

**AGENDA**  
**REGULAR MEETING OF THE AMES CITY COUNCIL**  
**COUNCIL CHAMBERS - CITY HALL - 515 CLARK AVENUE**  
**SEPTEMBER 12, 2017**

**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.

**PROCLAMATION:**

1. Proclamation for “Student Attendance Awareness Month,” September 2017

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

2. Motion approving payment of claims
3. Motion approving Minutes of Regular Meeting of August 22, 2017, and Special Meeting of August 29, 2017
4. Motion approving certification of civil service applicants
5. Motion approving Report of Contract Change Orders for August 16-31, 2017
6. Motion approving new Class C Liquor license for Time Out - Ames, 120 Kellogg Avenue
7. Motion approving ownership change for Class C Liquor, B Wine, Catering, & Outdoor Service for +39 Restaurant, Market, & Cantina, 2640 Stange Road
8. Motion approving ownership change for Class B Beer & Outdoor Service for Torrent Brewing Co LLC, 504 Burnett Avenue
9. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
  - a. Class B Liquor, Outdoor Service, & Catering – Hilton Garden Inn Ames, 1325 Dickinson Avenue
  - b. Class C Liquor & Catering – Whiskey River, 132-134 Main Street
10. Requests from MSCD for Geocaching & Sidewalk Sales Event on Saturday, September 23:
  - a. Motion approving blanket Temporary Obstruction Permit and blanket Vending License for Central Business District
  - b. Resolution approving waiver of fee for blanket Vending License
11. Request from Ames High School for Homecoming activities:
  - a. Parade on Monday, September 18:
    - i. Motion approving blanket temporary obstruction permit
    - ii. Resolution approving closure of Depot Lot TT, portion of CBD Lot Z, and portions of Pearle Avenue, Fifth Street, Main Street, Clark Avenue, Burnett Avenue, and Kellogg Avenue from 5:30 p.m. to 7:30 p.m.
    - iii. Resolution approving waiver of parking meter fees in Main Street Cultural District from 1:00 p.m. to 6:00 p.m.
  - b. Fireworks at Ames High Stadium on Friday, September 22:
    - i. Motion approving fireworks permit for display after football game (approximately

8:15 p.m.)

- ii. Resolution approving waiver of fee for Fireworks Permit
- 12. Requests from Campustown Action Association for Crafts & Draughts on Saturday, October 7:
  - a. Motion approving 5-day (October 5-9) Class B Beer Permit & Outdoor Service for Craft Haulers for event
  - b. Motion approving blanket Temporary Obstruction Permit and blanket Vending License
  - c. Resolution approving closure of Welch Avenue, from Chamberlain Street to Hunt Street, and east half of Welch Lot T from 7:00 a.m. to 7:00 p.m.
  - d. Resolution approving closure of 11 metered parking spaces and waiver of parking meter fees
  - e. Resolution approving waiver of fees for blanket Vending License and usage of electricity
- 13. Resolution approving agreement with Iowa Civil Rights Commission for processing civil rights complaints
- 14. Resolution adopting corrected High Strength Surcharge Rates in Appendix Q
- 15. Resolution approving Consent to Transfer of Property pertaining to the sale of 306 Wellons Drive
- 16. 1125 Maxwell Avenue:
  - a. Resolution approving Plat of Survey for 1123 and 1125 Maxwell Avenue
  - b. Resolution setting date of public hearing on sale of City-owned property located at 1125 Maxwell Avenue to Dennis and Dawn Heaberlin
  - c. Resolution setting date of public hearing on sale of City-owned property located at 1125 Maxwell Avenue to Habitat for Humanity of Central Iowa
- 17. Resolution approving preliminary plans and specifications for 2015/16 and 2016/17 Bridge Rehabilitation Program (East Lincoln Way and Dayton Avenue); setting October 4, 2017, as bid due date and October 10, 2017, as date of public hearing
- 18. Resolution awarding contract to Pioneer Industrial Corporation of Hastings, Nebraska, for Electric Services Valve Maintenance and Related Services and Supplies for hourly rates and unit prices bid, in an amount not to exceed \$110,000
- 19. Resolution accepting final completion of Electric Distribution and Electric Service Administration Roof Improvements Project
- 20. Resolution accepting final completion of Year 5 of Water Plant Well Rehabilitation Project
- 21. Resolution accepting final completion and release of retainage of CyRide Building Security System

**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:**

- 22. Motion directing staff regarding regulating occupancy in rental units
- 23. Campus and Community Commission:
  - a. Presentation of proposed issues by Commission
  - b. Motion providing direction to Commission
- 24. Staff Report on capital funding for human services agencies:
  - a. Motion directing staff on guidelines for program

**PLANNING & HOUSING:**

25. Staff Report on administrative landscape provisions

**HEARINGS:**

26. Hearing on Major Site Development Plan for 5498 Mortensen Road (Mortensen Heights, Phase 2):
  - a. Resolution approving Plan allowing for construction of ten 12-unit apartment buildings

**ORDINANCES:**

27. First passage of ordinance to allow parking along west side of Kingsbury Avenue
28. Third passage and adoption of ORDINANCE NO. 4323 modifying Section 2.48 of *Municipal Code* pertaining to City Attorney

**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 REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

AUGUST 22, 2017

The Regular Meeting of the Ames City Council was called to order by Mayor Campbell at 6:00 p.m. on August 22, 2017, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law. Present were Council Members Bronwyn Beatty-Hansen, Gloria Betcher, Peter Orazem, Amber Corrieri, Tim Gartin, and Chris Nelson. *Ex officio* Rob Bingham was present also.

Mayor Campbell announced that the Council would be working from an Amended Agenda. Two additional items are added to the Consent agenda following Item No. 10, i.e., setting the date of public hearing for the sale of 306 Wellons Drive and setting the date of public hearing for the vacation of 12<sup>th</sup> Street right-of-way adjacent to 1125 Maxwell Avenue. The date under Item No. 16, a waiver of the motorized vehicle prohibition to allow mobility-impaired individuals to tour Ada Hayden Heritage Park, was changed to September 19, and September 20 was added as the rain date.

**PROCLAMATION FOR “DRINKING WATER TREATMENT RECOGNITION DAY,” AUGUST 26, 2017:** Mayor Campbell proclaimed August 26, 2017, as “Drinking Water Treatment Recognition Day.” Present to accept the Proclamation were the Director of Water and Pollution Control John Dunn, Assistant Director of Water and Pollution Control Christina Murphy, Lyle Hammes, and Kris Evans. Ms. Evans issued an invitation to the Mayor, City Council, and entire Ames Community to the Ribbon Cutting ceremony to be held on Saturday, August 26, at 9:00 a.m. That ceremony will be followed by tours of the new facility until 1:00 p.m.

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

1. Motion approving payment of claims
2. Motion approving Minutes of Regular Meeting of August 8, 2017, and Special Meetings of August 15, 2017, and August 17, 2017
3. Motion approving Report of Contract Change Orders for August 1 - 15, 2017
4. Motion approving new Class E Liquor, C Beer, & B Wine – Kum & Go #1215, 4506 Lincoln Way (pending final inspection)
5. Motion approving new Class C Beer Permit – HuaChao Snacks, 127 Welch Avenue
6. Motion approving temporary Outdoor Service Privilege (September 8 - 10) for Tip Top Lounge, 201 E. Lincoln Way
7. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
  - a. Class E Liquor, C Beer, & B Wine – Hy-Vee Drugstore, 500 Main Street
  - b. Special Class C Liquor – Indian Delights, 127 Dotson Drive
  - c. Class C Liquor – Mandarin Restaurant of Ames, 415 Lincoln Way
  - d. Special Class C Liquor & Outdoor Service – Noodles & Company, 414 S. Duff Avenue, Ste. 101
  - e. Class E Liquor, C Beer, & B Wine – Cyclone Liquors, 626 Lincoln Way
  - f. Class E Liquor, C Beer, & B Wine – Kwik Stop Liquor & Groceries, 125 6<sup>th</sup> Street
  - g. Class C Liquor – Corner Pocket/DG’s Taphouse, 125 Main Street
8. Requests from Octagon Center for the Arts for 47<sup>th</sup> Annual Octagon Art Festival on Sunday, September 24:



- a. Motion approving blanket Temporary Obstruction Permit and blanket Vending License for Central Business District
- b. RESOLUTION NO. 17-513 approving waiver of fee for blanket Vending License
- c. RESOLUTION NO. 17-514 approving closure of portions of Main Street, Burnett Avenue, Kellogg Avenue, and Douglas Avenue from 6 a.m. to 6 p.m.
- d. RESOLUTION NO. 17-515 approving use of Tom Evans Plaza and Cynthia Duff Plaza
- e. RESOLUTION NO. 17-516 approving waiver of fee for usage of electricity
- 9. Additional Requests from Healthiest Ames for Open Streets on Sunday, October 1, 2017:
  - a. RESOLUTION NO. 17-517 approving closure of Burnett Avenue from Main Street to 5<sup>th</sup> Street from 8:00 a.m. to 5:00 p.m.
  - b. RESOLUTION NO. 17-518 approving closure of 8 metered parking spaces and suspension of parking enforcement on Burnett Avenue
- 10. RESOLUTION NO. 17-552 setting date of public hearing for sale of 306 Wellons Drive to Habitat for Humanity of Central Iowa
- 11. RESOLUTION NO. 17-553 setting date of public hearing for vacation of 12<sup>th</sup> Street right-of-way adjacent to 1125 Maxwell Avenue
- 12. RESOLUTION NO. 17-519 approving one-year extension of Land Lease for Parking Lot P with Youth and Shelter Services
- 13. RESOLUTION NO. 17-520 approving Encroachment Permit for sign at 2625 North Loop Drive (ISU Research Park)
- 14. RESOLUTION NO. 17-521 approving Encroachment Permit for a sign at 2900 University Boulevard (ISU Research Park)
- 15. RESOLUTION NO. 17-522 approving Amendment to Professional Services Agreement with Stanley Consultants for 2017/18 Arterial Street Pavement Improvements
- 16. RESOLUTION NO. 17-523 approving Amendment to Professional Services Agreement with WHKS & Co., for 2016/17 Concrete Street Pavement Improvements
- 17. RESOLUTION NO. 17-524 waiving motorized vehicle prohibition to allow mobility-impaired individuals to tour Ada Hayden Heritage Park on September 19, 2017; and setting September 20, 2017, as a rain date
- 18. Electric Distribution Inventory Replenishment:
  - a. RESOLUTION NO. 17-525 awarding contract to Kriz-Davis Company of Ames, Iowa, in the amount of \$8,194.88 (inclusive of Iowa sales tax)
  - b. RESOLUTION NO. 17-526 awarding contract to Powerline Supply of Williamsburg, Iowa, in the amount of \$652.17 (inclusive of Iowa sales tax)
  - c. RESOLUTION NO. 17-527 awarding contract to RESCO of Ankeny, Iowa, in the amount of \$2,024.68 (inclusive of Iowa sales tax)
  - d. RESOLUTION NO. 17-528 awarding contract to Graybar Electric of Jefferson City, Missouri, in the amount of \$2,414.13 (inclusive of Iowa sales tax)
  - e. RESOLUTION NO. 17-529 awarding contract to Fletcher Reinhardt of Bridgeton, Missouri, in the amount of \$380.84 (inclusive of Iowa sales tax)
  - f. RESOLUTION NO. 17-530 awarding contract to WESCO Distribution of Des Moines, Iowa, in the amount of \$8,475.26 (inclusive of Iowa sales tax)
  - g. RESOLUTION NO. 17-531 awarding contract to Irby Company of Fort Dodge, Iowa, in the amount of \$31,222.60 (inclusive of Iowa sales tax)

19. RESOLUTION NO. 17-532 approving preliminary plans and specifications for Furnishing 15kV Outdoor Metalclad Switchgear and 9kV Control Panels for Top-O-Hollow Substation Expansion and Breaker Addition; setting September 27, 2017, as bid due date and October 10, 2017, as date of public hearing
  20. RESOLUTION NO. 17-533 approving preliminary plans and specifications for 2017/18 Traffic Signal Program (East 13<sup>th</sup> Street/I-35 Northbound Exit Ramp); setting September 13, 2017, as bid due date and September 26, 2017, as date of public hearing
  21. RESOLUTION NO. 17-534 approving contract and bond for 2016/17 Right-of-Way Restoration
  22. RESOLUTION NO. 17-535 approving contract and bond for Water Pollution Control Facility Screening System Improvements Project
  23. RESOLUTION NO. 17-536 accepting completion of 2016/17 Scaffolding and Related Services and Supplies for Power Plant
  24. RESOLUTION NO. 17-537 accepting completion of 2016/17 Valve Maintenance and Related Services and Supplies for Power Plant
  25. RESOLUTION NO. 17-538 accepting completion of 2016/17 Specialized Wet Dry Vacuum, Hydro Blast, and Related Cleaning Services for Power Plant
  26. RESOLUTION NO. 17-539 accepting completion of Power Plant Fuel Conversion - Control Room Installation Contract
  27. RESOLUTION NO. 17-540 approving Plat of Survey for 1414 Florida Avenue
- Roll Call Vote: 6-0. Resolutions/Motions declared adopted/approved unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**PUBLIC FORUM:** No one spoke during Public Forum.

