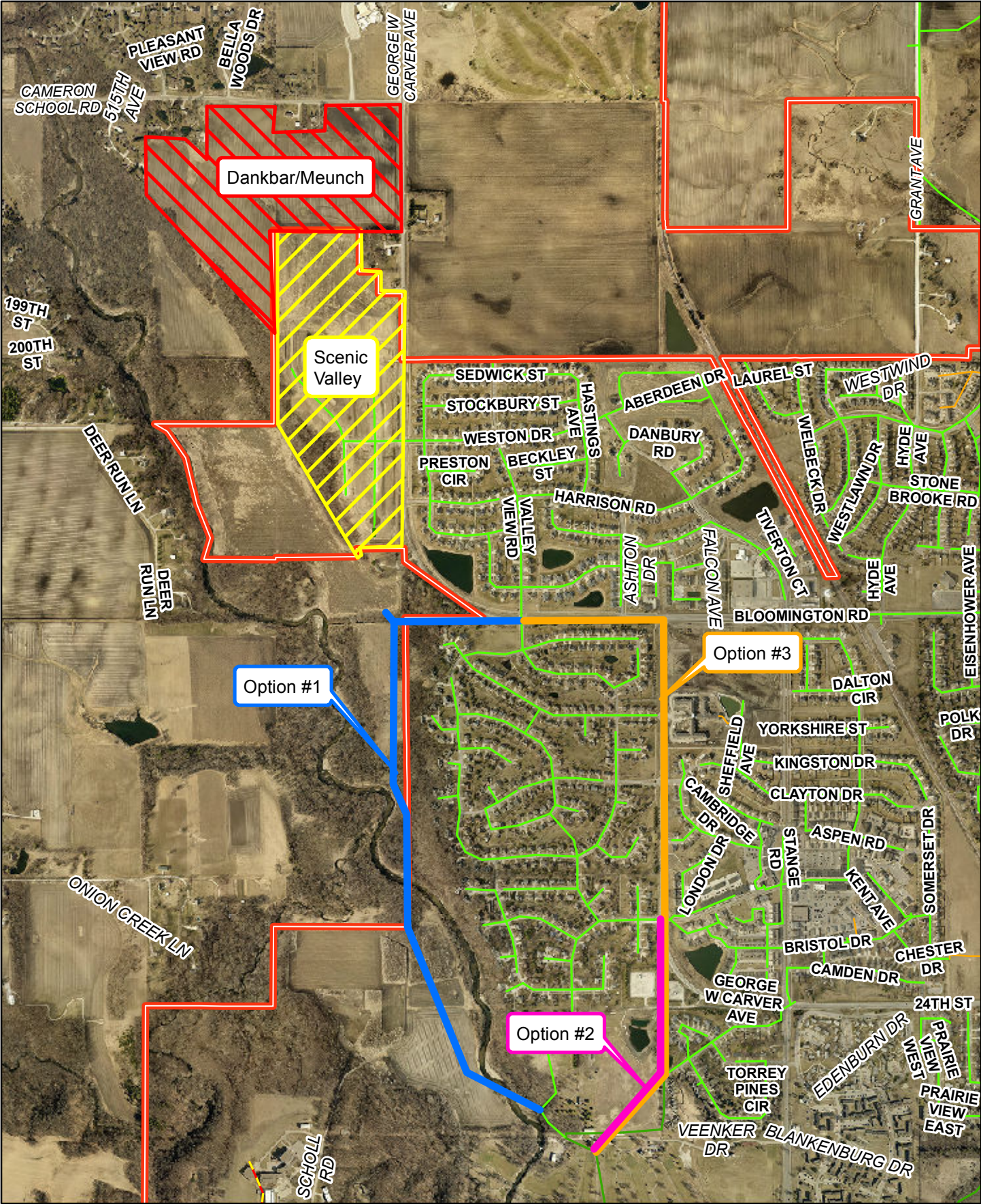


Dankbar/Meunch  
Sanitary Sewer Impacts



Scale: 1 in = 833 ft  
Date: 9/9/2015

# Attachment G



Geographic Information System (GIS) Product Disclaimer: City of Ames GIS map data does not replace or modify land surveys, deeds, and/or other legal instruments defining land ownership & land use nor does it replace field surveys of utilities or other features contained in the data. All features represented in this product should be field verified. This Product is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, merchantability and fitness for or the appropriateness for use rests solely on the User.



North Growth Gap Area  
Sanitary Sewer



Scale: 1 in = 1,333 ft  
Date: 2/19/2016

**COUNCIL ACTION FORM**

**SUBJECT: URBAN FRINGE AMENDMENT FOR BURGASON ENTERPRISES, LLC**

**BACKGROUND:**

Steve Burgason, representing Burgason Enterprises, LLC, is seeking an amendment to the Ames Urban Fringe Plan Future Land Use Map for a 9.72 acre parcel of land at the south end of Cedar Lane. The area is triangular in shape and is adjacent to and immediately south of other lands owned by Burgason (see Attachment A).

The request of Burgason is for three map changes. These are:

- An amendment to the Ames Urban Fringe Plan Land Use Framework Map from Agriculture and Farm Service to Urban Residential (Attachment B and C).
- An amendment to the Ames Urban Fringe Plan Land Use Classes Map from Rural Services and Agricultural Conservation Area to Urban Services Area.
- An amendment to the Land Use Policy Plan Allowable Growth Map to designate this as part of the Southwest II Growth Area (Attachment D).

Burgason explored the idea of annexing their other lands north of this request in 2014. Because other parties withdrew their applications for annexation, Burgason also withdrew, resulting in the annexation of only the land included in the ISU Research Park expansion (and 5 non-consenting parcels). At that time, their proposed application did not include this triangular piece because it was not identified as an Allowable Growth Area or designated for Urban Services in the Fringe Plan. Subsequent to the 2014 annexation effort, Burgason requested the City Council initiate an amendment to the Fringe Plan and LUPP so that the area could be included in a future annexation proposal.

The Ames Urban Fringe Plan anticipated that growth of the City would not extend south of the half section line that is the north property line of the subject area. This is the line that marks the south end of the Ringgenberg development and the south end of the ISU Research Park expansion as well. South of this half section line, much of the land is owned by Iowa State University, the Iowa State University Foundation, or the Committee for Agricultural Development. The subject request is the only privately owned property in the immediate vicinity.

Further details and analysis are found in the Appendix.

**Planning and Zoning Commission Recommendation** The Planning and Zoning Commission considered the request at their meeting on February 17, 2016. The applicant spoke about his desire to develop this 9.72 acre parcel along with the other land already designated Urban Residential. No one else spoke concerning the request. The Commission was supportive although they indicated there may be an impact on ISU farm land surrounding this parcel. Staff noted that Iowa State University as well as the ISU Foundation (abutting property owners) were advised of the request and staff



met with a member of ISU staff who did not register an opinion for or against the request. The Commission voted 6-1 to recommend approval of the request (Alternative 1, below).

**ALTERNATIVES:**

1. The City Council can approve:
  - a. An amendment to the Ames Urban Fringe Plan Land Use Framework Map from Agriculture and Farm Service to Urban Residential (Attachment C).
  - b. An amendment to the Ames Urban Fringe Plan Land Use Classes Map from Rural Services and Agricultural Conservation Area to Urban Services Area.
  - c. An amendment to the Land Use Policy Plan Allowable Growth Map to designate this as part of the Southwest II Growth Area (Attachment D).
  
2. The City Council can deny the proposed amendments.

**CITY MANAGER'S RECOMMENDATION:**

Including the parcel in the Urban Residential Area and Southwest II Allowable Growth Area allows for its future annexation and development. Otherwise, as an isolated tract with an irregular shape, it would be difficult to efficiently farm once the neighboring property to the north is urbanized. It also appears that the half-section line did not take into account individual ownership patterns. It effectively isolated the 9.72-acre parcel from the remainder of Burgason's 40-acre development parcels. Staff views this area as suitable for single family home development and, in accordance with LUPP policies, densities would average 5 units per acre in New Lands, with a minimum density of 3.75 units per net acre upon development. At this time, staff estimates the subject area may be suitable for 20 to 45 single-family homes, dependent upon future rezoning and subdivision requests. To include it with the Allowable Growth Area of the City for development would have only a minimal impact on the provision of services by the City. **Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative 1 approving the map changes as requested.**

## APPENDIX

**Request and Referral:** Steve Burgason, representing Burgason Enterprises, LLC, owns about 40.53 acres in the Urban Residential area on the east side of Cedar Lane. He sought to develop this property, going so far as to seek annexation in 2014. That annexation included multiple property owners comprising about 310 acres but, because of several withdrawals, only 204 acres were ultimately annexed for the ISU Research Park.

The land subject to this request is 9.72 acres. It lies south of the half section line of Section 21 of Washington Township. This half section line defined the south area of the growth area of Ames, evidenced by the south line of the Ringgenberg development (including the 40-acre parcel acquired by ISU), the ISU Research Park expansion, and the Southdale development further to the east of US Highway 69.

Because of the extensive ISU (and ISU affiliated) land holdings south of Ames near the Burgason property, it was not anticipated that the city would annex and displace these farm and research operations. However, Burgason owns a triangular piece adjacent to their other holdings, which juts south of that half section line. It appears that the determination of that growth area boundary did not take into account individual ownerships of all parcels.

**Land Use Policy Plan and Ames Urban Fringe Plan:** The Ames Urban Fringe Plan designates this site as Agriculture and Farm Services, a subclass of the Rural Service and Agricultural Conservation Area. **To accommodate the request, an amendment must be made to designate this land as Urban Residential, a subclass of the Urban Services Area.** This designation would preclude development unless and until the land is annexed, full City services are brought to the site, and development met urban density standards. This designation is consistent with the rest of the yet-to-be-annexed land east of Cedar Lane, south of Oakwood Road, and west of University Boulevard.

The Land Use Policy Plan designates Allowable Growth Areas, identifying “new areas for growth and to establish incentives for their development.” In general, the Allowable Growth Areas of the LUPP reflect the Urban Residential Areas of the Ames Urban Fringe Plan. **The LUPP Allowable Growth Map will need to be amended to designate this land as Southwest II Growth Area.** This designation is consistent with the yet-to-be-annexed area described in the previous paragraph. There are no incentive policies for development in the Southwest II Growth Area. Altering the Allowable Growth Map in this instance is viewed as minor amendment due to the limited scope of the request and the isolated nature of the site, yet it appears to readily serviceable by the City if it were to be annexed and developed.

**Zoning:** The subject site is currently zoned A-1 by the County.

**Applicant’s Statement:** The applicant’s Narrative for LUPP Change is included in Attachment E.

**Amendment Considerations:** The Land Use Policy Plan provides guidance on what considerations should be given for an amendment to the Land Use Policy Plan.

*When reviewing major and minor proposed amendments to the Land Use Policy Plan, consideration should be given to whether or not the proposed amendment is consistent with the Goals for a New Vision described in the Land Use Policy Plan. [Found in Attachment F.] These goals, and the related objectives below each goal, should apply to review of both minor and major amendment. In addition to these, it is also helpful to consider for major amendments:*

- 1. City resources, including staff, budget, utilities, transportation, parks and/or schools, necessary to implement the proposed amendment.*
- 2. The City's ability to provide the full range of public facilities and services at the planned level of service, or if the proposal will consume public resources otherwise needed to support comprehensive plan implementation strategies.*
- 3. How the proposal relates to current land use allocations and growth projections that are the basis of the comprehensive plan.*
- 4. Compatibility of development allowed under the proposal amendment with neighboring land uses and surrounding neighborhoods, if applicable.*
- 5. Affects of the proposed amendment on historic resources or neighborhoods, or the City's general sense of place.*
- 6. The cumulative impacts of the proposed amendment, in combination with other proposed or recently approved amendments.*

The LUPP Goals for a New Vision are found in Attachment F.