**122 HAYWARD AVENUE:** Building Official Sara VanMeeteren stated the reason this item was not on the Consent Agenda was because the footings have already been installed. The developer, JCorp, Inc. is nearing the end of its multi-use project at this address. The encroachment is for footings that are set beneath the sidewalk for a very large building. According to Ms. VanMeeteren, the encroachment will not affect the use of the sidewalk. City Manager Steve Schainker pointed out that footings would be very difficult, if not impossible, to move at this point. He pointed out that the proper sequence is to get the Encroachment Permit first. Ms. VanMeeteren stated that the developer and engineer were asked why the footings had been installed prior to obtaining an Encroachment Permit, and they explained that they had overlooked the Permits after they had received the site plan and building plan approvals. It was noted that the site plan approved by the City staff did not indicate that the footings would be placed in the City right-of-way.

Council Member Beatty-Hansen stated that the City needs to discourage the behavior of developers to just do something and then ask for forgiveness later. She asked if there was anything the City can do, e.g., some type of penalty. Interim City Attorney Mark Lambert answered that it could result in issuance of a Municipal Infraction, but if the fine would be so minimal that it wouldn't do much towards discouragement. Council Member Gartin stated that he saw this as an understandable oversight. He felt that when a major construction project is happening, small matters get overlooked at times. Mr. Gartin also added that he agrees with discouraging willful disregard to the City's

procedures, but believes that the City needs to be sensitive to reasonable error. Council Member Betcher commented that she did not agree that this was a reasonable error. To her, this is a local developer who has been through the process many times.

Council Member Orazem asked why the City did not just sell the land to the developer. City Manager Schainker explained that the area in question is a compact area and the City needs the land for utilities and sidewalks.

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO.17-541 approving the Encroachment Permit for building footings at 122 Hayward Avenue.

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

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO.17-542 approving the Encroachment Permit for awnings at 122 Hayward Avenue.

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

**ENCROACHMENT PERMIT FOR WATER METER PIT AT 4018 ALDRIN AVENUE:**

Council Member Betcher again asked why the developer did not get a Permit first. Council Member Gartin questioned whether anything would have changed if the request would have been done in a timely matter. Mr. Schainker noted that Public Works and or Water might have suggested a different location, and the City does have the right to say no.

Ms. VanMeeteren stated that Public Works was initially a bit nervous as the water pit will control the irrigation system for 32 private townhomes. Council Member Beatty-Hansen said that the point is that the City is not being asked first. Mr. Schainker advised that the City has a process for this and a signed Agreement informs the developer that the City may/can demand that the item be moved.

Moved by Beatty-Hansen, seconded by Gartin to adopt RESOLUTION NO. 17-543 approving an Encroachment Permit for a water meter pit at 4018 Aldrin Avenue.

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

**DOWNTOWN FACADE GRANTS:** Director of Planning Kelly Diekmann stated that the City currently has \$100,000 in available funds to award to new grantees for the Downtown Facade Grant Program. That total does not include the \$56,423 awarded to the Sheldon-Munn project in 2015, which has not yet been closed out.

The first grant application was for the property at 238 Main Street, Quilting Connections. The current tenant occupies the entire building. The owner is requesting a grant for the north (Main Street) facade. The building was originally built as a two-story structure, but suffered a major fire in 1987 resulting in the removal of the upper floor. Significant damage was done to the facade and

the reconstruction included a mix of materials, including concrete panels, stucco, vertical wood panes, and the painting of remnants of the original brick. The proposed project would remove much of the non-compliant materials and rebuild the facade out to the front lot line. The facade is two storefronts wide and will emphasize that by cladding the east half with lighter colored brick over the canopy and a darker brick at the kick plate. The west half will use the darker brick to highlight the entrance. New store front windows will be installed. The store entrance will be recessed as will the existing middle door which had been used to provide access to the upper floor. It will be re-clad, but will retain its shape and location. New signage and lighting will be installed. The total estimated project cost is \$57,050. The estimate includes several items the City usually does not include in calculating cost share. The construction costs total \$39,550. The owner is also seeking an additional \$1,000 to help with the design costs, so the total recommended grant award is \$16,000 for Quilting Connection.

The second grant application was for the property at 208-5<sup>th</sup> Street, the Lechner Building. The building contains multiple commercial and two residential tenants. The building received a Facade Grant in 2012 for the replacement of ground floor windows and creation of a new store front appearance. The owner is requesting a grant for the replacement of the original windows on the second and third floors of the building with removal of two non-compliant filled-in transom windows. The original wood windows are in poor repair and are covered with aluminum storm windows. The project will involve removing the existing storm windows, repairing and restoring of the existing historic wood windows, and installing newer energy-efficient storm windows. The owner estimates the cost of the project at \$76,836, with an added ten percent contingency, for a total cost of \$88,361. Based on the design and scoring criteria, the eligible components of this project include the opening up of the two transoms on the front facade (removal of non-compliant elements) and the repair of the existing historic windows and mullions (to resist water and moisture penetration to preserve the building's structural integrity). The project costs are estimated to be \$33,051 (minus the contingency). Staff recommended up to \$15,000 or 50 percent of the actual costs. As a condition of the grant, staff recommended requiring the improvements of the non-compliant transom window openings on the side elevation to assist in broadening the overall project significance. Council Member Gartin asked if this was an exception or precedent to be able to do the side of the building. Mr. Diekmann responded that the grant will be covering just the front improvements.

The owner of Evert's Flowers, Home, and Gifts at 329 Main Street had submitted grant applications for installation of awnings along both the south facade (along Main Street) and the west facade (along Burnett Avenue). It was built as a two-story building in 1919, but the upper floor was removed. Many facade changes have occurred since that time. The owner is seeking two facade grants to replace the store front windows and install new doors, awnings and signage. The project will replace the large plate glass windows with multi-pane windows. The owner is also installing awnings over the windows. New signage and painting of the accent band above the awnings are included in the project. The improvements for each facade are similar. The south facade has an estimated cost of \$21,129. The owner is requesting up to fifty percent, or \$10,580. The west facade has an estimated cost of \$18,033, and the owner is requesting up to fifty percent, or \$9,017. It was noted that the purpose of the Program is the removal of non-compliant features of a facade. In this case, the windows and doors are compliant; therefore, are not covered by the Program. Staff

believes the only eligible activity in the grant request may be the installation of new awnings, the cost of which is estimated at \$5,315 for both facades. Staff is recommending a grant of 50%, or \$2,657.

According to Director Diekmann, due to the timing of solicitation for facade grants, there is an overlap of second round funds from the prior FY 2016-17 fiscal year and the award of first round grants with FY 2017-18 funds. Preferences in the Program are to award only one grant to a project per round and that a second request for a facade grant should occur in the spring round of review. Due to the low volume of applications and requested dollar value, staff recommended that the City Council consider the requests as a merged spring and fall round of funding to address that the 208-5<sup>th</sup> Street request is a second facade grant for the same facade and that 329 Main Street is actually two separate facade grants at the same time. This approach would be consistent with the intent of the Program to have preferences for new facade grant requests and to spread availability of funds to multiple projects while accounting for the timing of facade grant application process. The recommendation is to approve the Downtown Facade Improvement Grants for the four projects on three buildings as noted. The amount sought and recommended for awards is \$33,658, leaving \$66,342 that have not been committed in a grant agreement. An additional round of grant applications may be sought in the fall for award in a second round this spring.

Moved by Betcher, seconded by Correr, to adopt RESOLUTION NO. 17-544 approving the Downtown Facade Grants as recommended by staff.

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

#### **SALE OF GENERAL OBLIGATION CORPORATE PURPOSE AND REFUNDING BONDS:**

It was reported that the winning bid came from Janney Montgomery Scott out of Pennsylvania.

Moved by Betcher, seconded by Nelson, to approve RESOLUTION NO. 17-545 approving the sale of General Obligation Corporate Purpose and Refunding Bonds, Series 2017A, in the principal amount of \$11,970,000 to Janney Montgomery Scott.

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

**ADDITION OF ONE FTE CIVIL ENGINEER:** City Manager Steve Schainker informed the City Council that the Public Works Department has a very robust work plan; requests are increasing from citizens and City Council. At this time, The City is in the process of hiring two engineers and looking to hire a third. That position would be part of the Traffic Division and would focus mainly on CIP project design. This would include traditional traffic projects (e.g., traffic signals and traffic calming), but would also take on project management for CIP programs that had migrated to the Engineering Division (e.g., Accessibility Enhancement, Shared Use Expansion, Multi-Modal Roadway Improvements, and other roadway and utility projects). This position would take a lead role with customer service duties, such as localized traffic studies (stop signs, no parking, etc.), work on City Council referrals, citizen contacts, and right-of-way permits. Also, the new engineer would supervise the Ames Area Metropolitan Planning Organization work activities.

According to Mr. Schainker, the position would cost \$112,000. The majority of the cost, \$73,000 or sixty-five percent, will come out of CIP, not out of the operating budget. Road Use Tax will hit available balance in the fund and traffic studies because they are not assignable to large CIP projects; this will be about 25% of the salary. The Regional Planning Authority will take the last 10%. City Manager Schainker stated that the City needs to keep up with the Council's requests and have more timely responses to our customers.

Moved by Nelson, seconded by Correrri, to adopt RESOLUTION NO. 17-548 approving the addition of one FTE Civil Engineer.

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

**HEARING ON VACATING RIGHT-OF-WAY LOCATED WEST OF 122 NORTH DAKOTA AVENUE:** Mayor Campbell opened the public hearing. No one came forward to speak, and the hearing was closed.

Moved by Gartin, seconded by Correrri, to adopt RESOLUTION NO. 17-549 approving the vacation of the right-of-way located west of 122 North Dakota Avenue.

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

**HEARING ON SALE OF RIGHT-OF-WAY LOCATED WEST OF 122 NORTH DAKOTA AVENUE:** The public hearing was opened by the Mayor and closed after no one requested to speak.

Moved by Gartin, seconded by Correrri, to adopt RESOLUTION NO. 17-550 approving the sale and conveyance by Quit Claim Deed of the vacated right of way at 122 North Dakota to The Preserve Ames, LLC.

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

**HEARING ON LEASE WITH TOWERCO IV, LLC, FOR CELLULAR ANTENNA AT HOMEWOOD GOLF COURSE:** The Mayor opened the public hearing. No one asked to speak, and the hearing was closed.

Assistant City Manager Brian Phillips gave background on the TowerCo IV, LLC leasing a portion of the property at Homewood Golf Course for a cellular antenna. An agreement for this antenna has been in place since 1996. Because Homewood Golf Course is operated by the City as an enterprise, revenues from the cellular antenna accrue to the golf course operation. The lease is set to renew automatically every five years until its conclusion in December 2026. TowerCo has requested that the lease be extended for five additional five-year renewal terms; that would cause the lease to expire in December 2051. Existing terms would remain the same, but the base rent would increase by fifteen percent every five years, as the existing terms require. Additionally, the lessee would continue to divide any sublease revenue equally with the City. City staff is satisfied with the current lease arrangement. The rental terms for this location are favorable to the City. The location of the

antenna on the golf course is unlikely to conflict with any future plans the City may have for the property. In exchange for the extension of the lease, the City has requested and TowerCo has agreed that if the City requires the easement to be relocated it can be done one time during the life of the lease at the City's expense. The City may install equipment to provide high speed internet access onto the antenna. The City will not be charged rent for the equipment. TowerCo will replace the existing chain link fence around the antenna with a opaque fence made of wood that is compliant with the current zoning code. This antenna provides the golf course with significant rental that funds improvements to the golf course.

Moved by Beatty-Hansen, seconded by Nelson, to adopt RESOLUTION NO. 17-551 approving the lease with TowerCo IV, LLC, for a cellular antenna at Homewood Golf Course.

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

**HEARING ON AMENDMENT TO MAJOR SITE DEVELOPMENT PLAN FOR 3306 LINCOLN WAY (ASPEN HEIGHTS):** Moved by Betcher, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 17-552 approving the Amended Major Site Development Plan to include a commercial sign program at 3306 Lincoln Way.

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

**ORDINANCE TO MODIFY SECTION 2.48 OF THE *MUNICIPAL CODE* PERTAINING TO THE CITY ATTORNEY:** Moved by Orazem, seconded by Correrri, to pass on second reading an ordinance to modify Section 2.48 of the *Municipal Code* pertaining to the City Attorney.

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

**ORDINANCE REZONING PROPERTY, WITH MASTER PLAN, AT 3115, 3119, 3301, 3325, 3409, AND 3413 SOUTH DUFF AVENUE (BRICK TOWNE DEVELOPMENT) FROM HIGHWAY-ORIENTED COMMERCIAL (HOC) AND HIGH-DENSITY RESIDENTIAL (RH) TO PLANNED RESIDENCE DISTRICT (F-PRD) AND HIGHWAY-ORIENTED COMMERCIAL (HOC):** Moved by Nelson, seconded by Beatty-Hansen, to pass on third reading and adopt ORDINANCE NO. 4321 rezoning property, with Master Plan, at 3115, 3119, 3301, 3325, 3409, and 3413 South Duff Avenue (Brick Towne Development) from Highway-Oriented Commercial (HOC) and High-Density Residential (RH) to Planned Residence District (F-PRD) and Highway-Oriented Commercial (HOC).

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

**ORDINANCE TO REZONE PROPERTY, WITH MASTER PLAN, AT 1114 SOUTH DAKOTA AVENUE:** Motion by Orazem, seconded by Correrri, to adopt RESOLUTION NO. 17-552 approving the Zoning Agreement for 1114 South Dakota Avenue.

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

Motion by Betcher, seconded by Nelson, to pass on third reading and adopt ORDINANCE NO. 4322 rezoning property located at 1114 South Dakota Avenue from Planned Residence District (F-PRD) to Community Commercial/ Residential (CCR).

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

**COUNCIL COMMENTS:** Rob Bingham, *ex officio* Member, noted that the Student Government was putting forth a resolution to reaffirm the cameras to go up in Campustown along Welch and Chamberlain.

Moved by Betcher, seconded by Beatty-Hansen, to refer to the City Attorney for a memo outlining what penalties are already available to the City Council in the Code and what other penalties could be levied against construction projects that encroach without a permit.

Council Member Gartin commented that he did not believe this to be a pattern and is concerned about putting too much time into this. He stated that he is not in favor of that.

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

**CLOSED SESSION:** Council Member Gartin asked Interim City Attorney Mark Lambert if there was a legal reason to go into Closed Session. Mr. Lambert replied in the affirmative stating there was a reason to go into Closed Session under Section 21.5(1)c, *Code of Iowa*, to discuss matters presently in or threatened to be in litigation.

Moved by Gartin, seconded by Beatty-Hansen, to go into Closed Session under Section 21.5(1)c, *Code of Iowa*, to discuss matters presently in or threatened to be in litigation.

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

The Council returned to Regular Session at 7:10 p.m.

**ADJOURNMENT:** Moved by Betcher to adjourn at 7:11 p.m.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor

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Stacy Craven, Recording Secretary



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

**AMES, IOWA**

**AUGUST 29, 2017**

The Ames City Council met in Special Session at 12:32 p.m. on the 29<sup>th</sup> day of September, 2017, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law with Mayor Ann Campbell presiding. Council Member Chris Nelson participated in the meeting in person. Council Members Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, and Tim Gartin were brought in to the meeting telephonically as it was impractical for them to participate in person. Council Member Peter Orazem joined the meeting telephonically at 12:36 p.m. *Ex officio* Member Robert Bingham was absent.

**FIREWORKS PERMITS FOR DISPLAYS FROM JACK TRICE STADIUM FOR ISU HOME FOOTBALL GAMES:** Moved by Gartin, seconded by Nelson, to approve the following requests for fireworks displays:

- a. Saturday, September 2
- b. Saturday, September 9
- c. Thursday, September 28
- d. Saturday, October 14
- e. Saturday, October 28
- f. Saturday, November 11

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

Council Member Peter Orazem joined the meeting telephonically.

**HEARING ON SALE OF CITY-OWNED PROPERTY LOCATED AT 306 WELLONS DRIVE:** Mayor Campbell opened the public hearing. No one came forward to speak, and the hearing was closed.

Moved by Nelson, seconded by Betcher, to adopt RESOLUTION NO. 17-555 approving the sale and conveyance by Quit Claim Deed of City-owned property located at 306 Wellons Drive (in conjunction with the Community Development Block Grant Neighborhood Sustainability Program) to Habitat for Humanity of Central Iowa in the amount of \$30,000.

Roll Call Vote: 5-0-1. Voting aye: Beatty-Hansen, Betcher, Corrieri, Nelson, Orazem. Voting nay: None. Abstaining due to a conflict of interest: Gartin. Resolution declared adopted, signed by the Mayor, and hereby made a portion of these Minutes.

**HEARING ON VACATION OF 12<sup>TH</sup> STREET RIGHT-TO-WAY ADJACENT TO 1125 MAXWELL AVENUE:** The public hearing was opened by the Mayor. She closed same after there was no one wishing to speak.

Moved by Corrieri, seconded by Betcher, to adopt RESOLUTION NO. 17-556 approving the vacation of 12<sup>th</sup> Street right-of-way adjacent to 1125 Maxwell Avenue.

Roll Call Vote: 5-0-1. Voting aye: Beatty-Hansen, Betcher, Corrieri, Nelson, Orazem. Voting nay: None. Abstaining due to a conflict of interest: Gartin. Resolution declared adopted, signed by the Mayor, and hereby made a portion of these Minutes.

**ADJOURNMENT:** Moved by Nelson to adjourn the meeting at 12:38 p.m.

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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**

**AUGUST 24, 2017**

The Ames Civil Service Commission met in regular session at 8:15 a.m. on August 24, 2017, in the Council Chambers of City Hall, 515 Clark Avenue, with Commission Members Mike Crum, Harold Pike, and Charlie Ricketts present. Also in attendance was Human Resources Director Kaila Boothroy.

**APPROVAL OF MINUTES:** Moved by Pike, seconded by Ricketts, to approve the minutes of the July 27, 2017, Civil Service Commission meeting as written.

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

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

Civil Engineer I:	Abdelhafiz Ibrahim	79
	Michael Lauritsen	73
Firefighter:	Jerome Ward	84
	Lindsay Ball	77
	Ashley Culp	77
	Daniel Schmidt	*76
	Ryan Fogt	74
	Christian Case	73
	Derek Bixler	72
	Jordan Leach	71
Human Resources I:	Sean Lunde	71
	Brett Godwin	77
	Jessica Gofforth	76
Principal Clerk:		
	Cathy Beck	88
	Connie Davis	85
	Emily Newton	83
	Kasey Romano	82
	Phil Dalager	73
Recreation Manager:	Jana Allfree	72
	Michael Daley	76
	Kristin Zimmerman	72
	Jacob Perkins	71
Resource Recovery Plant Lead Operator:	Adam Hyer	83

\*Includes five veteran's preference points

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

**REQUEST TO ABOLISH RECREATION MANAGER ENTRY-LEVEL CERTIFIED LIST:**

Staff is requesting that the Civil Service Commission abolish the entry-level certified list for the Recreation Manager classification. Ms. Boothroy explained that three candidates were interviewed and had passing scores. Following the interview process, one candidate was hired, leaving two candidates on the list. Adopted Policies and Procedures provides for the Commission to abolish the list when it has diminished to three or fewer eligible candidates. Staff recommends that the list for this position be abolished so that a new recruitment for the Recreation Manager classification may begin.

Moved by Pike, seconded by Ricketts, to grant the request to abolish the Recreation Manager entry-level certified list.

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

**PRESENTATION ON LEGISLATIVE CHANGES:** Attorneys Hugh Cain and Brent Hinders of the Hopkins & Huebner Law Firm, Des Moines, Iowa, had been asked by City staff to present a summary of the law changes and how they will affect the Civil Service Commission's actions.

Hugh Cain reported that the changes in the civil service laws last spring were a part of a very large comprehensive re-write of public employee rights done by the State Legislature. He explained that there were two issues that made it more complicated: this legislation is new, therefore, there are no court cases that interpret the new language; and, the legislative description as to what the Legislature was doing is not accurate; the descriptions are wrong in a number of provisions.

Mr. Cain reviewed the following major changes to civil service laws: 1) Seniority; 2) Removal made easier; 3) Elimination of trial "de novo" on appeal to the district court; and, 4) Diminishment of employees made easier.

With regard to "Seniority," Mr. Cain stated that an employee's start date within a classification or grade is still based on that date. The legislature left that in the *Iowa Code*. Mr. Cain advised that the huge change in this category is that, now, unless it is provided in the collective bargaining agreement, and with the exception of police and fire, the City Council may eliminate seniority rights. He further advised that the City Council, if it so chooses, can re-establish seniority and not be required to re-establish original dates. When the Legislature introduced the bill, the legislative materials indicated that seniority is eliminated at the time the bill is passed. Mr. Cain said this is incorrect. He stressed that the City Council has to take action to eliminate seniority. As long as the City Council chooses not to eliminate seniority, the City will still deal with seniority as it has for the last 20-30 years.

Mr. Cain referred to the issue of collective bargaining agreements. When collective bargaining is meshed back in with public employment, under Chapter 20, it is no longer a mandatory requirement to bargain on seniority unless you are a firefighter or police officer.

Upon questioning by Chairman Crum, Mr. Hinders responded that if a City has an existing collective bargaining agreement that has been negotiated prior to this going into effect (which is July 1, 2017), that agreement continues no matter what the terms. However, once terms are renegotiated, these come into play in any new agreement.

In reference to the second change, "Removal," Mr. Hinders explained that it used to be that the removal hearing was for: neglect of duty; disobedience; misconduct; and/or failure to properly perform duties. These were fairly high standards, however, employers are now given more discretion. He further explained that, now, removal of an employee may be for: act or failure to act that is in contravention of law or city policy; or, the standard operating procedures or in judgment of a person holding appointing authority is sufficient to show an employee unsuitable or unfit for employment. This second item is a much broader standard. Mr. Hinders still warned that the City needs to be very specific as to the reasoning behind removal of an employee, or to be sure to document multiple reasons for the basis of removal.

Mr. Hinders reported that veterans can not be removed from employment other than by misconduct or incompetence, and a hearing still has to be held. He reviewed the history of veterans' preference points and how these points came about. In summary, if the City has someone who says that he/she is a veteran, the City needs to make certain that the discharge form (DD214) indicates that that person was honorably discharged. Mr. Hinders reiterated that if a veteran is being terminated, it is important to make certain there are findings of misconduct or incompetence. Mr. Hinders stated that, in the removal, the City has the burden of proof, and with a collective bargaining agreement where 30% (or more) are public safety employees, the City has to give additional procedures not inconsistent with this statute. He reviewed those job positions that are to be considered public safety employees.

Mr. Hinders stated that, in reference to "Appeal to District Court," it used to be a new trial "de novo" was held in the district court if an employee appealed his/her case. This has been changed; the district court is now an appellant court, whereby a judge receives the recorded audio or video tape to see if he/she agrees with the findings and conclusions of the Civil Service Commission. He stressed the importance of having a detailed record at the civil service hearing level, and making sure it is all "done right" at that time. Mr. Hinders advised that it would be of great value to have an audio/video recording of the hearing.

Mr. Cain reported that pertaining to "Diminishment," it used to be that if "public interest" required it, the City Council could in "good faith" diminish employees. He indicated that now: the new law allows the City Council to implement diminution without "public interest" or "good faith" requirements; if at least 30% of members of a union are public safety employees, then diminution is to be carried out in accordance with the collective bargaining agreement; there is no requirement that diminution be carried out pursuant to seniority (other than fire and police); and, there is no provision for "bumping" rights. Mr. Cain indicated that the State Legislature has made diminution a very simple process, and that he suspects there will numerous legal proceedings held regarding this matter.

Upon questioning from Commission Member Pike, Mr. Cain stated that the City Council does not have to do anything, unless it chooses to eliminate seniority rights for those covered under collective bargaining agreements. Seniority rights exist until the contract expires. Then, the City Council may eliminate seniority rights if it so chooses.

Mr. Hinders explained that if this statute remains in effect, the City would be smart in making certain decisions regarding whether or not the City is going to eliminate seniority rights. And, if it does, the

City needs to know how this will affect future collective bargaining agreements. He indicated that the City will need to begin “forecasting” this to those bargaining groups and be mindful that, if seniority is eliminated, preparations need to be made. Mr. Cain reiterated that the City doesn’t have to do anything at all pertaining to seniority.