### **ANALYSIS:**

#### **A. TRAFFIC**

With the full build out of expected development in the area east of Cedar Lane and west of University Boulevard, traffic will be routed to the main collectors of Oakwood Road and University Boulevard. As other development occurs, Cottonwood Road will connect to University Boulevard. In addition, other east-west connections will be made south of Cottonwood Road. This site may or may not need to include the extension of Cedar Lane south or include an east west road along its North property line.

The addition of 9.72 gross acres of residential development can reasonably be seen to be only a minimal increase in traffic volumes. The upper limit of projected single family density would be 45 homes. The true density of development would be reviewed through annexation, rezoning, and subdivision requests.

#### **B. WATER AND SANITARY SEWER**

City water and sanitary sewer services can serve this area by the extensions of existing lines through the logical development of land abutting the site to the north.

#### **C. STORM WATER**

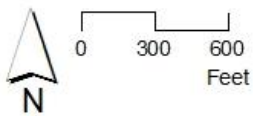
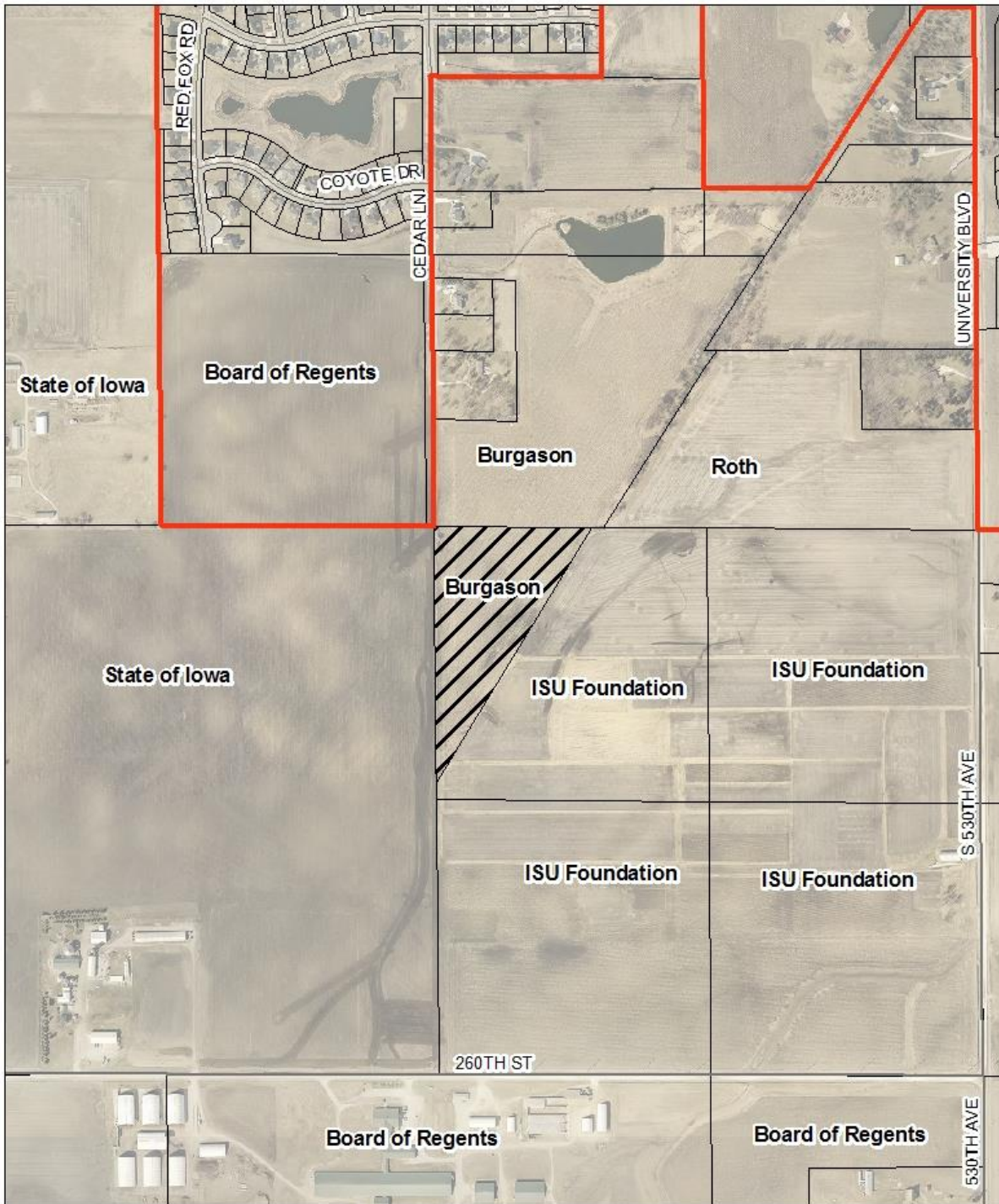
Any development will need to meet the storm water standards of Chapter 5B, retaining water from up to a 100-year storm event and releasing it at a rate no

greater than current runoff rates. In addition, the standards also address water quality from the first flush of rainfall.



D. NATURAL RESOURCES

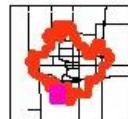
This parcel has been row-cropped for years. No evidence of natural resources or native vegetation is present. Although a former rail corridor defined the eastern boundary of this parcel, the tracks and road grade have been obliterated.

# Attachment A: Location and Ownership

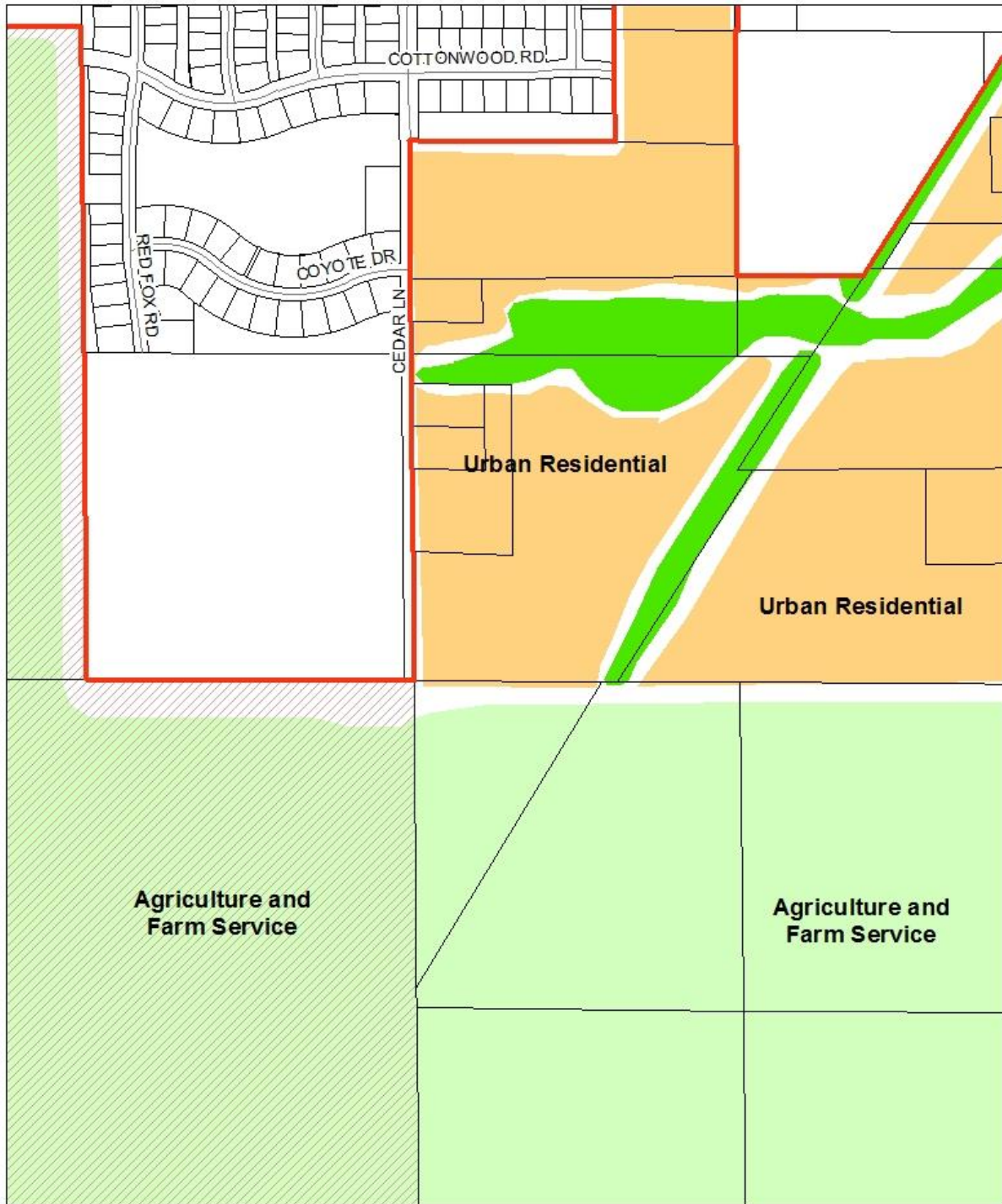


### Legend

-  Ames City Limits
-  Subject Parcel

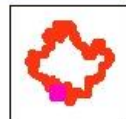


# Attachment B: Current AUF Map

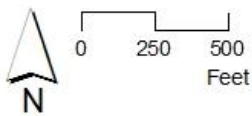


0 250 500  
Feet

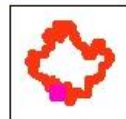
Current Urban Fringe Plan [excerpt]



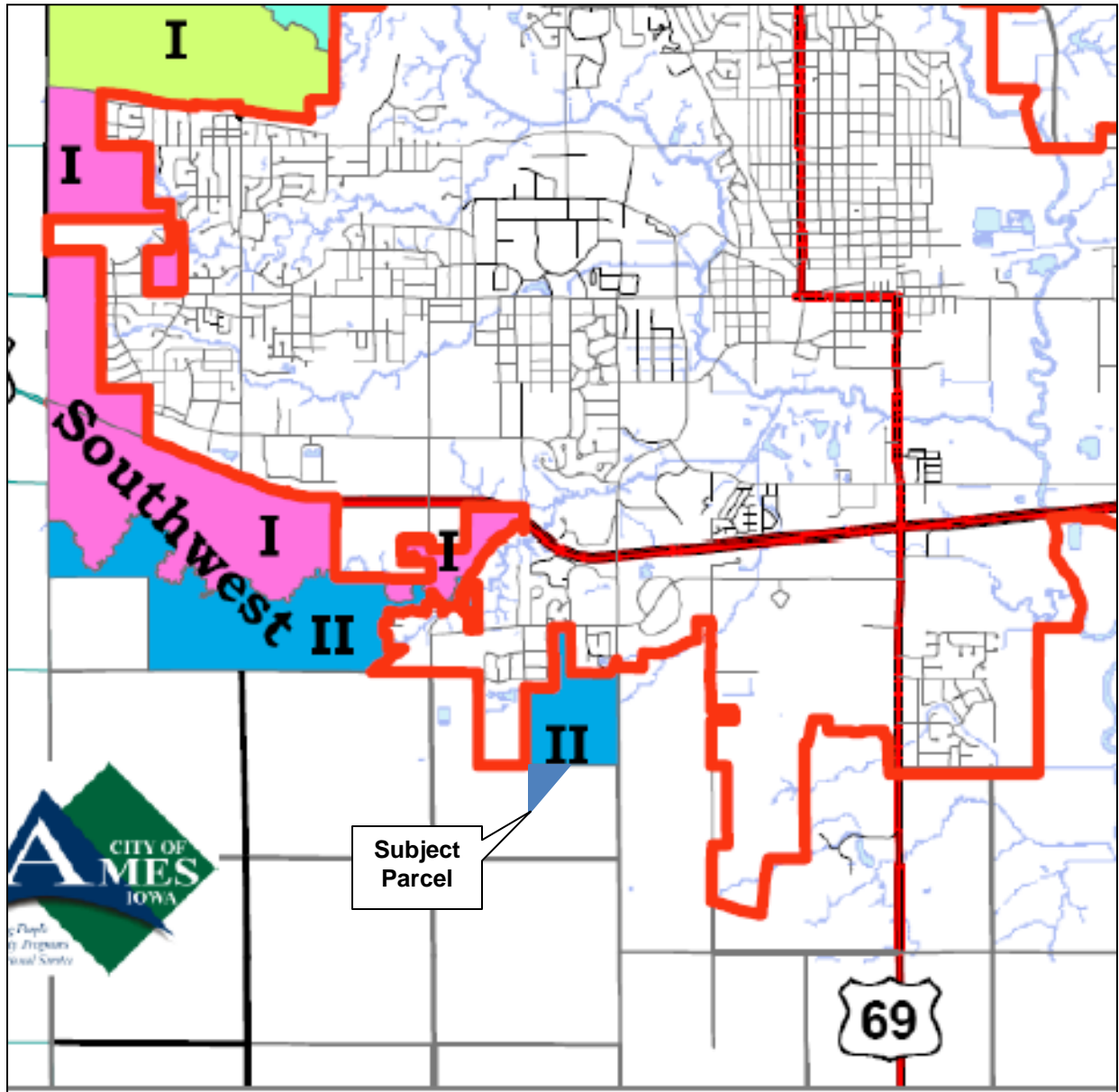
### Attachment C: Proposed AUF Map



Proposed Urban Fringe Plan [excerpt]



**Attachment D: Allowable Growth Areas: (Excerpt from Land Use Policy Plan)**





## Attachment E: Applicant's Narrative for LUPP Change

### Written Narrative:

- This is consistent with the city of Ames Growth plans especially in light of the usefulness of this land clearly is developmental alongside the rest of the property owned by Burgason Enterprises. Also the abandon railroad track alongside this land will serve the county and Ames well for a proposed bike trail going toward the town of Slater
- The entire Burgason Enterprise property is going to be annexed for future development in the City of Ames. This parcel belongs in that annexation. The economic value of this land as annexed land is significantly greater then remaining outside of city annexation.
- The need for developmental land within the city of Ames is self-evident...especially surrounding the research park
- There is no adverse effect on anyone as a result of this action.
- The new designation of this property is in the public interest as it will be developed into single and multiple units of housing and provide access to the proposed bike trail by Ted Tedesco and Story County.

What impact will the proposed change have upon the following.....

??? Only positive as far as I can see.

**Attachment F: Goals For a New Vision  
(Excerpt from Land Use Policy Plan, Chapter 1)**

Goal No. 1. Recognizing that additional population and economic growth is likely, it is the goal of Ames to plan for and manage growth within the context of the community's capacity and preferences. It is the further goal of the community to manage its growth so that it is more sustainable, predictable and assures quality of life.

Goal No. 2. In preparing for the target population and employment growth, it is the goal of Ames to assure the adequate provision and availability of developable land. It is the further goal of the community to guide the character, location, and compatibility of growth with the area's natural resources and rural areas.

Goal No. 3. It is the goal of Ames to assure that it is an “environmentally-friendly” community and that all goals and objectives are integrated with this common goal. In continuing to serve as a concentrated area for human habitat and economic activity, Ames seeks to be compatible with its ecological systems in creating an environmentally sustainable community.

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

Goal No. 5. It is the goal of Ames to establish a cost-effective and efficient growth pattern for development in new areas and in a limited number of existing areas for intensification. It is a further goal of the community to link the timing of development with the installation of public infrastructure including utilities, multi-modal transportation system, parks and open space.

Goal No. 6. It is the goal of Ames to increase the supply of housing and to provide a wider range of housing choices.

Goal No. 7. It is the goal of Ames to provide greater mobility through more efficient use of personal automobiles and enhanced availability of an integrated system including alternative modes of transportation.

Goal No. 8. It is the goal of Ames to enhance the role of Downtown as a community focal point.

Goal No. 9. It is the goal of Ames to promote expansion and diversification of the economy in creating a base that is more self-sufficient and that is more sustainable with regard to the environment.

Goal No. 10. It is the goal of Ames to maintain and enhance its cultural heritage.

**COUNCIL ACTION FORM**

**SUBJECT: AMENDMENT TO 2014-18 FIVE-YEAR C.D.B.G. CONSOLIDATED PLAN TO CREATE A NEIGHBORHOOD REVITALIZATION STRATEGY AREA (NRSA)**

**BACKGROUND:**

As part of the public forum process required for the preparation of the FY 2016/17 CDBG Annual Action Plan, staff met separately with the College Creek/Old Ames Middle School Neighborhood Association on February 18<sup>th</sup> to specifically discuss the re-development options for the 321 State Avenue (Old Ames Middle School) site. Staff also discussed this topic during the public forums held on February 22 and 23.

At the three meetings, staff first provided an overview of the Community Development Block Grant (CDBG) program and how program dollars have been utilized in the City of Ames. The discussions at the meetings then centered on gaining feedback and input regarding re-development of the recently purchased site at 321 State Avenue (Old Ames Middle School) using the City's CDBG funds.

Staff explained that, in accordance with CDBG regulations, since the site is located in census tract 13.01, which is **not** a HUD designated Low and Moderate Impact (LMI) census tract (meaning less than 51% of the households living in this tract are not LMI persons), 100% of the housing units constructed must benefit LMI persons in order to redevelop the site.

The question staff posed at each meeting was whether the City should pursue re-developing the site as a 100% LMI housing development or as a 51% LMI housing development. A majority at each meeting felt that, in the best interests of the neighborhood and the City, the site should be developed as a **51% LMI housing development**.

Staff then explained that, in order to develop the site as a 51% LMI level, the City must seek a Neighborhood Revitalization Strategy Area (NRSA) designation for the site from HUD. Under NRSA regulations, entitlement cities are given greater flexibility to develop comprehensive approaches to address economic development and housing needs in a designated neighborhood within their community. Attachment A explains the benefits of a NRSA designation in more detail.

In order for an area to meet a NRSA designation, the following Neighborhood and Demographic Criteria must be met:

1. The areas covered must be **contiguous**; with no checkerboard areas across the community.
2. The selected area **must be primarily residential**.
3. The area must **contain a high percentage of LMI households**.

4. The percentage of LMI residents within the neighborhood must satisfy **one** of the **three** following criteria:
  - a. 70 percent of the total population in the selected area (if the grantee's upper quartile\* is greater than 70 percent LMI);
  - b. The upper quartile\* percentage (if the grantee's upper quartile is greater than 51 percent, but less than 70 percent LMI in the total population); or
  - c. 51 percent of the total population (if the grantee's upper quartile\* percentage is less than percent).

\*Upper quartile determinations are based on census block groups with the census tract and not just the census track itself.

The site of the old Ames Middle School falls within Block Group 2 in 13.01 Census Tract. With assistance from HUD staff, it has been determined that this area meets criteria 4b above. The actual LMI percentage and the quartile percent happened to both be **69.25 percent** (see attached map). Therefore, no other census tracts or block groups would need to be added for the area qualify under the NRSA guidelines.

The NRSA designation also requires a "Community Consultation" component with the following members of the community:

- Residents of the area
- Owners/operators of businesses in the area
- Local financial institutions
- Non-profit organizations
- Community groups

Additionally, the NRSA designation requirement must include the following information: An assessment of the area, Economic Empowerment, Performance Measures, Funding the NRSA and HUD Review, Approval and Monitoring.

The **funding component** requirement of a NRSA is as follows:

- The City of Ames will **not** need to commit specific future funds for use in the NRSA at the time that the NRSA is submitted.
- After approval of the NRSA, the City's subsequent Annual Action Plans must describe how the City's CDBG and other resources will be used to achieve the NRSA goals.
- Each year after the initial NRSA submission, the City must identify in its Annual Action Plan measurable outcomes it expects to achieve during the year for the NRSA.

**In order to request a NRSA designation from HUD, the City would need to submit an amendment to its 2014/18 Five-Year Consolidated Plan.**

## **ALTERNATIVES:**

1. The City Council can amend the 2014/18 Five-Year Consolidated Plan to create a Neighborhood Revitalization Strategy Area (NRSA) for redevelopment of the 321 State Avenue (Old Ames Middle School) site as a 51% LMI housing development.
2. The City Council can decide to redevelop the 321 State Avenue (Old Ames Middle School) site as a 100% LMI housing development. This alternative will not require an amendment to the 2014/18 Consolidated Plan.
3. The City Council can refer this item back to staff for more information.