**COMMENTS:** The next regularly scheduled Civil Service Commission meeting was set for September 28, 2017, at 8:15 a.m.

**ADJOURNMENT:** The meeting adjourned at 8:50 a.m.

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Michael R. Crum, Chair

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Jill Ripperger, Recording Secretary



## REPORT OF CONTRACT CHANGE ORDERS

Period:	<input type="checkbox"/>	1 <sup>st</sup> – 15 <sup>th</sup>
	<input checked="" type="checkbox"/>	16 <sup>th</sup> – End of Month
Month & Year:	August 2017	
For City Council Date:	September 12, 2017	

Department	General Description of Contract	Contract Change No.	Original Contract Amount	Contractor/ Vendor	Total of Prior Change Orders	Amount this Change Order	Change Approved By	Purchasing Contact (Buyer)
Electric Services	Power Plant Fuel Conversion - Control Room Installation General Work Contract	3	\$898,800.00	Henkel Construction Company	\$84,465.54	\$10,549.60	S. Schainker	CB
Electric Services	Power Plant Electrician Services	3	\$24,000.00	The Baker Group	\$56,000.00	\$24,000.00	D. Kom	CB
			\$		\$	\$		
			\$		\$	\$		
			\$		\$	\$		
			\$		\$	\$		

**Applicant License Application ( )**

6

<b>Name of Applicant:</b> <u>Chris</u>		
<b>Name of Business (DBA):</b> <u>Time Out - Ames</u>		
<b>Address of Premises:</b> <u>120 Kellogg</u>		
<b>City</b> <u>Ames</u>	<b>County:</b> <u>Story</u>	<b>Zip:</b> <u>50010</u>
<b>Business</b>	<u>(515) 215-1214</u>	
<b>Mailing</b>	<u>1114 10th St</u>	
<b>City</b> <u>Nevada</u>	<b>State</b> <u>IA</u>	<b>Zip:</b> <u>50201</u>

**Contact Person**

<b>Name</b> <u>Chris Harding</u>	
<b>Phone:</b> <u>(515) 290-2889</u>	<b>Email</b> <u>chris@timeoutentertainment.co</u>

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

**Term:**12 months

**Effective Date:** 09/16/2017

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

**Privileges:**

Class C Liquor License (LC) (Commercial)

Sunday Sales

**Status of Business**

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

**Ownership**

**Chris Harding**

<b>First Name:</b> <u>Chris</u>	<b>Last Name:</b> <u>Harding</u>	
<b>City:</b>	<b>State:</b> <u>Iowa</u>	<b>Zip:</b> <u>50201</u>
<b>Position:</b> <u>Owner</u>		
<b>% of Ownership:</b> <u>100.00%</u>	<b>U.S. Citizen:</b> <u>Yes</u>	

**Kent Ristau**

<b>First Name:</b> <u>Kent</u>	<b>Last Name:</b> <u>Ristau</u>	
<b>City:</b>	<b>State:</b> <u>Iowa</u>	<b>Zip:</b> <u>50201</u>
<b>Position:</b> <u>Spouse</u>		
<b>% of Ownership:</b> <u>0.00%</u>	<b>U.S. Citizen:</b> <u>Yes</u>	

**Insurance Company Information**

<b>Insurance Company:</b> <u>Society Insurance</u>
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<b>Policy Effective Date:</b>	<b>Policy Expiration</b>
<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>

**Applicant License Application ( LC0040413 )**

7

<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>Beta Barrison</u>	
<b>Phone:</b> <u>(515) 292-0039</u>	<b>Email</b> <u>b.barison@plusrestaurants.com</u>

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

**Term:**12 months

**Effective Date:** 10/01/2018

**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**

**Elisbetta Barison**

<b>First Name:</b> <u>Elisbetta</u>	<b>Last Name:</b> <u>Barison</u>	
<b>City:</b> <u>Ames</u>	<b>State:</b> <u>Iowa</u>	<b>Zip:</b> <u>50010</u>
<b>Position:</b> <u>Owner</u>		
<b>% of Ownership:</b> <u>20.00%</u>	<b>U.S. Citizen:</b> <u>No</u>	

**Alessandro Andreoni**

<b>First Name:</b> <u>Alessandro</u>	<b>Last Name:</b> <u>Andreoni</u>	
<b>City:</b> <u>Ames</u>	<b>State:</b> <u>Iowa</u>	<b>Zip:</b> <u>50010</u>
<b>Position:</b> <u>Owner</u>		
<b>% of Ownership:</b> <u>20.00%</u>	<b>U.S. Citizen:</b> <u>No</u>	

**Andrea Caremoli**

<b>First Name:</b> <u>Andrea</u>	<b>Last Name:</b> <u>Caremoli</u>	
<b>City:</b> <u>Miami</u>	<b>State:</b> <u>Florida</u>	<b>Zip:</b> <u>33156</u>
<b>Position:</b> <u>Owner</u>		
<b>% of Ownership:</b> <u>30.00%</u>	<b>U.S. Citizen:</b> <u>No</u>	

**Fabio Orfanini**

**First Name:** Fabio

**Last Name:** Orfanini

**City:** Key Biscayne

**State:** Florida

**Zip:** 33149

**Position:** Partner

**% of Ownership:** 30.00%

**U.S. Citizen:** No

**Insurance Company Information**

**Insurance Company:** Society Insurance

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

**Policy Expiration** 10/01/2017

**Bond Effective**

**Dram Cancel Date:**

**Outdoor Service Effective**

**Outdoor Service Expiration**

**Temp Transfer Effective**

**Temp Transfer Expiration Date:**

<b>Name of Applicant:</b> <u>Torrent Brewing Co LLC</u>		
<b>Name of Business (DBA):</b> <u>Torrent Brewing Co LLC</u>		
<b>Address of Premises:</b> <u>504 Burnett Ave</u>		
<b>City</b> <u>Ames</u>	<b>County:</b> <u>Story</u>	<b>Zip:</b> <u>50010</u>
<b>Business</b>	<u>(515) 291-9916</u>	
<b>Mailing</b>	<u>P.O. Box 1975</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>Andy McCormick</u>		
<b>Phone:</b>	<u>(515) 291-9916</u>	<b>Email</b>	<u>info@torrentbrewingco.com</u>

**Classification** Class B Beer (BB) (Includes Wine Coolers)

**Term:**12 months

**Effective Date:** 01/29/2018

**Expiration Date:**

**Privileges:**

Class B Beer (BB) (Includes Wine Coolers)

**Status of Business**

<b>BusinessType:</b>	<u>Limited Liability Company</u>		
<b>Corporate ID Number:</b>	<u>467831</u>	<b>Federal Employer ID</b>	<u>46-4159291</u>

**Ownership**

**Andy McCormick**

<b>First Name:</b>	<u>Andy</u>	<b>Last Name:</b>	<u>McCormick</u>	
<b>City:</b>	<u>Ames</u>	<b>State:</b>	<u>Iowa</u>	<b>Zip:</b> <u>50014</u>
<b>Position:</b>	<u>Owner</u>			
<b>% of Ownership:</b>	<u>100.00%</u>	<b>U.S. Citizen:</b>	<u>Yes</u>	

**Insurance Company Information**

<b>Insurance Company:</b>	<u>Illinois Casualty Co</u>		
<b>Policy Effective Date:</b>	<u>01/29/2017</u>	<b>Policy Expiration</b>	<u>01/28/2018</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>	

*Caring People  
Quality Programs  
Exceptional Service*

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**9a-b**

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

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

**DATE:** September 8th, 2017

**SUBJECT:** Beer Permits & Liquor License Renewal Reference City Council Agenda

The Council agenda for September 12<sup>th</sup>, 2017, includes beer permits and liquor license renewals for:

- Class B Liquor, Catering, & Outdoor Service - LB0002015 - Hilton Garden Inn Ames, 1325 Dickinson Avenue
- Class C Liquor & Catering - LC0038721 - Whiskey River, 132-134 Main Street

A routine check of police records for the past twelve months found no liquor law violations for the above listed business. The police department recommends renewal of licenses for all of the above business.

A records review of Whiskey River did find 2 disorderly calls for service, two public intoxication calls and one fight in progress. All but one of these calls was self-reported by the bar staff who were looking for police involvement. Whiskey River continues to be a busy location. Although we want to continue to reduce these types of incidents the call volume is not out of norm. Whiskey River management continues to be responsive on any issues and are willing to work with the police department on possible solutions.

ITEM # 10a&b  
DATE: 09-12-17

**COUNCIL ACTION FORM**

**SUBJECT:** REQUEST FROM MAIN STREET CULTURAL DISTRICT FOR  
WAIVER OF VENDING LICENSE FEE FOR GEOCACHING ACTIVITY

**BACKGROUND:**

The Main Street Cultural District (MSCD) is planning to hold a Geocaching event on Saturday, September 23. At this event, participants will be using GPS to search for hidden treasures in a variety of locations. Downtown businesses will be host sites for the geocaches. In conjunction with this event, MSCD has requested a blanket Temporary Obstruction Permit and blanket Vending License to allow downtown businesses to place displays of merchandise on the sidewalks.

MSCD has requested a waiver of the fee for the blanket Vending License, a \$50 loss to the City Clerk's Office.

**ALTERNATIVES:**

1. Approve the request to waive the fee for a blanket Vending License for this event
2. Deny the request.

**MANAGER'S RECOMMENDED ACTION:**

Since the event will bring shoppers to the downtown, the request furthers the City Council's goal to strengthen the downtown.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the request to waive the fee for a blanket Vending License for this event.



August 21, 2017

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

RE: Geocaching and Sidewalk Sales

Dear Honorable Mayor Campbell and City Council,

The Main Street Cultural District is planning to hold a Geocaching event in our downtown on September 23rd. This event is a great way to get people downtown and in the stores to find their hidden treasures. With this, I would like to ask for a Waiver of Fees on a Blanket Vendor Permit for the businesses to take advantage of a largely popular occasion.

Thank you for your consideration of this request and continued support of the Main Street Cultural District. We look forward to seeing you on September 23rd, in downtown Ames!

Sincerely,

A handwritten signature in blue ink, reading "Edana Delagardelle".

Edana Delagardelle  
Event Coordinator  
Main Street Cultural District

**COUNCIL ACTION FORM**

**SUBJECT: AMES HIGH SCHOOL HOMECOMING REQUESTS**

**BACKGROUND:**

Ames High School has requested to hold its Homecoming Parade on Monday, September 18, 2017. Due to the reconstruction of City Hall Lot M, parade entries will stage on Pearle Street, Main Street, and in Depot Lot TT. The parade will start on Main Street west of Clark Avenue and proceed east past Douglas Avenue to the CBD Lot entrance. The parade entries will disperse from the CBD Lot. It will begin at 6:30 p.m. and last approximately 45 to 60 minutes. To help facilitate this event, the Homecoming Committee asks that the City Council approve the following closures:

- Fifth Street from Grand Avenue to Pearle Avenue, Pearle Avenue, Main Street from Pearle Avenue to Duff Avenue, Clark Avenue from north of the CBD lot exit to Fifth Street, Burnett Avenue from Main Street to Fifth Street, and Kellogg Avenue from north of the CBD lot exit to Main Street, from 5:30 to approximately 7:30 p.m.
- Depot Lot TT, and a portion of CBD Lot Z from 5:30 p.m. to 7:30 p.m. for parade staging and disassembly (No reserved spaces would be affected).

Barricades, staffed by adult volunteers, will be placed on streets along this route for traffic control purposes. Organizers have requested a blanket Temporary Obstruction Permit and a waiver of parking meter fees and enforcement along the parade route from 1:00 to 6:00 p.m. (\$235 loss to Parking Fund).

In addition to the parade, organizers plan to hold a fireworks display during the home football game on September 22 (at approximately 8:15 p.m.) at Ames High Stadium. Organizers have requested a waiver of the \$25 Fireworks Permit fee.

Because City Hall Lots M and MM will continue to be accessible the City Hall users during the parade, City staff is not requesting a waiver of parking meter enforcement in Lot N to accommodate these users as it has done in previous years for Community Center activity attendees.



**ALTERNATIVES:**

1. Approve the requests from the Ames High Homecoming Committee for a blanket Temporary Obstruction Permit, parking lot and street closures, and waiver of parking meter fees in connection with the parade to be held on September 18, and issue a fireworks display permit and waive the permit fee for a fireworks display on September 22.
2. Approve the requests for a blanket Temporary Obstruction Permit, parking lot and street closures for September 18 and approve the fireworks display for September 22, but require payment for the fireworks permit (\$25) and lost parking revenue (\$235).
3. Deny these requests

**MANAGER'S RECOMMENDED ACTION:**

The Ames High Homecoming Parade is a long-standing Ames tradition in the Main Street Cultural District and has the support of the Main Street Cultural District. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the requests from the Ames High Homecoming Committee as indicated above.



CITY OF

Ames

**SPECIAL EVENT APPLICATION****SUMMARY OF EVENT****DESCRIPTION**

Event Name

Ames High Homecoming Parade 2017

Description

1:00 cover parking meters w/ bags & information about street closure  
 5:30 volunteers arrive to put up barricades & boundaries & get into place  
 5:45 participants will start arriving & line up will begin  
 6:15 check to make sure everything is in order for the start of the event  
 6:30 the parade will start at the community center parking lot  
 7-7:30 the parade will end at the parking lot at the end of Mainstreet

Event Category

- ☐ Athletic/Recreation  
☐ Exhibits/Misc.  
☐ Festival/Celebration  
☒ Parade/Procession/March

- ☐ Concert/Performance  
☐ Farmer/Outdoor Market  
☐ Other (please explain)

Anticipated Attendance

Total

500

Per Day

**DATE/TIME**

Setup

Date

9/18/17

Time

1:00

Day of Week

Monday

Event Starts

Date

9/18/17

Time

6:30

Day of Week

Monday

Event Ends

Date

9/18/17

Time

7:00

Day of Week

Monday

Teardown Complete

Date

9/18/17

Time

7:30

Day of Week

Monday

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 High School

### Local Contact (Required)

#### Name

Sonja Paulson

#### Address

3213 West Street

#### Telephone

#### Cell Phone

515-291-6903

#### Email

sjpaulson99@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? ..