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

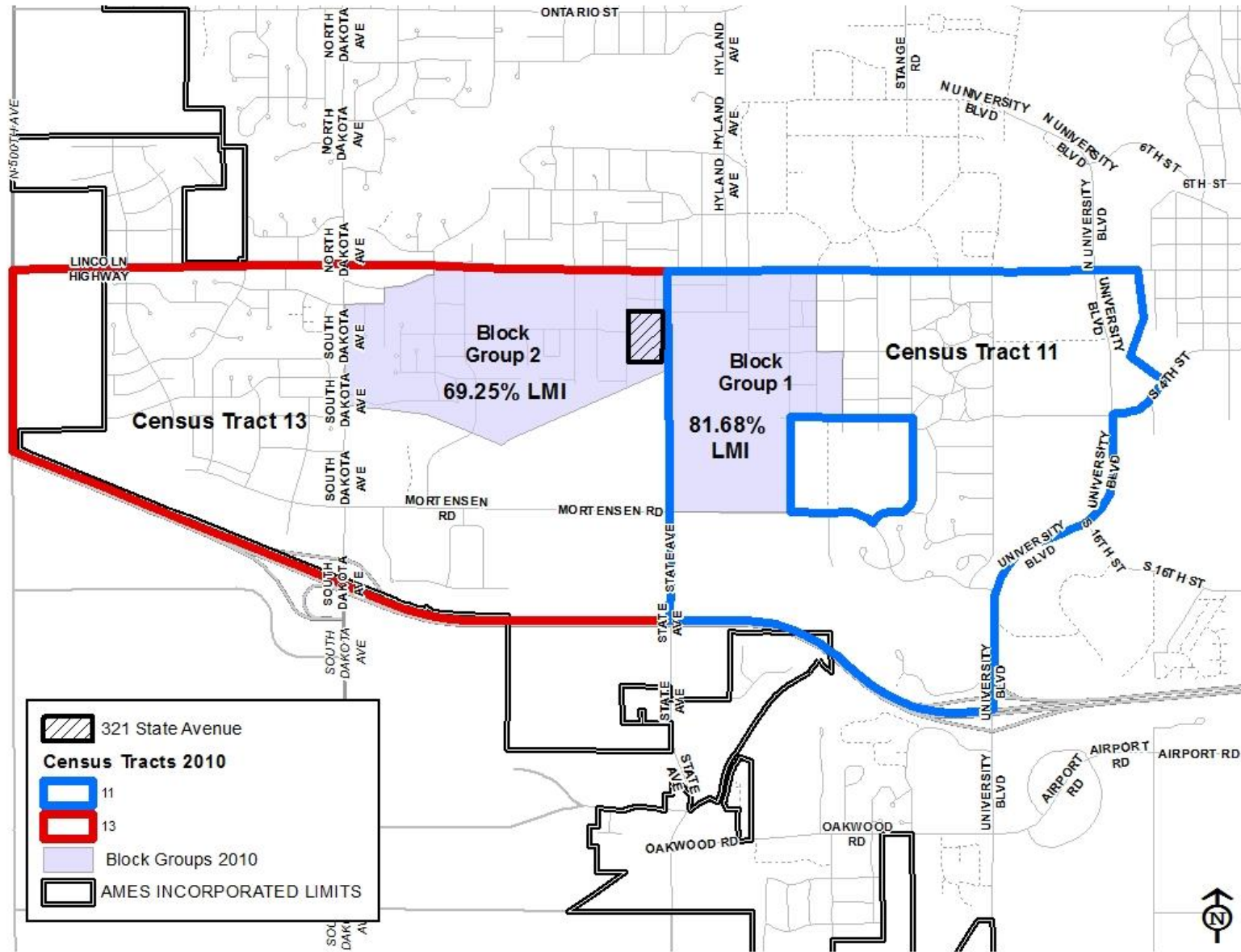
Amending the City's Consolidated Plan to facilitate 321 State Avenue becoming a designated NRSA will meet both objectives to serve low and moderate income and non-low and moderate income households in a mixed use residential subdivision as outlined in the current 2014/2018 Five-Year Consolidated Plan.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1. This alternative will approve a resolution to amend the 2014-2018 Five-Year Consolidated Plan to create a Neighborhood Revitalization Strategy Area (NRSA) for redevelopment of the 321 State Avenue (Old Ames Middle School) site as a 51% LMI housing development, and will set May 10, 2016 as the date of public hearing for submittal of the amended Consolidated Plan to HUD, which must occur by May 17, 2016.

## Attachment A

### Benefits of a NRSA:

- ✓ Communities with approved NRSAs are offered enhanced flexibility in undertaking economic development, housing, and public service activities with their CDBG funds.
- ✓ This flexibility is designed to promote innovative programs in economically disadvantaged areas of the community.
- ✓ Areas of enhanced regulatory flexibility include:
  - **Job creation or retention** effort focused on the selected neighborhood may be classified as meeting the LMI area benefit national objective requirements.
    - Businesses that receive such assistance need not track the specific income of newly hired employees to demonstrate LMI benefit.
    - This provision reduces the administrative burden to the business and is intended to provide an incentive to businesses to participate in the community's job creation/retention programs.
  - **Aggregation of housing units** for which CDBG funds are obligated during each program year and treat them as a single structure.
    - 51 percent of total number of units must be occupied by LMI households.
    - This permits grantees greater flexibility in applying the LMI housing national objective criteria for the housing category.
    - In turn, grantees have flexibility in providing housing to residents of the NRSA neighborhood.
    - NOTE: The flexibility to aggregate housing units assisted does not change the requirement that homeownership assistance provided under 570.201(n) must be provided only to LMI households.
  - **Economic development activities carried out in the NRSA may be excluded from the aggregate public benefit standards.**
    - This reduces recordkeeping requirements.
    - This affords greater flexibility in selecting and implementing economic development activities, and reduces the amount and scope of information that grantees must collect and document regarding its programs.
- ✓ Note, however, that projects are still subject to the individual/project public benefit standards.
- **All public services offered within the NRSA *and* carried out as part of qualified projects under the NRSA are exempt from the public services cap.**
  - This permits grantees to offer a more intensive level of services within the approved community, as needed to stimulate revitalization.
  - This flexibility includes job training and other employment related services and as such, it can provide an important foundation for economic opportunity for neighborhood residents.



**COUNCIL ACTION FORM**

**SUBJECT: FY 2016/17 PROPOSED ANNUAL ACTION PLAN PROJECTS FOR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

City staff hosted public forums on February 22 and 23 to gather input regarding possible projects for consideration in the FY 2016/17 Annual Action Plan as part the City's Community Development Block Grant (CDBG) Program. A total of twenty-two persons attended and participated in the forum discussions, including representatives from HUD, Mainstream Living, Habitat for Humanity of Central Iowa, Salvation Army, ACCESS, YSS, ERP, AMOS, Ames Community Schools, United Way, Volunteer Center, Oak-Riverside and College Creek Old Middle School neighborhood representatives, two citizens, and a representative from the Ames Tribune.

Attendees participated in a group activity where they were asked the following questions:

- Are the recently adopted FY 2014- FY 2018 Strategic Plan Goals and Priorities still consistent with addressing the needs for the community?
- Are the project activities consistent with the project activities goals adopted in the FY 2015/16 Action Plan? Which of these activities should continue in FY 2016/17?
- Are there any other emerging needs in the community that should be addressed?

Attachment A reflects the participants' feedback and comments.

Overall feedback continues to center around the lack of and need for more affordable housing for low-income persons in the form of rental, shelters, transitional, and homeownership units. In regards to public services, support continues for the Security Deposits, 1<sup>st</sup> Month's Rent, and Transportation Assistance programs. The need to add back the Childcare Assistance Program was suggested.

Taking into consideration the public forum comments, staff recommends that the City continue with only the Acquisition/Reuse for Affordable Housing, Rehabilitation, Homebuyer Assistance, and Renter Affordability Programs (adding in the Childcare Assistance Program) that were adopted in the 2015/16 Action Plan. These programs are outlined in Attachment B.

**Staff's reasons for proposing that we continue only with the project activities noted above for FY 2016-17 are as follows:**

- These project activities are consistent with the recently adopted 2014/18 Five-Year Consolidated Plan goals that address the following two barriers that were outlined in the 2013 Impediments to Fair Housing Analysis Study: 1) the "lack of available, decent rental units in affordable price ranges," and 2) the "cost of housing" for both renters and home buyers. Additionally, the data outlined in the Comprehensive Housing Affordability Strategy (CHAS) and in the American



Community Survey (ACS) information for the City of Ames is consistent with the two needs outlined above.

- The proposed projects are consistent with the City Council's goals and priorities to focus on neighborhood sustainability by improving and expanding the housing stock for low- and moderate-income households in our vital core neighborhoods.
- The proposed implementation sequence for the project activities should help meet HUD's timely expenditure requirements.
- All of the activities proposed would be of 100% benefit to low- and moderate-income persons.

The City was notified by HUD that its FY 2016/17 CDBG allocation will be \$490,986, which is approximately \$6,000 more than the FY 2015/16 allocation. Of this amount, approximately \$392,789 is available for programming, not including any FY 2015/16 anticipated program roll-over balance. **Staff is cautiously anticipating a rollover balance of approximately \$400,000 (not including administration), which would provide approximately \$792,789 to be available for the FY 2016-17 program year.**

From the discussion with the College Creek Old Ames Middle School Neighborhood Association and the comments from the public forum regarding the re-development of the 321 State Avenue site, staff is proposing that the FY 2016/17 Annual Action Plan also include \$392,789 from the FY 2016/17 CDBG allocation that is available for programming to go towards public infrastructure improvements for the 321 State Avenue site.

**Staff is proposing that the anticipated budget of \$792,789 be allocated to the project activities outlined in Attachment B. Staff feels that the need to improve and expand the supply of affordable housing for low and moderate income households can best be accomplished through the implementation of the Acquisition/Reuse for Affordable Housing (Project 1 - \$150,000); Housing Improvements Program (Project 2 - \$150,000); Homebuyer Assistance Program for First-time Homebuyers (Project 3 - \$65,000); the Renter Affordability Program (Project 4 - \$35,000) and Public Improvements Infrastructure Program for 321 State Avenue (Project 5 - \$392,789). Council should note that this budget will reflect 100% of the dollars programmed being directed towards housing benefits.**

#### **ALTERNATIVES:**

1. The City Council can approve the FY 2016/17 Annual Action Plan Program Projects and Budget in accordance with Attachment B.
2. The City Council can approve the FY 2016/17 Annual Action Plan Program Projects and Budget in accordance with Attachment B **with modifications.**
3. The City Council can refer this item back to staff with further direction.

**MANAGER'S RECOMMENDED ACTION:**

Utilizing all of the anticipated roll-over balance to continue the four housing related programs included in the current Action Plan in the FY 2016/17 Annual Action Plan will assure that the highest needs outlined in our 2014/18 Consolidated Plan goals and priorities are being addressed. In addition, allocating all of the FY 2016/17 CDBG program funds for the redevelopment of the 321 State Avenue (Old Ames Middle School) site will serve to further the goals of the Consolidated Plan to address the housing needs of the community.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1. This alternative will authorize staff to prepare the FY 2016/17 Action Plan document in accordance with Attachment B for the required 30-day public comment period and set May 10, 2016 as the date for the public hearing on the amended Consolidated Plan and the 2016/17 Annual Action Plan for submittal to HUD by May 17, 2016.

# Attachment A

## 2016 Public Forums Participant Comments/Feedback February 22 & 23, 2016

### 1. Continue Same Programs

- Deposit
- Transportation
- Down payment
- Rehab/Single-Family/Rental
- 321 State
- Seek NRSA Designation
- Economic Development for Businesses/Job Creation

### **\$392,789 + Rollover**

- Continue Housing Assistance\*\*\*
  - This is an immediate need
  - Work with Landlords
- Strategy Area (NRSA)
  - Provides Long-term opportunity
  - Short-term impact
  - 51% mix development provides more opportunity
- Continue housing emphasis/assistance
- Strategy area for State Street
  - Which (2) programs
    - Rehab funding for landlords
    - Deposit & interim assistance

### **\$392,789 + Rollover (\$300,000 possibly)**

- Continue to fund programs clearly in demand and with track record of thorough funding utilization.

### **\$392,789 + Rollover (up to \$500,000)**

- Keep Transportation assistance – including gas vouchers
- Keep Rent/Deposit Program
- Need Attention to Gap Assistance
  - For childcare- cover interviews & period before regular child care assistance kicks in.
- Continue Affordable Housing efforts
- Agree to NSRV for 321 State – but aim for 70% LI (not MI) in actual distribution to keep neighborhood's continuity.

- Assist ACCESS with acquisition of new facilities
- Assist home for awhile & ERP with more transitional housing properties.
- Add utility deposit assistance to rental deposit/1<sup>st</sup> month rent program
- Leverage influence to develop a housing trust fund for Story County
- Minimize use of CDBG funds for existing infrastructure improvement.

A.1 Keep Goals for addressing the creation and expansion of affordable housing for rental and homeownership!