☒ ☐ 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

The Ames High Homecoming parade has been going on for 66 years. Anyone in the community is welcome to the event.



**CITY OF AMES, IOWA**  
**APPLICATION FOR PERMIT TO DISPLAY FIREWORKS**

(The outdoor use or exploding of "fireworks," as that term is defined by the Code of Iowa, is prohibited except when done in accordance with a permit authorized by the City Council.)

Name of Event: Ames High 2017 Homecoming  
Name of Organization Sponsoring Event: Homecoming Committee  
Address of Organization: 1921 Ames High Dr  
Name of Applicant: Sonja Paulson  
Telephone: 515-291-6403 E-mail address: sjpaulson99@gmail.com  
Organization's On-site Manager/Contact for Day of Display: Joe Paulson  
Contact's Cell Phone Number on Day of Display: 515-291-7000  
Date & Time of Event: 9/22 about 8pm Rain Date(s) & Time: \_\_\_\_\_  
Exact Location of shoot/display: Field south of tennis courts  
☒ Attach diagram of display location.  
Size of shells and/or type of display: 3" & smaller  
☐ Attach effects list or schedule.  
Name of Display Operator/Responsible Shooter: Joe Paulson  
(This person is to be present on the day of the event.)  
☐ Attach a resume showing pyrotechnic certification or qualifications of this person.  
Shooter's Work-week Phone: (515) 291-7000 Cell Phone (for day of display): (515) 291-7000  
Name of Insurance Company: OSP Insurance

See below for detailed information about insurance requirements.

Display sites are subject to examination by the City Fire Inspector or his/her designee. The Ames Fire Department has authority to cancel/postpone any display if it is determined that there are safety concerns.

Signature of Applicant: [Signature] Date: 7/25  
Signature of Display Operator: [Signature] Date: 8/7/17

**City of Ames Insurance Requirements:**

- Comprehensive General Liability limits in the amount of \$1,000,000 combined single limit and Excess Liability limits in the amount of \$5,000,000. Coverage shall be at least as broad as the ISO Form Number CG0001 covering commercial general liability written on an occurrence basis only.
- Applicant and/or Sponsor must be named as certificate holder(s).
- The City of Ames, its officers and employees must be named as additional insured.
- A copy of the current insurance certificate must be filed with the City Clerk.



**NOTE: This application not to be used for displays originating on Iowa State University property.** Instead, use the form found at <http://www.riskmanagement.iastate.edu/events/fireworks> or contact the Office of Risk Management at 515-294-7711. (ISU will forward the application and the City's portion of the fee to the Ames City Clerk.)

For Office Use:

Date Fee Paid (\$25.00)

Approved by Fire Inspector



**For displays on property owned by Iowa State University, an alternate application must be submitted to ISU Risk Management** at least six (6) weeks prior to the event. Please refer to forms and information found at: <http://www.riskmanagement.iastate.edu/events/fireworks> or contact the ISU Office of Risk Management at 515-294-7711.

For Iowa State, the following insurance requirements must also be met:

- The company must be at least A-rated by Best's.
- The State of Iowa; Board of Regents, State of Iowa; and Iowa State University must be named as additional insureds for liability coverage.
- Certificates must be complete and indicate "occurrence" coverage.
- Limit Requirements:
  - General Liability – at least \$1,000,000 combined single limit per occurrence for bodily injury including death, personal injury and property damage.
  - Automobile Liability – \$1,000,000 combined single limit each accident.
  - Worker's Compensation and Employer's Liability – must provide for the Statutory Limits of \$100,000/\$500,000/\$100,000 and a Waiver of Subrogation in favor of Iowa State University/State Board of Regents.
  - Excess Liability – policy must provide \$5,000,000 Excess Liability coverage.

The insurance policy term must be for the duration/term of contract or be specific to the event date(s). The term of coverage shall coincide with the dates of the agreement. The certificates shall provide for thirty (30) days notice of cancellation or material change of coverage to the certificate holders.

Iowa State University Approved Locations

Central campus

Parking Lots G3 & G7

Cross Country Course west of Wilson Hall

Jack Trice Stadium, parking lots or grounds

Stuart Smith Park

VMRI green space northeast of Building 29

Restrictions

2.5" maximum shell size

5" maximum shell size

5" maximum shell size

Per Environmental Health & Safety (EH&S)

Per EH&S

Per EH&S; EH&S will contact LAR (for animal coordination) and Vet Med Child Care Center

Ames High School Homecoming Committee  
1921 Ames High Drive  
Ames, IA 50010

August 22, 2017

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

Dear Mayor Campbell and Members of the Ames City Council,

The Ames High School Homecoming Committee plans to hold its annual Homecoming activities the week of September 17, 2017. These activities include the downtown Homecoming parade on Monday, September 18, and a fireworks display at halftime of the home football game on Friday, September 22. The parade will begin at 6:30 pm and is anticipated to last between 30 and 45 minutes, with the streets re-opened by 7:30 pm. The Homecoming Committee asks that the City Council approves the following requests:

1. Closure of Pearle Avenue, Douglas Avenue, Burnett Avenue, Kellogg Avenue and Clark Avenue (all from Main Street to 5th Street), and Main Street from Pearle Avenue to before Duff Avenue from 5:30 to approximately 7:30 pm on September 18.
2. Closure of City Parking Lot MM and Lot M at 5:30 pm for parade staging.
3. Waiver of parking meter fees for those closed public parking spaces from 1-7:30 pm.
4. A fireworks permit for the fireworks display to be held during halftime of the Homecoming game on September 22 (approximately 8:15 pm).
5. Waiver of fireworks fee.

Thank you for your consideration of these requests. We hope to see you in attendance during the parade and supporting the football team on Friday night.

Sincerely,  
Sonja Paulson, Nicole Cho, Ella Glenn, Kelly Friedrich, Maia Ardoin, and Hattie Stenberg  
Ames High School Homecoming Committee

Ames High School Homecoming Committee  
1921 Ames High Drive  
Ames, IA 50010

August 22, 2017

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

Dear Mayor Campbell and Members of the Ames City Council,

Ames High School is hosting the annual homecoming game between Ames High and Council Bluffs Lincoln on Friday, September 22, 2017. As a tradition, the school plans to hold a fireworks show during the game's halftime. The game starts at 7:00 pm, so the fireworks would be held approximately at 8:15 pm, depending on the duration of the first half. On behalf of Ames High, we would like to ask that the City Council approves the waiver of fees for the fireworks permit.

Thank you for your time.

Sincerely,

Maia Ardoin, Hattie Stenberg, Ella Glenn, Kelly Friedrich and Sonja Paulson



August 23, 2017

To whom it may concern,

The Main Street Cultural District fully supports the use of Main Street, in downtown Ames, for the Ames High School's Homecoming Parade on September 18<sup>th</sup>, 2017. We welcome this partnership with the Ames School District to make the community a better place for everyone. We are excited to join students, athletes, parents, faculty and staff, and community members in cheering on our Ames High School Little Cyclone Football team. We also welcome the opportunity to show the community what great businesses our downtown has to offer.

Sincerely,

  
Paul Livingston  
2017 MSCD Board President



**COUNCIL ACTION FORM**

**SUBJECT:** REQUESTS FOR “CRAFTS & DRAUGHTS IN CAMPUSTOWN”

**BACKGROUND:**

The Campustown Action Association (CAA) is planning to host its second annual Crafts and Draughts in Campustown on Saturday, October 7. Organizers propose hosting artists to facilitate crafts for all ages, food vendors, a beer garden, and live acoustic music in the 200 block of Welch Avenue from 1:00 p.m. to 6:00 p.m.

To facilitate this event, organizers are requesting the closure of Welch Avenue from Chamberlain Street to Hunt Street and the east half of Welch Lot T from 7:00 a.m. to 7:00 p.m. on October 7, including a waiver of fees and enforcement for 11 metered parking spaces (\$49.50 loss to the Parking Fund). CAA is also requesting a blanket Vending License and waiver of fee for the license (\$50), waiver of electricity costs for the use of City electrical outlets (approximately \$5 loss to the Electric Fund), and a blanket Temporary Obstruction Permit for the area.

A Class B Beer Permit with Outdoor Service has been applied for in order to provide alcoholic beverage service at the beer garden.

Public Works will provide barricades for the event. Organizers will obtain a noise permit from the Police Department. A private security firm has been hired for the event.

**ALTERNATIVES:**

1. Approve the requests as made by CAA, including the waiver of fees.
2. Approve the requests as made by CAA, but require reimbursement for the lost revenue for parking, electricity use, and a Vending License.
3. Do not approve the requests.

**CITY MANAGER’S RECOMMENDED ACTION:**

Campustown Action Association has had a successful track record of hosting events. A private security firm has been hired to manage security for the beer garden. This proposed event is intended to be family-friendly and will take place primarily during daylight hours.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the requests as made by CAA, including the waiver of fees.

**Applicant License Application ( )**

<b>Name of Applicant:</b> <u>Craft Haulers LLC</u>		
<b>Name of Business (DBA):</b> <u>Craft Haulers LLC</u>		
<b>Address of Premises:</b> <u>217 Welch Ave.</u>		
<b>City</b> <u>Ames</u>	<b>County:</b> <u>Iowa</u>	<b>Zip:</b> <u>50014</u>
<b>Business</b> <u>(515) 519-2337</u>		
<b>Mailing</b> <u>915 Timberline Dr.</u>		
<b>City</b> <u>Polk City</u>	<b>State</b> <u>IA</u>	<b>Zip:</b> <u>50226</u>

**Contact Person**

<b>Name</b> <u>Kevin Kibby</u>	
<b>Phone:</b> <u>(515) 519-2337</u>	<b>Email</b> <u>kevin@craft haulers.com</u>

**Classification** Class B Beer (BB) (Includes Wine Coolers)

**Term:**5 days

**Effective Date:** 10/05/2017

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

**Privileges:**

Class B Beer (BB) (Includes Wine Coolers)

Outdoor Service

**Status of Business**

<b>BusinessType:</b> <u>Limited Liability Company</u>	
<b>Corporate ID Number:</b> <u>527632</u>	<b>Federal Employer ID</b> <u>81-3449806</u>

**Ownership**

**Kevin Kibby**

<b>First Name:</b> <u>Kevin</u>	<b>Last Name:</b> <u>Kibby</u>	
<b>City:</b> <u>POLK CITY</u>	<b>State:</b> <u>Iowa</u>	<b>Zip:</b> <u>50226</u>
<b>Position:</b> <u>Owner - Manager</u>		
<b>% of Ownership:</b> <u>100.00%</u>	<b>U.S. Citizen:</b> <u>Yes</u>	

**Insurance Company Information**

<b>Insurance Company:</b> <u>Cincinnati Specialty Underwriters</u>	
<b>Policy Effective Date:</b>	<b>Policy Expiration</b>
<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>



# SPECIAL EVENT APPLICATION

## SUMMARY OF EVENT

### DESCRIPTION

**Event Name** Crafts & Draughts in Campustown

**Description**

The Campustown Action Association will be hosting the 2nd annual Crafts & Draughts in Campustown, focused on all ages including Alumni, Ames residents, and college students. The event will be held Saturday, October 7 from 1 PM to 6 PM in the 200 block of Welch Avenue. CAA and area artists will host craft tables for all ages. There will also be a beer garden and live acoustic music. Campustown food vendors will provide samples and/or full service depending on permits. The event is free and open to the public.

**Event Category**

- |  |   |
|--|---|
| <input 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 type="checkbox"/> Other (please explain) |
| <input type="checkbox"/> Parade/Procession/March         |   |

**Anticipated Attendance**

Total 750 Per Day \_\_\_\_\_

### DATE/TIME

<b>Setup</b>	Date <u>10/7/2017</u>	Time <u>7:00 AM</u>	Day of Week <u>Saturday</u>
<b>Event Starts</b>	Date <u>10/7/2017</u>	Time <u>1:00 PM</u>	Day of Week <u>Saturday</u>
<b>Event Ends</b>	Date <u>10/7/2017</u>	Time <u>6:00 PM</u>	Day of Week <u>Saturday</u>
<b>Teardown Complete</b>	Date <u>10/7/2017</u>	Time <u>7:00 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)

**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

Campustown Action Association

**Local Contact** *(Required)*

Name

Karin Chitty

## Address

119 Stanton Ave. #602

**Telephone**

515-292-4528

## Cell Phone

515-451-7503

## Email

karin.chitty@amescampustown.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? \_
- ☒ ☐ 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

--



campustown  
action  
association

Campustown Action Association  
119 Stanton Ave, Suite 602  
Ames, IA 50014

August 24, 2017

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

RE: Crafts & Draughts 2017

Dear Honorable Mayor Campbell and City Council,

The Campustown Action Association (CAA) is planning to hold the 2<sup>nd</sup> annual Crafts & Draughts in Campustown on Saturday, October 7, 2017 from 1-6pm. Information about the event can be found on the Special Event Application we submitted to the City of Ames staff. We also ask for resolutions approving the waiver of electricity costs for the 200 block of Welch Avenue, including the Campustown Court area, the waiver of parking meter fees for the indicated area of Welch and Lot T from 7am – 7pm, and a waiver of fee for the Blanket Vendor Permit.

Thank you for your consideration of these requests and continued support of Campustown. We hope to see you on October 7th.

Sincerely,

Karin Chitty  
Executive Director

**COUNCIL ACTION FORM**

**SUBJECT:** COOPERATIVE AGREEMENT BETWEEN AMES HUMAN RELATIONS COMMISSION AND IOWA CIVIL RIGHTS COMMISSION

**BACKGROUND:**

The Ames Human Relations Commission (AHRC) has a group of volunteer investigators who are responsible for investigating alleged acts of discrimination in the Ames community. The Iowa Civil Rights Commission (ICRC) also works towards this purpose using professional staff and resources in its investigations. For the past several years, the ICRC has entered into a cooperative agreement with the City to assist AHRC in resolving complaints. A renewal of that agreement has been proposed by ICRC for the fiscal year ending June 30, 2018.

The agreement provides monetary compensation for the City to 1) act as the intake officer for complaints alleging discrimination, and 2) forward the complaint to the ICRC for investigation. The amount of compensation per case varies, depending on the type of complaint and the timeliness of the City in forwarding it to the ICRC.

The purpose of the agreement is to reduce local agency backlogs and ensure that complaints are investigated promptly. The City has full discretion in choosing which cases, if any, it wishes to forward to the ICRC for investigation. AHRC has discussed the cooperative agreement and recommended that it be approved by the City Council.

**ALTERNATIVES:**

1. Approve the cooperative agreement between the Ames Human Relations Commission and the Iowa Civil Rights Commission.
2. Do not approve the cooperative agreement.

**MANAGER'S RECOMMENDED ACTION:**

This agreement formalizes the mechanism that may be used by the City to transfer civil rights investigations to the Iowa Civil Rights Commission for investigation. The City has the option to choose which cases to submit to the ICRC. The ICRC will compensate the City for acting as the intake agent under this agreement. The City and ICRC have maintained this arrangement for many years.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the cooperative agreement between the Ames Human Relations Commission and the Iowa Civil Rights Commission.

**COUNCIL ACTION FORM**

**SUBJECT:** CORRECTION TO HIGH STRENGTH SURCHARGE RATES

**BACKGROUND:**

On June 13, 2017 Council approved an annual update to the City's fees and charges contained in the Municipal Code. Included were revisions to Appendix Q, which contains the fees for the Water and Pollution Control Department. The fees included in that resolution inadvertently reverted the High Strength Surcharge program back to the rates enacted in FY 2014/15.

The rates that are currently in effect should be those that were adopted by Council effective with FY 2015/16. There have been no changes to the High Strength Surcharge rates since that time. (Please see the table provided below.)

**ALTERNATIVES:**

1. Approve by resolution a revision to Appendix Q that restores the previously adopted High Strength Surcharge fees.
2. Take no action to correct the inadvertently adopted High Strength Surcharge fees. This would result in a 5% reduction in these charges.

**MANAGER'S RECOMMENDED ACTION:**

The resolution adopted by Council on June 13, 2017 that implemented new and revised fees for the entire City organization inadvertently included fees from FY 2014/15 for the High Strength Surcharge program, resulting in a 5% reduction in these fees. Staff did not intend to lower these fees and is recommending that the fees be reinstated to those adopted for FY 2015/16. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as described above.

Fortunately, no customers have been billed the incorrect rates and, therefore, no adjustments to any utility bills will be necessary.



Parameter	Incorrect Surcharge Rate Adopted on June 13, 2017	Corrected Surcharge Rate
Oxygen Demand		
CBOD <sub>5</sub>	\$0.41/lb.	\$0.43/lb.
COD	\$0.15/lb.	\$0.16/lb.
Nitrogen		
NH <sub>3</sub> -N	\$1.44/lb.	\$1.51/lb.
TKN	\$0.93/lb.	\$0.98/lb.
Solids		
TSS	\$0.60/lb.	\$0.63/lb.

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION CORRECTING FEE DISCREPANCY OF HIGH  
STRENGTH SURCHARGE RATES WATER AND POLLUTION  
CONTROL FEES APPENDIX Q AND ADOPTING REVISED FEES FOR  
THE CITY OF AMES, IOWA**

**BE IT RESOLVED** by the City Council for the City of Ames, Iowa, that the following fees shall be adopted or adjusted to recover the approximate actual costs of city services from those who use and benefit from these services.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Ames, Iowa, that fees shall be adopted as follows:

**SECTION ONE.** The following Water and Pollution Control Fees are hereby adopted or adjusted effective July 1, 2017, and codified as Appendix Q:

**WATER AND POLLUTION CONTROL FEES & CHARGES**

**High-Strength Surcharge Rates\***

<u>Parameter</u>	<u>Surcharge Rate</u>
Oxygen Demand	
CBOD <sub>5</sub>	\$0.43/lb.
COD	\$0.16/lb.
Nitrogen	
NH <sub>3</sub> -N	\$1.51/lb.
TKN	\$0.98/lb.
Solids	
TSS	\$0.63/lb.
Fats, Oils, and Grease	
Oil and Grease	\$0.84/lb.

**\*Monthly High-Strength Surcharge Fees of less than \$5/month will be waived**

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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

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



# MEMO

## Legal Department

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

**From:** Victoria A. Feilmeyer, Assistant City Attorney

**Date:** September 5, 2017

**Subject:** Sale of 306 Wellons Drive

Council approved the sale of 306 Wellons Drive to Habitat for Humanity of Central Iowa, Inc., at its meeting on August 29, 2017.

Under the terms of the recorded purchase agreement, the City of Ames has restricted Habitat's ability to transfer the property to an individual determined to be eligible by the City Housing Division Staff. The initial home buyer from Habitat must meet the City's CDBG program qualifications.

Habitat's title examiner has requested that the City place of record its approval of the initial eligible home buyers approved by the City Housing Staff, namely, Akuei Chiman and Tereza Manion. The recordation of City approval of the Habitat transfer to these individuals will prevent future objections related to whether Habitat was authorized to transfer the property to these individuals under the terms of the recorded purchase agreement.

We request that Council approval the attached Consent to Transfer of Property and authorize the execution and recordation of the document.

S P A C E   A B O V E   R E S E R V E D   F O R   O F F I C I A L   U S E

Return to:: City Clerk, 515 Clark Avenue, Ames IA 50010

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

### Consent to Transfer of Property

WHEREAS, The, City of Ames, an Iowa Municipal Corporation, entered into a certain “*Agreement between the City of Ames and Habitat for Humanity of Central Iowa, Inc.*,” for rehabilitation of property at 306 Wellons Drive, Ames, Iowa,” filed August 29, 2016, as Instrument No. 16-08392, as amended by a document filed May 30, 2017, as Instrument No. 17-05075.

WHEREAS, the property locally known as 306 Wellons Drive, Ames, Iowa, is legally known as: Lot Fourteen (14), Cochrane’s First Addition to Ames, Story County, Iowa.

WHEREAS, said Agreement contained, at paragraph III(C) stating that “Habitat shall not sell, assign or transfer any legal or equitable interest in the Property at any time prior to June 30, 2027, without written concurrence of the City.”

WHEREAS, said Agreement also contained, at paragraph II(C) references to a “selected initial home buyer” determined to be eligible by the City Housing Division Staff, and both the City and Habitat intended for the property to be conveyed by Habitat to the “selected initial home buyer” determined to be eligible by the City.

NOW THEREFORE, the City of Ames expressly approves of the transfer of the property by Habitat to Akuei Chiman and Tereza Manion, who have been determined by the City Housing Staff to be eligible homebuyers. This consent shall not be a waiver of any of the City’s rights under said Agreement, and all Amendments thereto, and any and all restrictions on transferability and assignment shall remain in full force.

Dated \_\_\_\_\_, 2017.

CITY OF AMES, IOWA

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

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

STATE OF IOWA, COUNTY OF STORY, SS.:

This instrument was acknowledged before me on \_\_\_\_\_, 2017, by Ann H. Campbell and Diane R. Voss, as Mayor and City Clerk, respectively, of the City of Ames, Iowa.

\_\_\_\_\_  
NOTARY PUBLIC

**COUNCIL ACTION FORM**

**SUBJECT: PLAT OF SURVEY FOR 1123 AND 1125 MAXWELL AVENUE**

**BACKGROUND:**

The City's subdivision regulations are found in Chapter 23 of the Ames Municipal Code. These regulations include the process for creating or modifying property boundaries and for determining if any improvements are required in conjunction with the platting of property. The regulations also describe the process for combining existing platted lots or adjusting the boundary lines of existing tracts. Section 23.308 allows the use of a plat of survey for a boundary line adjustment.

**This plat of survey adjusts the boundary line between two platted lots and incorporates recently vacated right-of-way (East 12<sup>th</sup> Street) into the northern parcel.** The two platted lots (1123 and 1125 Maxwell) lie in the Sunrise subdivision. The City is the owner of the property at 1125 Maxwell and intends to sell the property to Habitat for Humanity to construct a single-family dwelling. The 1123 Maxwell property is located to south and includes a driveway that has encroached onto 1125 Maxwell. The 1123 Maxwell property is owned by the Heaberlins. **The City proposes to convey 3 feet of property along the south property line to the owners of 1123 Maxwell to resolve a boundary line dispute between the two properties.** The north side of 1125 Maxwell will be expanded by 4 feet to incorporate recently vacated right of way. The resulting width of the 1125 Maxwell parcel will be 51 feet and a total area of 6,043 square feet. Both of the proposed parcels conform to the underlying zoning standards.

Approval of this plat of survey (Attachment B) will allow the applicant to prepare the official plat of survey and submit it to the Planning and Housing Director for review. The Director will sign the plat of survey confirming that it fully conforms to all conditions of approval. The prepared plat of survey may then be signed by the surveyor, who will submit it for recording in the office of the County Recorder.

**ALTERNATIVES:**

1. The City Council can approve the proposed plat of survey consistent with the boundary line adjustment standards of Chapter 23.
2. The City Council can deny the proposed plat of survey if the City Council finds that the requirements for plats of survey as described in Section 23.308 have not been satisfied.
3. The City Council can refer this back to staff and/or the owner for additional information.

**CITY MANAGER'S RECOMMENDED ACTION:**

Staff has determined that the proposed plat of survey for a boundary line adjustment does not trigger City infrastructure requirements as defined within the Subdivision Code. Final approval of the Plat of Survey and its recordation is conditioned on completing the transfer of the property to the Hieberlins and resolving the property line concerns with quit claim deed.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1 to approve the plat of survey.