A.2 Goals to address Community Services

1. Park improvements for children & Special Needs.
2. Expanding services for children & Special Needs for activities like skating, swimming, etc.
3. Continue rent/utility/transit assistance

321 State Avenue:

51% yes but don't allocate all funds to this

## Attachment B

<b>1</b>	<b>Project Name</b>	<b>Acquisition/Reuse for Affordable Housing:</b> <b>a. Purchase of Vacant In-Fill Lots for Development</b> <b>b. Purchase of Foreclosure Properties for Rehabilitation</b>
	Goals Supported	To create, expand, and maintain Affordable Housing for Homeless and Low-income persons.
	Needs Addressed	<ul style="list-style-type: none"> <li>• Increase the supply of affordable rental housing</li> <li>• Improve the quality of affordable rental housing</li> <li>• Increase the availability of affordable owner-occupied housing</li> <li>• Maintain the supply of affordable owner-occupied housing</li> </ul>
	<b>Funding</b>	<b>CDBG-\$150,000 (rollover)</b>
	Description	Under the implementation of the Acquisition/Reuse for Affordable Housing, which will consist of the purchase of in- fill lots (vacant or with properties needing to be demolished), the purchase of foreclosure properties for rehabilitation, or the purchase single-family or multi-family units that can be rehabilitated components, it is anticipated that 2-4 properties will be acquired for reuse in the either affordable rental or owner-occupied units for households at 80% or less of the Story County median income limits.
<b>2</b>	<b>Project Name</b>	<b>Housing Improvement Rehabilitation Programs:</b> <b>a. Single-family Homeowners</b> <b>b. Rental Property Owners</b>
	Goals Supported	To create, expand, and maintain Affordable Housing for Homeless and Low-income persons.
	Needs Addressed	<ul style="list-style-type: none"> <li>• Increase the supply of affordable rental housing</li> <li>• Improve the quality of affordable rental housing</li> <li>• Increase the availability of affordable owner-occupied housing</li> <li>• Maintain the supply of affordable owner-occupied housing</li> <li>• Provide Temporary Rental Assistance</li> </ul>
	<b>Funding</b>	<b>CDBG-\$150,000 (rollover)</b>
	Description	The Housing Improvement Program objective will be to provide financial assistance to qualified low- and moderate-income single-family homeowners at or below 80% of the area median income limits to improve the physical condition of their single-family homes in residentially-zoned areas. The overall goal is to allow single-family homeowners to reside in decent, safe, and sanitary housing that will enhance neighborhood sustainability. Additionally, the assistance will be provided to Rental Property Owners to repair deteriorated rental units and make them

<b>3</b>	<b>Project Name</b>	<b>Homebuyer Assistance for First-time Homebuyers</b>
	Goals Supported	To create, expand, and maintain Affordable Housing for Homeless and Low-income persons.
	Needs Addressed	<ul style="list-style-type: none"> <li>• Increase the availability of affordable owner-occupied housing</li> <li>• Maintain the supply of affordable owner-occupied housing</li> </ul>
	<b>Funding</b>	<b>CDBG-\$65,000 (rollover)</b>
	Description	The objective under this program is to provide financial assistance to qualified low- and moderate-income first-time homebuyers, with incomes at or below 80% of the AMI limits, to purchase existing and/or newly constructed single-family housing in residentially-zoned areas. The overall goal of the Homebuyer Assistance Program is to allow low- and moderate-income households to gain access to housing and/or improve their housing status.
<b>4</b>	<b>Project Name</b>	<b>Renter Affordability Programs a. Deposit &amp; 1st Month's Rent; b. Transportation Assistance; c. Child Care Assistance</b>
	Goals Supported	To maintain the Community Development Services of the Community
	Needs Addressed	Continue provision of the Public Service Needs for homeless, special populations, and low income households (utilities, rent, deposits, childcare, transportation, employment training, substance abuse, health services, legal services, and other public service needs) and reduce duplication of services.
	<b>Funding</b>	<b>CDBG-\$35,000 (rollover)</b>
	Description	The Renter Affordability Program Component objective is to provide assistance to low-income households, which are at or below 50% or less of the Story County median income limits, gain access to rental housing units that will improve their housing status, and help them to secure economic stability in order to obtain and/or remain in affordable housing units. The activities that will be implemented will be a Security Deposit, First Month's Rent, Transportation Assistance and Childcare Assistance.
<b>5</b>	<b>Project Name</b>	<b>Public Infrastructure Improvements Program for 321 State Avenue</b>
	Goals Supported	To maintain the Community Development Services of the Community
	Needs Addressed	Continue provision of Public Infrastructure Needs in low-income census tracts (water, sewer, street, electric, sidewalk, storm water improvements).
	<b>Funding</b>	<b>CDBG-\$392,789 (new allocation)</b>
	Description	Provide financial assistance to install infrastructure improvements for the re-development of a mixed-use housing residential subdivision.

ITEM # 12  
 DATE: 02-09-16

**COUNCIL ACTION FORM**

**SUBJECT: PUBLIC HEARING AND NOTICE OF INTENT TO ISSUE \$9,890,000 ESSENTIAL CORPORATE PURPOSE GENERAL OBLIGATION BONDS, \$3,335,000 GENERAL OBLIGATION REFUNDING BONDS AND ASSOCIATED TAX LEVY FOR DEBT SERVICE**

**BACKGROUND:**

The FY 2016/17 budget includes a number of General Obligation (G.O.) Bond-funded capital improvements. A public hearing is required to authorize issuance of bonds and the levy of property taxes for debt to be issued. The dollar amounts and corresponding property tax levy for the planned G.O. bond issue are included as part of the FY 2016/17 budget.

The G.O. Bonds and debt service levy for the FY 2016/17 budget were based on projects listed in the table below. **Council authorization will be required at a later date to authorize the sale of the bonds.** Bonds are expected to be issued shortly after the start of the new fiscal year. In addition to the G.O. Bonds to fund capital improvement projects, we have identified a potential refunding for bonds issued in 2008 that may provide savings in debt service costs. Though Council will be holding a public hearing and notice of intent on the sale of bonds, **the refunding sale will not go forward unless adequate savings are expected.**

Please note that in addition to the amount to fund the \$5,945,000 in G.O. Bond-funded capital projects, the not-to-exceed amount for the issuance includes a \$645,000 additional authorization to allow for issuance costs and the option to sell our bonds at a premium over the par or face value of bonds. In any case, debt will not be issued in an amount where debt service exceeds the property tax levy included in the proposed budget.

The Capital Improvements Plan's 2016/17 G.O. Bond issue includes the following:

East Industrial Utility Extension	\$	3,300,000	
Debt Abated by other Revenues			\$ 3,300,000
Flood Mitigation		500,000	
Storm Water Erosion Control		250,000	
Asphalt Street Improvements		1,250,000	
Grand Avenue Extension		1,300,000	
Concrete Pavement Improvements		1,050,000	
Arterial Street Pavement Improvements		345,000	
Downtown Street Pavement Improvements		375,000	
CyRide Route Improvements		525,000	
Bridge Rehabilitation Program		350,000	
<b>Subtotal Tax Supported Bonds</b>			<b>\$ 5,945,000</b>
<b>Refunding Bonds</b>			<b>3,335,000</b>
<b>Issuance Cost and Allowance for Premium</b>			<b>645,000</b>
<b>Grand Total – 2016/17 G.O. Issue</b>			<b>\$ 13,225,000</b>

**ALTERNATIVES:**

1. Adopt a pre-levy resolution authorizing the issuance of Essential Corporate Purpose General Obligation Bonds and General Obligation Refunding Bonds in an amount not to exceed \$13,225,000 and the debt service property tax levy to pay principal and interest on the bonds and set the date of public hearing for March 1, 2016.
2. Reject the pre-levy resolution authorizing the issuance of Essential Corporate Purpose General Obligation Bonds, reduce the FY 2016/17 property tax levy, and delay the capital projects. Rejection of the Essential Corporate Purpose Bonds will prevent the City from completing the bond-funded projects reflected in the CIP.

**MANAGER'S RECOMMENDED ACTION:**

Prior to the issuance of this debt, state law requires that this pre-levy resolution be adopted. This is a required step in order to accomplish the Council's approved capital improvements for the upcoming fiscal year.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby adopting a pre-levy resolution authorizing the issuance of Essential Corporate Purpose General Obligation and General Obligation Refunding Bonds in an amount not to exceed \$13,225,000 and the debt service property tax levy to pay principal and interest on the bonds and set the date of public hearing for March 1, 2016.



ITEM #: 23  
DATE: 03-01-16

**COUNCIL ACTION FORM**

**REQUEST:** Rezoning of Properties Located at 1405, 1415, 1425, 1502, 1510, 1511, and 1519 Baltimore Drive, and 1428, 1429, 1506, 1514, and 1522 Boston Avenue, from Community Commercial Node (CCN) to Highway-Oriented Commercial (HOC).

**BACKGROUND INFORMATION:**

Friedrich Iowa Realty and Development, Kurt W. Friedrich, is requesting that Lots 8, 9, 10, 11, 12, 13, 15, 16, 17, 21, 22 and 23, Eastgate Subdivision, at the addresses listed, be rezoned from Community Commercial Node (CCN) to Highway-Oriented Commercial (HOC). A total of 13.72 acres are included in the lots proposed for rezoning (see *Attachments A, C & D – Location Map/Zoning/Proposed Zoning*). Eastgate Subdivision is generally located northwest of the intersection of East 13<sup>th</sup> Street and Dayton Road (see *Attachment J – Rezoning Plat*). The Final Plat of Eastgate Subdivision was approved in 1999, and the lots proposed for rezoning have been vacant since that time. Community Commercial Node (CCN) has been the zoning classification for the subject property since the CCN zoning district was first established in May, 2000.

**The rezoning request is based on the desire to allow for a wider range of commercial uses, which will provide land for development by a broader group of potential business users.** The subject properties are within the Land Use Policy Plan (LUPP) Future Land Use Map designation of Highway-Oriented Commercial. Additionally, the LUPP designates land in the vicinity of the East 13<sup>th</sup> Street/Dayton Road intersection as a Community Commercial Node (see *Attachment B – LUPP Future Land Use Map*). The node represents a cluster of mixed commercial uses typically associated with one or more arterial streets. The proposed rezoning would not change the designation of this area as a Community Commercial Node, in the LUPP.

Lot 14, Eastgate Subdivision, 1509 Baltimore Drive, includes 5.51 acres, is owned by the Greater Iowa Credit Union, and is not part of the rezoning request received from the applicant (see *Attachment A – Location Map*). Staff has reached out to the Credit Union to see their interest in changing zoning. They have an approved site plan under the current CCN zoning, for construction of a new office building, but were willing to consider being part of the rezoning request if it did not affect their approved plans. Staff recommends that for uniformity of boundaries that the property be included in the rezoning. No objection to the rezoning has been received from the Greater Iowa Credit Union.

**Planning and Zoning Commission Recommendation:** At a public hearing on February 17, 2016, the Planning and Zoning Commission voted (6-0, Abstain: Tillo) to recommend that the City Council rezone the subject properties, and also include Lot 14 of Eastgate Subdivision, at 1509 Baltimore Drive, from Community Commercial Node (CCN) to Highway-Oriented Commercial (HOC), based upon staff's analysis as found in the addendum. There were no comments by the public at the meeting (*see Attachment E – Planning & Zoning Commission Recommendation*).

**ALTERNATIVES:**

1. The City Council can approve the request for rezoning of the subject properties, as requested by the applicant, from Community Commercial Node (CCN) to Highway-Oriented Commercial (HOC), based upon staff's analysis as found in the addendum.
2. The Council can approve the request for rezoning of the subject properties, as requested by the applicant, and Lot 14, Eastgate Subdivision, at 1509 Baltimore Drive, from Community Commercial Node (CCN) to Highway-Oriented Commercial (HOC), based upon staff's analysis as found in the addendum.
3. The City Council can deny the request for rezoning from Community Commercial Node (CCN) to Highway-Oriented Commercial (HOC) for the subject properties, as requested by the applicant, if the Commission finds that the City's regulations and policies are not met.
4. The City Council can defer action on this request and refer it back to City staff and/or the applicant for additional information.