**ADDENDUM**  
**PLAT OF SURVEY FOR 1123 AND 1125 MAXWELL AVENUE**

Application for a proposed plat of survey has been submitted for:

- ☐ Conveyance parcel (per Section 23.307)
- ☒ Boundary line adjustment (per Section 23.309)
- ☐ Re-plat to correct error (per Section 23.310)
- ☐ Auditor's plat (per Code of Iowa Section 354.15)

Owner of 1123 Maxwell: Dennis and Dawn G Heaberlin  
Parcel ID: 09-02-205-020

Owner of 1125 Maxwell: City of Ames  
Parcel ID: 09-02-205-010

New Legal Descriptions: Parcels H and J of Sunrise Addition, City of Ames, Story County, Iowa

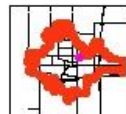
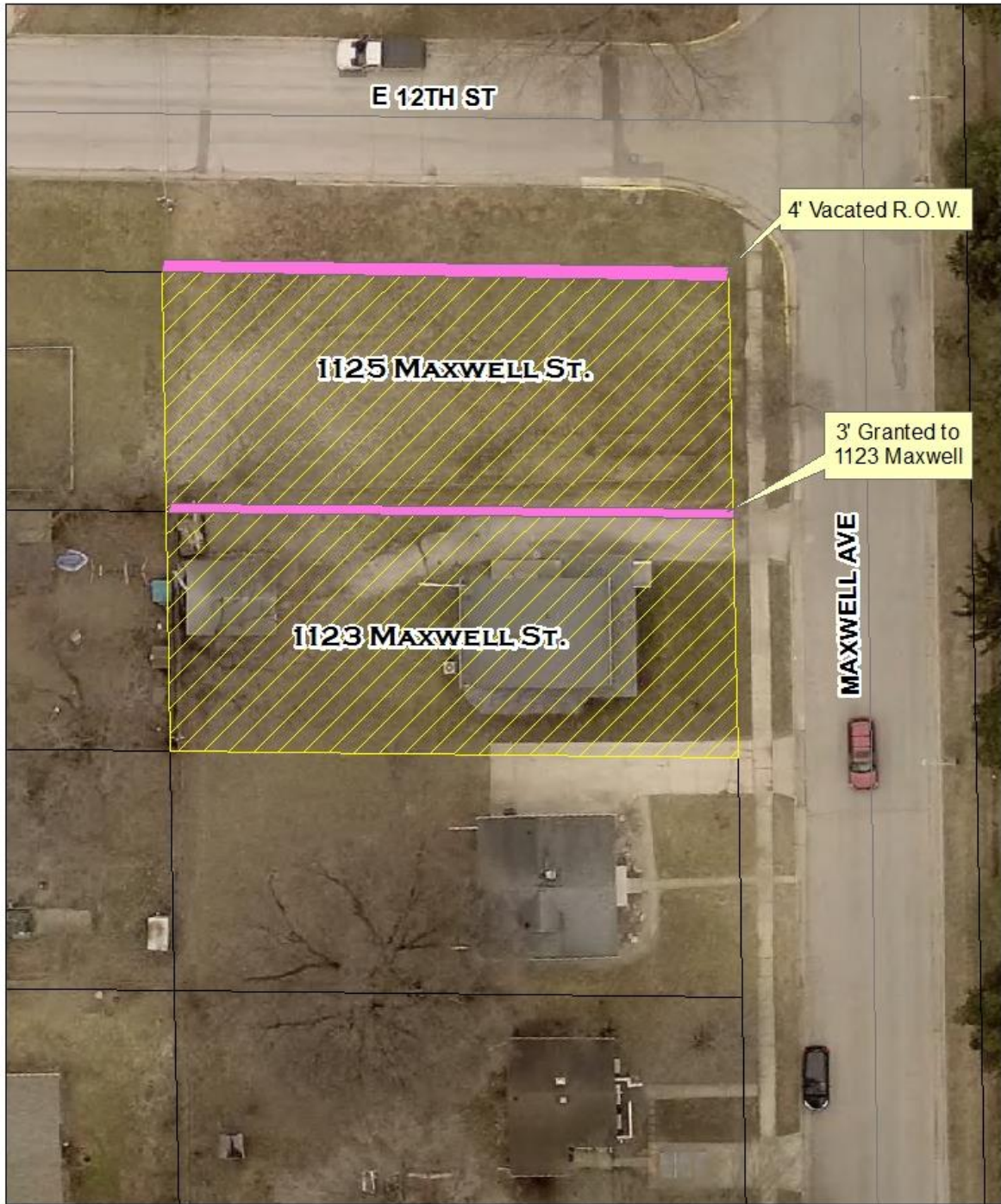
**Public Improvements:**

The preliminary decision of the Planning Director finds that approval requires all public improvements associated with and required for the proposed plat of survey be:

- ☐ Installed prior to creation and recordation of the official plat of survey and prior to issuance of zoning or building permits.
- ☐ Delayed, subject to an improvement guarantee as described in Section 23.409.
- ☒ Not Applicable.

Note: The official plat of survey is not recognized as a binding plat of survey for permitting purposes until a copy of the signed and recorded plat of survey is filed with the Ames City Clerk's office and a digital image in Adobe PDF format has been submitted to the Planning & Housing Department.

# ATTACHMENT A: LOCATION MAP







## PLAT OF SURVEY

### INDEX LEGEND

LOCATION: PARCEL H AND J, SUNRISE ADDITION,  
BLOCK 2, CITY OF AMES, STORY COUNTY IOWA  
REQUESTOR: CITY OF AMES  
PROPRIETOR: CITY OF AMES  
SURVEYOR: MYRON G. DARINGER  
SURVEYOR COMPANY: CITY OF AMES  
RETURN TO: CITY OF AMES, PUBLIC WORKS ENGINEER  
515 CLARK AVE., AMES, IA 50010

### BOUNDARY DESCRIPTION PARCEL H

LOT 1 AND THE SOUTH FOUR FEET OF VACATED EAST 12 STREET ABUTTING SAID LOT 1, BLOCK 2, SUNRISE ADDITION TO THE CITY OF AMES, STORY COUNTY, IOWA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1, BLOCK 2, SUNRISE ADDITION, TO THE CITY OF AMES, STORY COUNTY, IOWA: THENCE N 00°58'53" W, A DISTANCE OF 4.00 FEET; THENCE N 89°05'49" W, A DISTANCE 118.90 FEET; THENCE S 01°07'27" E ON THE WEST LINE OF SAID LOT 1, A DISTANCE OF 54.11 FEET; THENCE S 89°09'06" E ON THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 118.76 FEET; THENCE N 00°58'53" W ON THE EAST LINE OF SAID BLOCK 2, A DISTANCE OF 54.00 FEET TO THE POINT OF BEGINNING.

THE DESCRIBED BOUNDARY CONTAINS 0.14 ACRES (6,421.0 S.F.), MORE OR LESS.

OWNER: CITY OF AMES

### BOUNDARY DESCRIPTION PARCEL J

LOT 2 AND THE SOUTH 3' OF LOT 1, ALL IN BLOCK 2, SUNRISE ADDITION TO THE CITY OF AMES, STORY COUNTY, IOWA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 2, BLOCK 2, SUNRISE ADDITION, TO THE CITY OF AMES, STORY COUNTY, IOWA: THENCE N 00°58'53" W ON THE EAST LINE OF SAID BLOCK 2, A DISTANCE 52.95 FEET; THENCE N 89°09'06" W, ON THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 118.76 FEET; THENCE S 01°07'30" E, ON THE WEST LINE OF SAID LOT 2, A DISTANCE OF 53.04 FEET; THENCE S 89°11'32" E, A DISTANCE OF 118.63 FEET TO THE POINT OF BEGINNING.

THE DESCRIBED BOUNDARY CONTAINS 0.14 ACRES (6,286.8 S.F.), MORE OR LESS.

OWNER: CITY OF AMES

### LEGEND

- ⊕ MONUMENT FOUND
- MONUMENT SET  
5/8" REBAR W/ ORANGE CAP  
# 19758

(M) MEASURED  
(P) PLATTED  
(R) RECORDED  
POB POINT OF BEGINNING

DATE
08/31/17
SCALE
1" = 30'
DRAWN
MD
FIELD BOOK
1
SHEET 2 OF 2

**COUNCIL ACTION FORM**

**SUBJECT: SET PUBLIC HEARING DATE FOR SALE OF A PORTION OF THE CITY-OWNED PROPERTY AT 1125 MAXWELL TO DENNIS & DAWN HEABERLIN**

**BACKGROUND:**

CDBG funds were used to purchase the property at 1125 Maxwell in 2015 for \$28,500 as part of the Acquisition/Reuse Program. The property was a foreclosure at the time of its purchase by the City. The City demolished an existing structure and entered into an agreement in 2016 with Habitat for Humanity to purchase the property for \$5,000 and to construct a new home on the property.

The housing construction at 1125 Maxwell Avenue was scheduled to begin at the end of July 2017, however, due to the size of the lot and property line complications with the neighboring property at 1123 Maxwell Avenue have delayed construction. The neighboring property owner (Heaberlin) contends the common lot line between the properties should be based upon the location of a fence erected by a prior property owner. The fence varies in distance from the platted lot line of between approximately 3 and 7 feet. The 1123 Maxwell property also has a minor driveway encroachment over the platted property line for the area in front of the 1123 Maxwell house.

Staff has discussed with Mr. Heaberlin on multiple occasions how to resolve the property concerns. Staff has discussed granting an easement or to legally adjust the boundary line to reconcile the differences. Staff believes the most beneficial approach to all property owners is a transfer of property rather than an easement. **Therefore, staff is recommending that 3-feet from the property line along the south side of the property at 1125 Maxwell be severed and granted to the property located at 1123 Maxwell owned by Dennis and Dawn Heaberlin.** This transfer is based upon the condition that the Heaberlins would sign a quit claim deed and a release of any existing claims they might have adverse to the City's ownership of the property at 1125 Maxwell.

This adjustment to the south boundary line will still allow for a buildable lot that will conform to the zoning requirements for the construction of a single-family home by Habitat, and will also allow the Heaberlins to maintain a reasonable width for access of their driveway. The related item of the Plat of Survey on the same agenda reflects the proposed property transfer and boundary line adjustment.

### **ALTERNATIVES:**

1. The City Council can set September 26, 2017 as date of public hearing to grant a 3 feet boundary line adjustment along the south property line lot at 1125 Maxwell Avenue and authorize staff to finalize terms and conditions of the conveyance of land contingent upon the receipt of a quit claim deed and a release of all adverse claims, signed by the Heaberlins.
2. The City Council can set the date of public hearing for September 26, 2017, and direct staff to create a driveway easement to the benefit of 1123 Maxwell.
3. The City Council can decline to grant a boundary line the property at this time and request other alternatives.

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

Granting 3-feet of the south property line at 1125 Maxwell Avenue to the 1123 Maxwell will allow the agreement between the City of Ames and Habitat for Humanity of Central Iowa to proceed with the construction of a single-family home to address the housing needs for low and moderate income first-time home buyers. The transfer is conditioned upon the Heaberlins signing a quit claim deed to allow for resolution of the property line dispute.

**Therefore, it is the recommendation of the City Manager that the City Council approve Alternative #1 as described above.**

**COUNCIL ACTION FORM**

**SUBJECT: SET PUBLIC HEARING DATE FOR SALE OF THE CITY-OWNED PROPERTY AT 1125 MAXWELL TO HABITAT FOR HUMANITY OF CENTRAL IOWA**

**BACKGROUND:**

As part of City's Community Development Block Grant (CDBG) Neighborhood Sustainability Program, the acquisition/reuse program component seeks to acquire single-family properties and/or lots for reuse for affordable housing to assist low- and moderate-income (80% or less of AMI) families. The program also makes health and safety repairs to the properties, as needed. Where possible, the properties are matched with eligible first-time homebuyers through the City's CDBG Homebuyer Assistance Program. Program parameters also permit the sale of properties to qualified non-profit organizations in the community.

CDBG funds were used to purchase the property at 1125 Maxwell in 2015 for \$28,500 as part of the Acquisition/Reuse Program. The property was a foreclosure at the time of its purchase by the City. The City demolished an existing structure and entered into an agreement in 2016 with Habitat for Humanity to purchase the property for \$5,000 and to construct a new home on the property.

The housing construction at 1125 Maxwell Avenue was scheduled to begin at the end of July 2017, however, due to the size of the lot and property line complications from the neighboring property at 1123 Maxwell, adjustments needed to be made to the lot boundary lines on the property. Therefore, staff requested and received approval at the City Council meeting on August 22, 2017, for a 4-foot vacation of right-of-way along the north property line. Additionally, the property is proposed to be modified with a boundary line adjustment with the 1123 Maxwell property to the south. Staff is requesting that 3-feet of the property line along the south side of the property be severed and added to the property line located at 1123 Maxwell. The related item of the Plat of Survey on the same agenda reflects this proposed property transfer and boundary line adjustment.

**The adjustments to the two boundary lines will still create a lot size that will conform to the zoning requirements for the construction of a single-family home. However, the boundary line adjustments change the legal description of the property at 1125 Maxwell, thereby causing the need for the June 26, 2016 City Council Resolution approving the proposed sale to Habitat to be rescinded and this new sale process to occur. Staff has been in discussion with Habitat about the changes and they are amenable to the change in the property description.**

### **ALTERNATIVES:**

1. The City Council can set September 26, 2017 as date of public hearing for the sale of 1125 Maxwell Avenue based on the new boundary line adjustments and authorize staff to finalize terms and conditions of the agreement with Habitat for Humanity of Central Iowa for the purchase in the amount of \$5,000.
2. The City Council can set the date of public hearing for September 26, 2017, for the sale of 1125 Maxwell Avenue but set different boundary line adjustments and authorize staff to finalize different terms and conditions for the sale 1125 Maxwell Avenue to Habitat for Humanity of Central Iowa.
3. The City Council can decline to set September 26, 2017 as the date of public hearing for the sale of 1125 Maxwell Avenue and direct staff to comply with the existing agreement.

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

The sale of 1125 Maxwell Avenue to Habitat for Humanity of Central Iowa will assist the City in its efforts to continue to address the housing needs for low and moderate income first-time home buyers. Because this was a property in foreclosure and in deteriorating conditions, this partnership will also upgrade the housing stock located in one of our vital core neighborhoods.

**Therefore, it is the recommendation of the City Manager that the City Council approve Alternative #1 as described above.**

**COUNCIL ACTION FORM**

**SUBJECT: 2015/16 AND 2016/17 BRIDGE REHABILITATION PROGRAM – EAST LINCOLN WAY AND DAYTON AVENUE**

**BACKGROUND:**

This program provides funding for necessary repairs recommended by the biennial Iowa Department of Transportation (IDOT) bridge inspections. The IDOT requires inspections for bridges within the City of Ames.

The 2015/16 Bridge Rehabilitation Program included funding for the East Lincoln Way Bridge over the Skunk River. **Planned improvements for this structure include concrete repair to the bridge deck, bridge substructure, and railings. Work also includes repair of damaged structural steel on the upstream side of the bridge. Limited work will also replace a portion of the bridge approach paving to tie into new end joints along the structure.**

The 2016/17 Bridge Rehabilitation Program identified the Dayton Avenue Bridge over the Union Pacific Railroad as a structure in need of repair. The bridge approach pavement has settled significantly and as such has begun to cause damage to the end railing on the bridge. **This project will replace the bridge approach pavement and install additional drainage to help aid in controlling any future settlement. Repair to the damaged bridge end railings is also planned.**

Both projects will be constructed in two phases while maintaining one lane of traffic in each direction. Access to businesses will be maintained, however there will be a need to limit left hand turns into and out of driveways in the area due to the head to head traffic that will be maintained during construction. Staff has reached out to area businesses in both locations to further raise awareness about the upcoming project.

WHKS, Inc of Ames, IA has been working with staff to complete plans and specifications for this project with a total estimated construction cost of \$775,532. Engineering and construction administration costs are estimated at \$125,000 bringing **total estimated costs to \$900,532**. Funding is identified in the CIP as \$375,000 for East Lincoln Way and \$350,000 for Dayton Avenue. There also remains \$241,910 of unallocated savings in the Bridge Rehabilitation Program from the 6<sup>th</sup> Street Bridge project. This brings the **total funds available to \$966,910**.

**ALTERNATIVES:**

1. Approve the 2015/16 and 2016/17 Bridge Rehabilitation Project by establishing October 4, 2017, as the date of letting and October 10, 2017, as the date for report of bids.
2. Do not proceed with this project.

**MANAGER'S RECOMMENDED ACTION:**

By approving plans and specifications and setting the letting date, it will be possible to prepare for Spring 2018 construction and extend the life span of these structures.

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

**COUNCIL ACTION FORM**

**SUBJECT: POWER PLANT VALVE MAINTENANCE SERVICES CONTRACT**

**BACKGROUND:**

On May 23, 2017, City Council approved preliminary plans and specifications for the Valve Maintenance, Related Services and Supplies Contract for Power Plant. The Electric Utility's two natural gas-fired, high-pressure steam generation units in the City's Power Plant are referred to as Units No. 7 and 8. These units require regular professional maintenance and repair. This consists of emergency service, as well as regularly scheduled planned repairs and services during scheduled outages. Services include a large variety of boiler and pressure vessel maintenance and repairs, structural steel, pump and piping work, and other miscellaneous mechanical Power Plant work.

Due to these operational conditions, numerous valves are used to operate the Power Plant. These include isolation, control, check, relief and safety valves, which must be professionally repaired, tested, installed, replaced and maintained. Specially trained personnel perform this work.

**This initial contract is to provide valve maintenance services for the period from contract and bond approval date through June 30, 2018. The contract also includes a provision that would allow the City to renew the contract for up to four additional one-year terms.**

Bid documents were issued to eighteen companies. The bid was advertised on the Current Bid Opportunities section of the Purchasing webpage and a Legal Notice was published in the Ames Tribune. The bid was also sent to three plan rooms.

**On June 28, 2017, three bids were received as shown on the attached report.**

The attached Base Case Scenario shows a cost evaluation based on a sampling of personnel, equipment, and associated travel/per diem that the Power Plant requires for successful fulfillment for typical work scenarios performed on this service contract. The scenarios are: two trips of one day durations, two trips of five day durations, and one trip of three day duration. Based on this analysis, the low bidder is Dowco Valve Company in the amount of \$38,462 with the second low bidder, Pioneer Industrial Corporation, coming in at \$41,056.

**Staff is concerned about awarding a contract to the apparent low bidder because of contract administration problems Dowco presented while holding the contract during the last two years. Due to these issues, staff has concluded that it would be in the City's best interest to not award the contract to this company.**

City staff has concluded that awarding this contract to the second apparent low bidder Pioneer Industrial Corp, Hastings, Nebraska is in the best interest of the City. Staff



contacted several references including Mid American Energy, Kansas City Power and Light, Cargill Incorporated and City Utilities of Springfield Mo. All the references were very positive about the level of customer service, quality, and professionalism Pioneer Industrial Corp has provided them.

**Staff recommends that these services continue to be outsourced on an annual renewable contract basis.** The benefits of having a contract for these services in place include the following:

- 1) Consistency of work and quality from a single contractor.
- 2) Reduction in the City's exposure to market forces regarding prices and availability for labor, travel, and supplies in preparation for a scheduled outage.
- 3) Rapid contractor mobilization to start emergency repairs, thus reducing generation downtime.
- 4) City staff time saving in obtaining quotes, evaluating bids, and preparing specifications and other procurement documentation.

**Because the approved FY2017/18 Power Plant operating budget includes \$110,000 for this service, the staff is recommending that the contract be approved at a cost not to exceed the budgeted amount. Invoices will be based on contract rates for time and materials for services actually performed.**

#### **ALTERNATIVES:**


1. Award the contract for the Valve Maintenance, Related Services and Supplies Contract to Pioneer Industrial Corp, Hastings, NE, for hourly rates and unit prices bid, in an amount not-to-exceed \$110,000.

This contract includes a provision that would allow the City to renew the contract for up to four additional one-year terms at stated rates.

2. Award the contract for the Valve Maintenance, Related Services to one of the other bidders.
3. Reject all bids and purchase valve maintenance services on an as-needed basis.

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

This work is necessary to ensure that a qualified professional firm will respond to both scheduled and emergency needs for valve maintenance, and will also control costs by having established billing rates. Funds will be expended only as work is required and in accordance with approved invoices. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1 as stated above.

	<b>2017-172 VALVE MAINTENANCE, RELATED SERVICES AND SUPPLIES CONTRACT FOR POWER PLANT BID SUMMARY</b>								
	<b>Pioneer Industrial Hastings, NE</b>			<b>Dowco Valve Company Inc DeWitt, IA</b>			<b>Allied Valve, Inc Bettendorf, IA</b>		
<b>LABOR AND RELATED COSTS</b>	<b>HOURLY RATES</b>			<b>HOURLY RATES</b>			<b>HOURLY RATES</b>		
<b>DESCRIPTION</b>	<b>STRAIGHT TIME</b>	<b>OVERTIME</b>	<b>DOUBLE TIME</b>	<b>STRAIGHT TIME</b>	<b>OVERTIME</b>	<b>DOUBLE TIME</b>	<b>STRAIGHT TIME</b>	<b>OVERTIME</b>	<b>DOUBLE TIME</b>
Foreman	\$65.00	\$97.50	\$130.00	\$71.00	\$99.00	\$120.00	\$125.00	\$156.00	\$210.00
Journeyman	\$65.00	\$97.50	\$130.00	\$71.00	\$99.00	\$120.00	\$115.00	\$145.00	\$210.00
Valve Technician	\$65.00	\$97.50	\$130.00	\$67.00	\$94.00	\$115.00	\$82.00	\$115.00	\$140.00
Instrument Technician Actuators	\$90.00	\$135.00	\$180.00	\$110.00	\$163.00	\$185.00			
<b>TRAVEL &amp; SUBSISTENCE</b>									
<b>DESCRIPTION</b>	<b>RATE</b>			<b>RATE</b>			<b>RATE</b>		
<b>Subsistence:</b>	\$40.00 + Hotel, Add 15% to Hotel Charges (Estimated Hotel:\$140.00/room per night)			\$50.00 Meals + \$125.00 Motel Estimate + \$175.00					
Foreman	\$180.00			\$175.00			\$60.00		
Journeyman	\$180.00			\$175.00			\$60.00		
Valve Technician	\$180.00			\$175.00			\$60.00		
<b>Travel and Mileage:</b>	Regular Hours of Travel non OT/DT			Monday - Friday No OT					
Foreman travel	\$65.00			\$71.00			\$70.00 ST/HR \$90.00 SAT+OT \$130.00 HOL		
Foreman mileage	\$1.00			\$1.05			\$70.00 ST/HR \$90.00 SAT+OT \$130.00 HOL		
Journeyman travel	\$65.00			\$71.00			\$70.00 ST/HR \$90.00 SAT+OT \$130.00 HOL		
Journeyman mileage	\$1.00			\$1.05			\$70.00 ST/HR \$90.00 SAT+OT \$130.00 HOL		
Valve Technician travel	\$65.00			\$67.00			\$70.00 ST/HR \$90.00 SAT+OT \$130.00 HOL		
Valve Technician mileage	\$1.00			\$1.05			\$70.00 ST/HR \$90.00 SAT+OT \$130.00 HOL		
<b>Deliveries:</b>									
Travel	\$65.00			\$67.00			\$60.00		
Mileage	\$1.00 / mile			\$1.05 / mile			\$1.00 / mile		
<b>EQUIPMENT</b>									
<b>DESCRIPTION</b>	<b>PER DAY</b>	<b>PER WEEK</b>		<b>PER DAY</b>	<b>PER WEEK</b>		<b>PER DAY</b>	<b>PER WEEK</b>	
Mobile shop trailer	\$400.00	\$2,000.00		\$350.00	\$1,835.00		\$500.00	\$2,500.00 (7 days)	
Packing extractor	\$250.00	\$1,250.00		\$200.00	\$1,050.00		\$125.00	\$0.00	
Truck	\$100.00	\$500.00		\$50.00	\$265.00		\$150.00	\$1,050.00 (7 days)	
Hydro set testing device	\$150.00	\$750.00		\$300.00	\$1,575.00		\$0.00	\$0.00	
Electronic valve tester	\$200.00	\$1,000.00		\$350.00	\$1,835.00		\$550.00	\$0 (day only)	
Gate valve machine	SEE BELOW	SEE BELOW		\$475.00	\$2,490.00		\$495.00	\$0 (day only)	
Reseating machine	\$500.00	\$2,500.00		\$475.00	\$2,490.00		\$1,000.00	\$0 (day only)	
Valve bore honing tool	\$500.00	\$2,500.00		\$475.00	\$2,490.00		\$750.00	\$0 (day only)	
Gate valve machine (1 1/2" to 14" valve size)	\$400.00	\$2,000.00		\$350.00	\$1,835.00		\$495.00	\$0 (day only)	
Gate valve machine (8" to 30 valve size)	\$525.00	\$2,625.00		\$475.00	\$2,490.00		\$495.00	\$0 (day only)	
<b>MATERIAL COSTS</b>	Cost plus 20%			Cost plus 20%			Cost plus 25%		
<b>OTHER RATES</b>									
<b>DESCRIPTION</b>	<b>RATE</b>			<b>RATE</b>			<b>RATE</b>		
Shop truck mileage	\$1.00			\$1.05/mile			\$1.00/mile		
Mobile shop trailer mileage	\$1.00			\$1.05/mile			\$2.00/mile		
Safety Equipment				\$15.00 per man per day					
Consumables				5% of labor hours x regular hourly					
<b>PRICE INCREASE ESCALATORS FOR ANNUAL RENEWAL TERMS</b>									
Labor Rates:	3%			3%			3%		
Travel & Subsistence:	2%			2%			3%		
Equipment & Tools:	1%			1%			0%		

	Dowco Valve Co, Inc Hastings, MN	Pioneer Industrial Corp Hastings, NE	Allied Valve, Inc Bettendorf, IA
<b>2 Each - 1 Day Trips</b>	<b>Total</b>	<b>Total</b>	<b>Total</b>
<b>Valve Technician x 1</b>	\$536.00	\$520.00	\$656.00
Travel Time	\$376.54	\$468.00	\$417.90
Travel Mileage	\$344.40	\$458.00	\$390.00
<b>Truck x 1</b>	\$50.00	\$100.00	\$150.00
Travel	\$344.40	\$458.00	\$390.00
<b>SUBTOTAL:</b>			
1 Day Trip Total:	\$1,651.34	\$2,004.00	\$2,003.90
<b>2 Each - 1 Day Trip Total:</b>	<b>\$3,302.68</b>	<b>\$4,008.00</b>	<b>\$4,007.80</b>

<b>2 Each - 5 Day Trip</b>	<b>Total</b>	<b>Total</b>	<b>Total</b>
<b>Foreman x 1</b>	\$2,840.00	\$2,600.00	\$5,000.00
Travel Time	\$399.02	\$468.00	\$417.90