**CITY MANAGER'S RECOMMENDATION:**

Staff supports the rezoning of properties located in Eastgate Subdivision, as requested, and recommends that Lot 14, 1509 Baltimore Drive, also be included in the rezoning from Community Commercial Node (CCN) to Highway-Oriented Commercial (HOC). This will enable a wider range of commercial uses to locate in a subdivision for which 14 of the 23 lots have remained vacant since the subdivision was created in 1999.

The Greater Iowa Credit Union owns the property at 1509 Baltimore Drive. Staff has met with Credit Union President to explain that rezoning of their property from CCN to HOC, would not require any changes to the Minor Site Development Plan that has been approved for their new office building at this location. No objections have been received from the Greater Iowa Credit Union.

Based on the analysis in the attached addendum, it is the recommendation of the City Manager that the City Council support Alternative #2, which is approval of the request for rezoning of the subject properties, as requested by the applicant, including Lot 14, Eastgate Subdivision, at 1509 Baltimore Drive, from Community Commercial Node (CCN) to Highway-Oriented Commercial (HOC), based upon staff's analysis as found in the addendum.

## ADDENDUM

**Existing Land Use Policy Plan.** The LUPP designation of the subject properties, on the Future Land Use Map, is Highway-Oriented Commercial, and Community Commercial Node.

The LUPP also has a number of policy statements regarding the amount of commercial land and development impacts on the environment. These are found in *Attachment F*, and are summarized below.

- Additional land for commercial development is needed to accommodate the projected population in 2030.
- Ames seeks further private investment.
- Ames supports infill development where there is existing capacity.
- Development should not impact airport operations with incompatible uses.
- The economic base should be diverse and sustainable.

East 13<sup>th</sup> Street is designated as a “major arterial”, and Dayton Road is a “minor arterial” in the LUPP, a seemingly appropriate classification for a Highway-Oriented Commercial zoning designation.

**Previous and Existing Zoning.** The site was annexed into the City of Ames in 1995. At that time, it was zoned General Commercial (GC), and was rezoned to Community Commercial Node (CCN), as the zoning district was first adopted as part of the zoning ordinance in 2000, which is the current zoning.

**Development Standards and Permitted Uses for CCN & HOC Zones.** A comparison of the development standards and permitted uses for the CCN and the HOC zones is included in *Attachment H – CCN & HOC Development Standards*, and in *Attachment I – CCN & HOC Uses*.

**Existing Uses of Land.** The subject properties are currently vacant.

**Flood Plain.** The subject properties are not within a designated Floodway or Floodway Fringe.

**Infrastructure.** All public utilities have been extended to the subject properties. The owners of individual lots will be required to obtain any easements needed for extensions of service lines, prior to approval of any site development plan.

**Access.** All properties proposed for rezoning have access from either Baltimore Drive, or Boston Avenue. Eastgate Subdivision has access from E. 13<sup>th</sup> Street and from Dayton Road.

**Traffic Impacts.** There are no anticipated impacts to traffic, based on this change of zoning, and anticipated use.

**Applicant's Statements.** The applicant has provided an explanation of the reasons for the rezoning in *Attachment G – Applicant's Statements*.

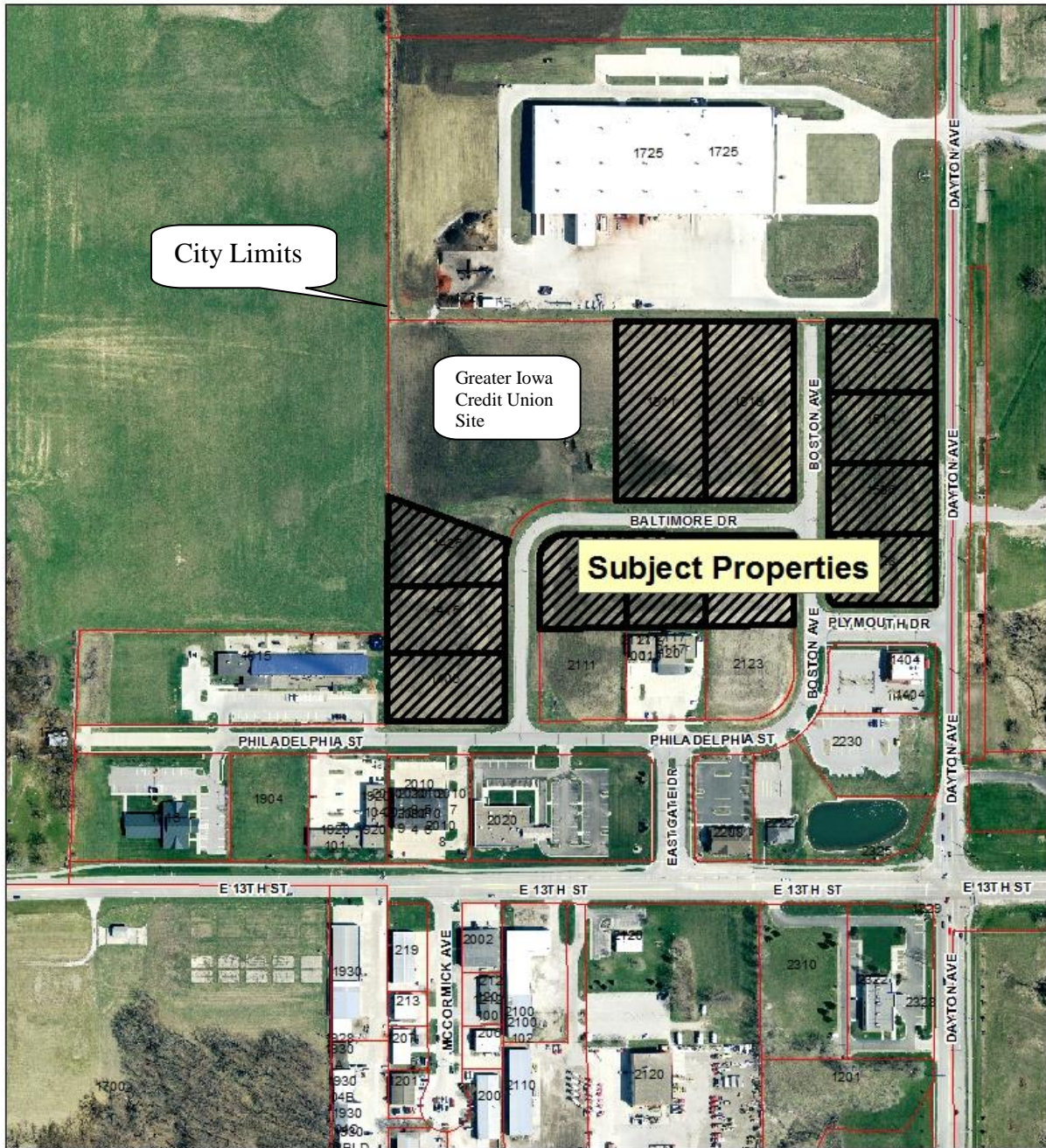
**Findings of Fact.** Based upon an analysis of the proposed rezoning and laws pertinent to the applicant's request, staff makes the following findings of fact:

1. Ames *Municipal Code Section 29.1507(2)* allows owners of 50 percent or more of the area of the lots in any district desired for rezoning to file an application requesting that the City Council rezone the property. The owner of these lots has requested the rezoning.
2. The subject properties can reasonably be interpreted to be within the Highway-Oriented Commercial designation on the Land Use Policy Plan (LUPP) Future Land Use Map, and that maintaining CCN on the developed lots in the subdivision meets the intent of the Community Commercial Node in the LUPP.
3. The LUPP Goals 1 and 2 support economic development by responding to needs for diversified employment centers with necessary commercial support uses.
4. The major arterial designation of E. 13<sup>th</sup> Street and the minor arterial designation of Dayton Road can support anticipated traffic from HOC development.
5. The HOC zoning designation allows for a wider range of uses than the uses allowed in the CCN zone.
6. Public infrastructure has been extended to the subject properties. The owner of each lot will be required to obtain any necessary easements for service line connections to the site.

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

**Conclusions.** Based upon the analysis in this report, staff concludes that the proposed rezoning of the subject properties is consistent with the Goals and Objectives of the City of Ames Land Use Policy Plan and imposes no additional costs or need for services.

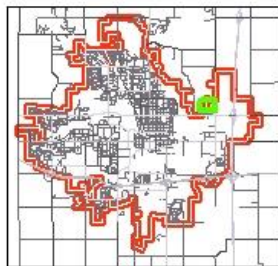
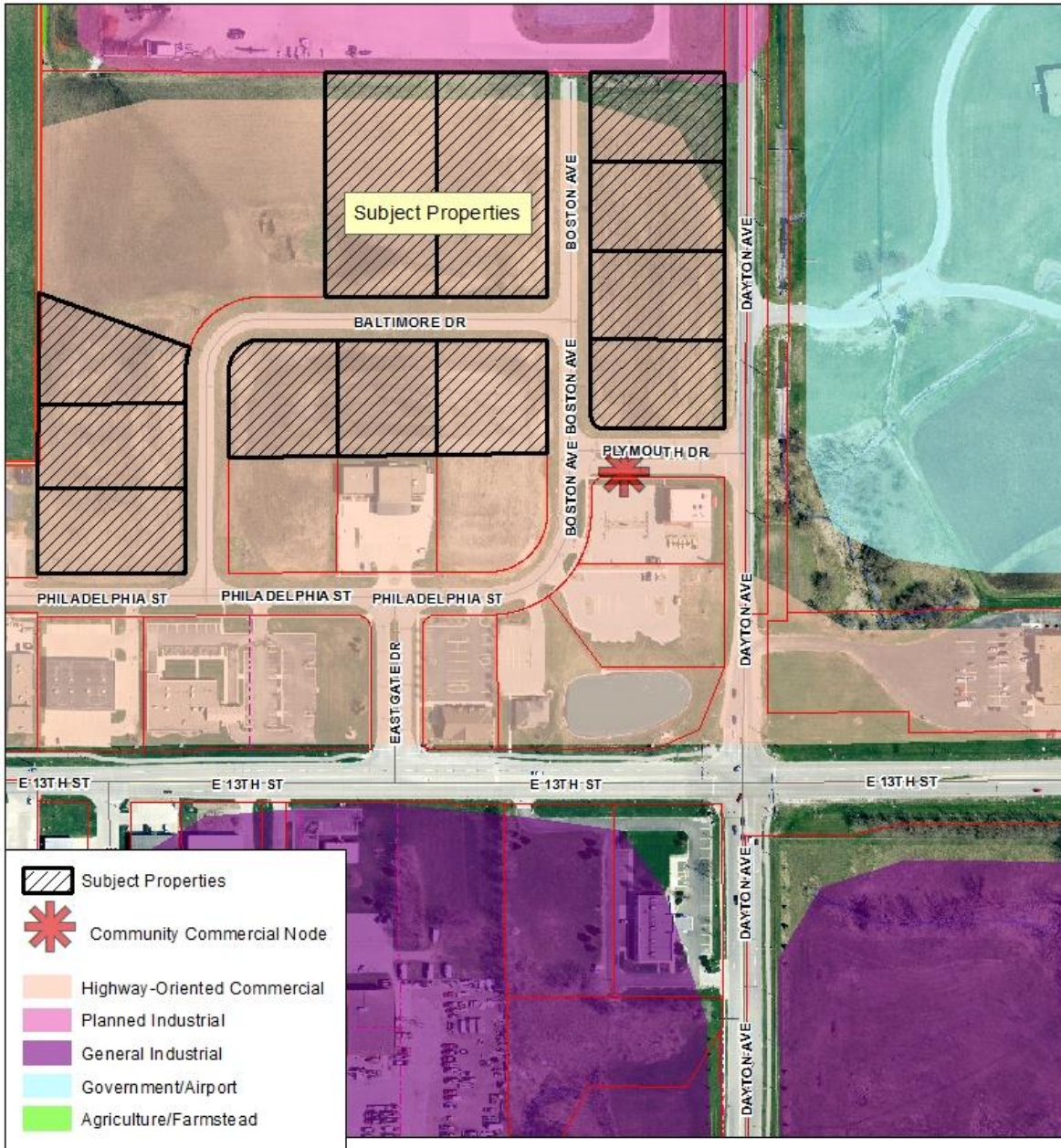
# ATTACHMENT A: LOCATION MAP



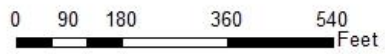
## Location Map Eastgate Subdivision Rezoning



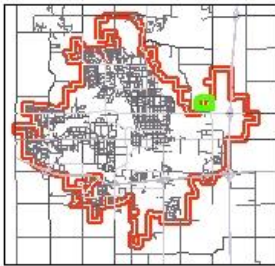
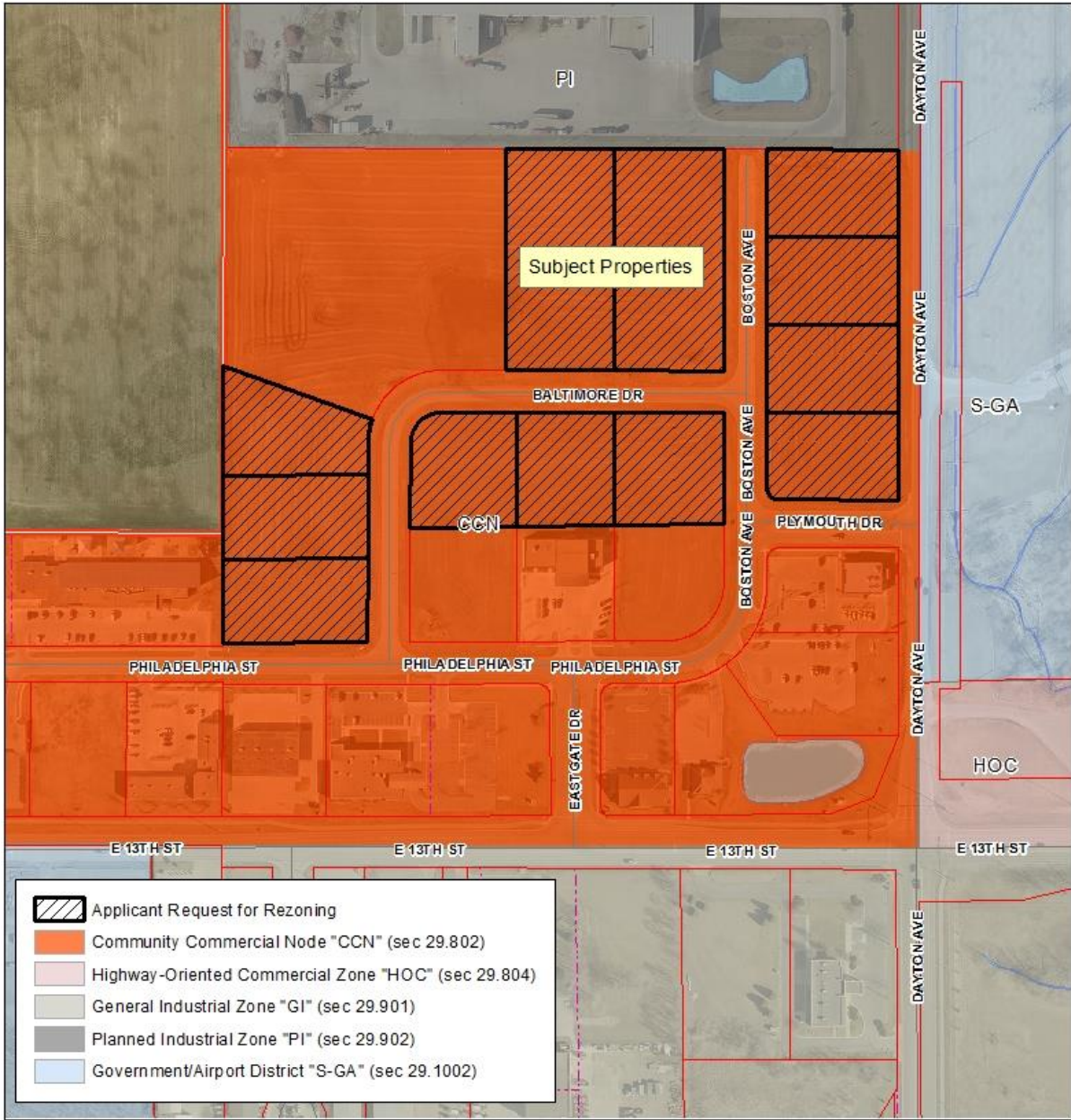
# ATTACHMENT B: LAND USE POLICY PLAN FUTURE LAND USE MAP



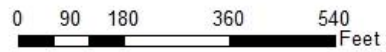
## LUPP Future Land Use Map Eastgate Subdivision Lots 8-13, 15-17 & 21-23



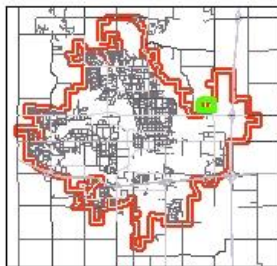
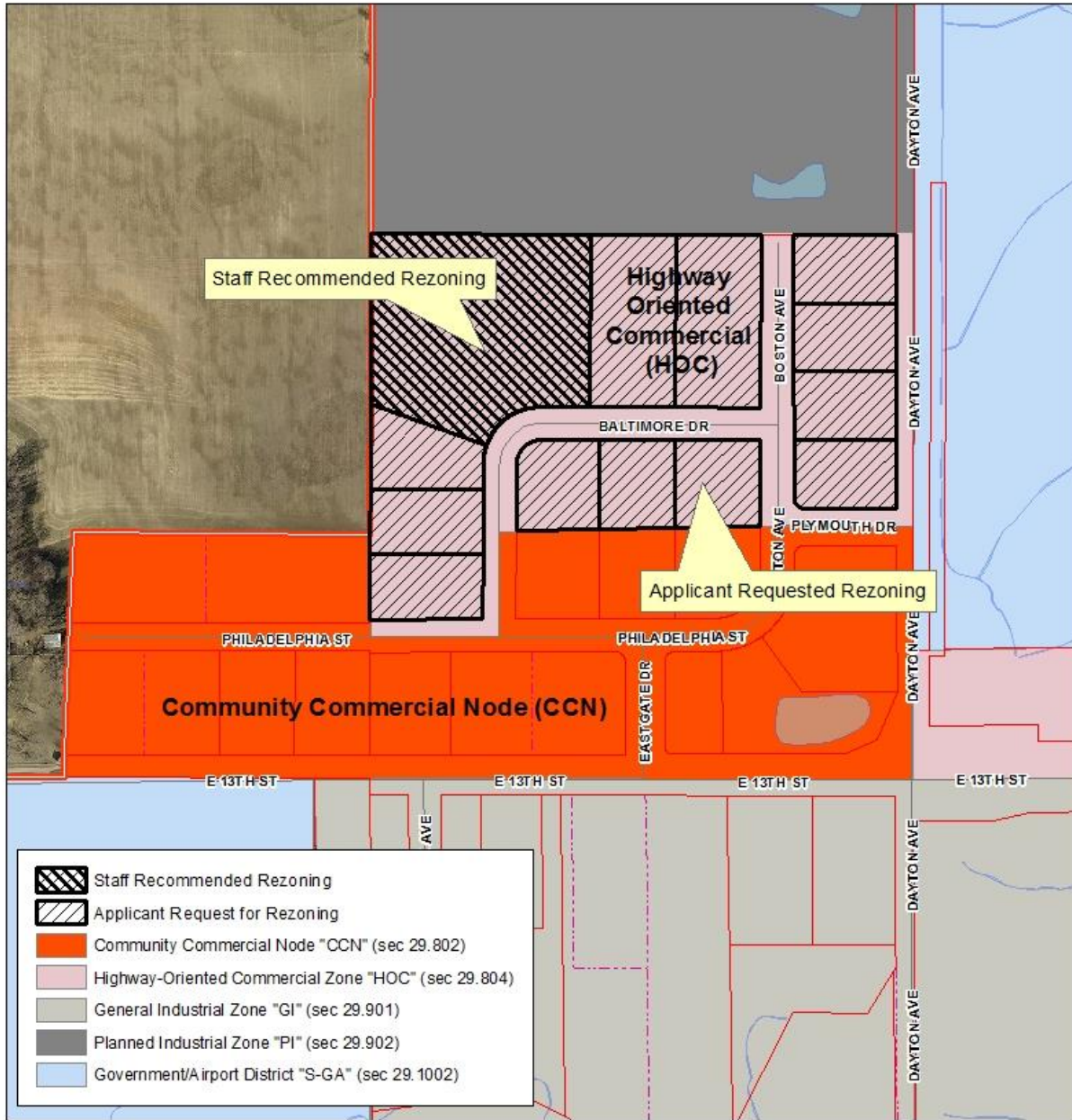
# ATTACHMENT C: ZONING MAP



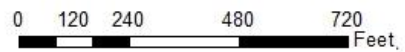
## Zoning Eastgate Subdivision Lots 8-13, 15-17 & 21-23



# ATTACHMENT D: PROPOSED ZONING MAP



## Proposed Zoning Eastgate Subdivision Lots 8-13, 15-17 & 21-23

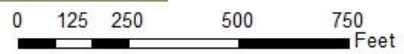




**ATTACHMENT E: RECOMMENDATION BY THE PLANNING & ZONING COMMISSION  
INCLUDE 1509 BALTIMORE DR., LOT 14, EASTGATE SUBDIVISION,  
WITH SUBJECT PROPERTIES PROPOSED FOR REZONING BY THE APPLICANT.**



Location Map  
Eastgate Subdivision  
Rezoning



## ATTACHMENT F: LAND USE POLICY PLAN (2011) [EXCERPTS] PAGE 1

### Chapter One: Growth Determinants:

**Land Use Projections.** There are currently 15,677 acres of land within the City limits, an increase from 1999 when there were 13,727 acres. A previous study estimated there are approximately 240 net developable acres remaining in the City for residential development. This can accommodate housing for about 3,000 persons. This is insufficient to meet any but the lowest population projections for Ames within the current City limits.

Commercial. It is estimated that an additional 64 to 385 acres of land will be needed to accommodate the commercial needs to serve the projected population in 2030. This assumes that the current ratio of commercial acreage per capita is to be maintained in the future.

### Chapter One: Goals for a New Vision:

Goal No. 1. Recognizing that additional population and economic growth is likely, it is the goal of Ames to plan for and manage growth within the context of the community's capacity and preferences. It is the further goal of the community to manage its growth so that it is more sustainable, predictable and assures quality of life.

- 1.A. Ames seeks to diversify the economy and create a more regional employment and market base. While continuing to support its existing economic activities, the community seeks to broaden the range of private and public investment.

Goal No. 2. In preparing for the target population and employment growth, it is the goal of Ames to assure the adequate provision and availability of developable land. It is the further goal of the community to guide the character, location, and compatibility of growth with the area's natural resources and rural areas.

- 2.B. Ames seeks to assure the availability of sufficient suitable land resources to accommodate the range of land uses that are planned to meet growth. Sufficient land resources shall be sought to eliminate market constraints.

Goal No. 5. It is the goal of Ames to establish a cost-effective and efficient growth pattern for development in new areas and in a limited number of existing areas for intensification.

- 5.C. Ames seeks the continuance of development in emerging and infill areas where there is existing public infrastructure and where capacity permits.

## **ATTACHMENT F: LAND USE POLICY PLAN (2011) [EXCERPTS] PAGE 2**

Goal No. 7. It is the goal of Ames to provide greater mobility through more efficient use of personal automobiles and enhanced availability of an integrated system including alternative modes of transportation.

- 7.E. Ames seeks a development pattern that protects and supports the airport and its flight approach zones.

Goal No. 9. It is the goal of Ames to promote expansion and diversification of the economy in creating a base that is more self-sufficient and that is more sustainable with regard to the environment.

- 9.A. Ames seeks more diversified regional employment opportunities involving technology-related services and production, office centers and retail centers.
- 9.C. Ames seeks to expand its research and technology development through greater private, public and university coordination and cooperation.

### Chapter Two: Land Use:

Highway-Oriented Commercial – scale commercial uses that are associated with strip developments along major thoroughfares. Floor area ratios are between 0.25 and 0.50 depending on location;

## **ATTACHMENT G: APPLICANT'S STATEMENTS**

### Reasons for requesting Rezoning to HOC from CCN

1. The property has a current land use designation of HOC; the rezoning request is consistent with the existing land use.
2. The CCN zoning is quite limited in its range of allowable uses. HOC will significantly increase the number of allowable uses, and will make it more attractive to a broader group of potential business users. (We have explored a land use change relative to this site, and Staff prefers the path of working within the Commercial land use that exists presently and providing zoning that is more accommodating to business options, rather than limiting).
3. Compatibility with existing businesses; Any of the properties currently built at Eastgate Subdivision could have also been built under HOC zoning.
4. The properties concerned, have been platted and zoned in existing manner for nearly 20 years, yet remain unsold and unimproved. Changing the zoning, to a more flexible, yet compatible zoning designation (with the existing LUPP), is needed to create a catalyst for buildout of the subdivision, which would be beneficial to all concerned—The existing businesses, new businesses, the Public, and The City of Ames.

**ATTACHMENT H - CCN & HOC Development Standards (Page 1)**

<i><b>Development Standard</b></i>	<i><b>CCN Zone</b></i>	<i><b>HOC Zone</b></i>
Minimum Building Setbacks	<u>Front Lot Line:</u> 0 ft. <u>Side Lot Line:</u> 0 ft. <u>Rear Lot Line:</u> 0 ft. Lot Line Abutting a Residentially-Zoned Area: 10 ft. side, 10 ft. rear	<u>Front Lot Line:</u> 20 ft., except for a fuel pump canopy, which shall maintain a 10 ft. setback measured from the front edge of the canopy <u>Side Lot Line:</u> 5 ft. <u>Rear Lot Line:</u> 10 ft. Lot Line Abutting a Residentially-Zoned Lot: 20 ft. side, 20 ft. rear
Maximum Height	35 ft.	85 ft. or 7 stories, except for fuel pump canopies, which are limited to 18 ft. with a minimum clearance of 14 ft.
Maximum FAR	.75	.50
Minimum Lot Frontage	60 ft.	50 ft.
Maximum Building Coverage	65%	50%
Outdoor Storage Permitted	No	Yes, see Section 29.405
Outdoor Display Permitted	Plants & produce only, see Section 29.405	Yes, see Section 29.405
Minimum Lot Area	N/A	No minimum except for mixed uses, which must provide 6,000 sf of lot area for the first dwelling unit and 1,000 sf for each additional dwelling unit in a group living use
Minimum Lot Area, Single Building	25,000 sf, 17,500 sf if lot has frontage on a cul-de-sac	N/A
Minimum Lot Area, Center	100,000 sf	N/A
Maximum Building Area, Single Building	150,000 sf	N/A
Maximum Building Area, Center	800,000 sf	N/A

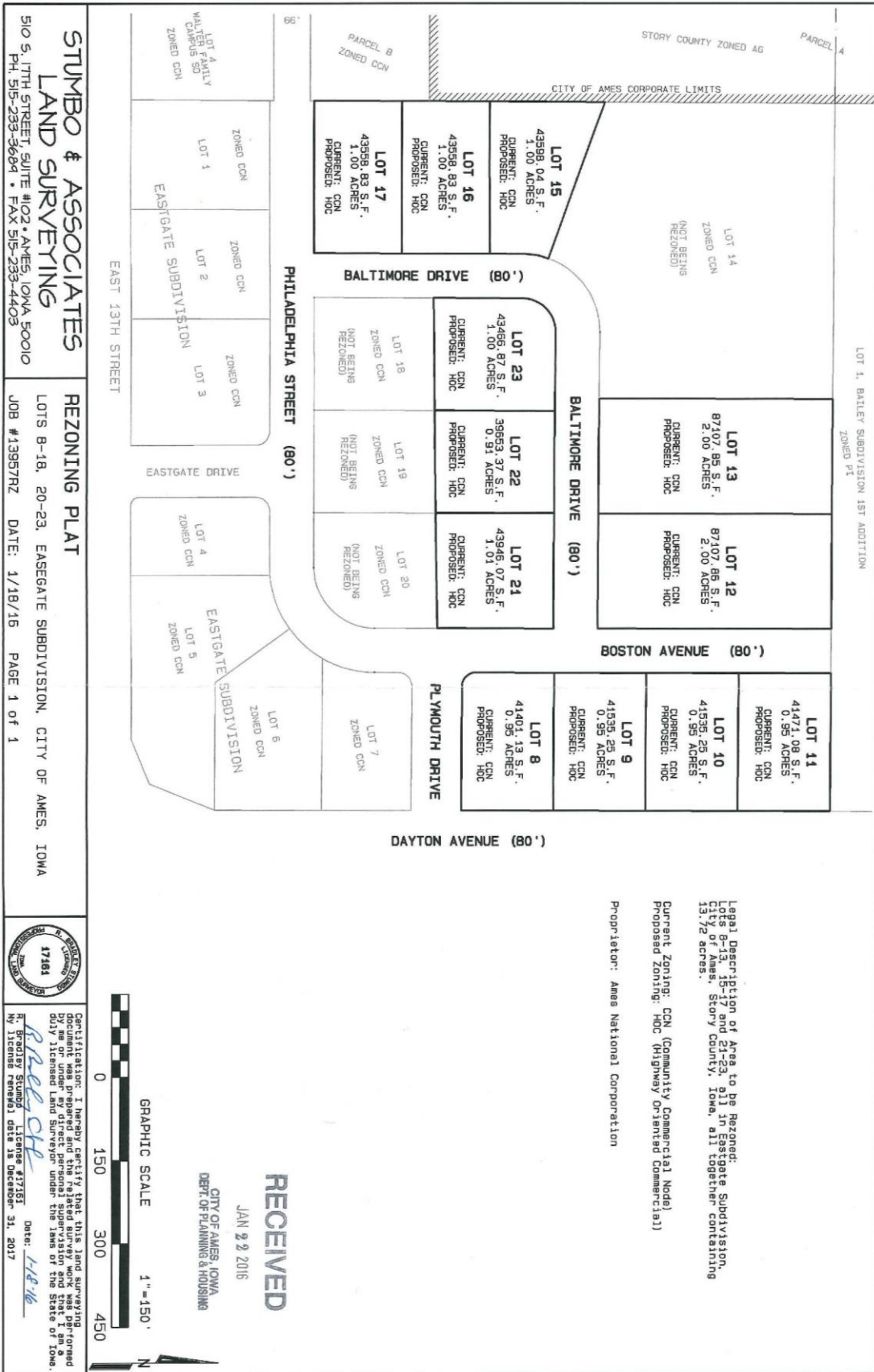
**ATTACHMENT H - CCN & HOC Development Standards (Page 2)**

<i><b>Development Standard</b></i>	<i><b>CCN Zone</b></i>	<i><b>HOC Zone</b></i>
Minimum Landscaped Area	15%	15%
Landscaping in Setbacks Abutting a Residentially Zoned Lot	5 ft @ L3, See Sec. 29.403	5 ft @ L3, See Sec. 29.403
Parking Allowed Between Buildings and Streets	Yes	Yes
Drive-Through Facilities Permitted	Yes	Yes, See Section 29.1303
Trucks & Equipment Permitted	Yes	Yes

**ATTACHMENT I - CCN &HOC Uses (excluding uses permitted in both zones)**

<i>Use Category</i>	<i>CCN</i>	<i>HOC</i>	<i>Approval Required</i>	<i>Approval Authority</i>
Group Living	No	No, except Transitional Living Facility	SP	ZBA
Household Living	No	No, except mini-storage warehouse facility (see Section 29.1308)	SP	ZBA
Retail Sales & Services - General	Yes	Retail Sales & Services – General (including printing, publishing, commercial art and reproduction)	SDP Minor	Staff
Retail Trade – Automotive, etc.	No	Yes	SDP Minor	Staff
Wholesale Trade	No	Yes	SDP Minor	Staff
Industrial Service	No	No, except mini-storage warehouse facility (see Section 29.1308)	SP	ZBA
Small Production Facility	No	Yes	SP	ZBA
Colleges & Universities	No	Yes	SP	ZBA
Medical Centers	No	Yes	SP	ZBA
Parks & Open Areas	No	Yes	SP	ZBA
Funeral Facilities	No	Yes	SP	ZBA
Rail Line & Utility Corridors	No	Yes	SP	ZBA
Major Event Entertainment	No	Yes	SDP Minor	Staff
Temporary Concrete & Asphalt Batch Plants (See Sections 29.1311 & 29.1503)	No	Yes	SP	ZBA

# ATTACHMENT J: REZONING PLAT





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DO NOT WRITE IN THE SPACE ABOVE THIS LINE, RESERVED FOR RECORDER  
Prepared by: Judy K. Parks, Ames City Attorney, 515 Clark Avenue, Ames, IA 50010 Phone: 515-239-5146  
Return to: Ames City Clerk, P.O. Box 811, Ames, IA 50010 Phone: 515-239-5105

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**ORDINANCE NO. \_\_\_\_\_**

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

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

Section 1: The Official Zoning Map of the City of Ames, Iowa, as provided for in Section 29.301 of the *Municipal Code* of the City of Ames, Iowa, is amended by changing the boundaries of the districts established and shown on said Map in the manner authorized by Section 29.1507 of the *Municipal Code* of the City of Ames, Iowa, as follows: That the real estate, generally located at 1405, 1415, 1425, 1502, 1509, 1510, 1511, and 1519 Baltimore Drive and 1428, 1429, 1506, 1514, and 1522 Boston Avenue, is rezoned from Community Commercial Node (CCN) to Highway-Oriented Commercial (HOC).

**Real Estate Description:** Lots 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 21, 22, and 23, all in Eastgate Subdivision, City of Ames, Story County, Iowa, altogether containing 19.23 acres.

Section 2: All other ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3: This ordinance is in full force and effect from and after its adoption and publication as provided by law.

ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor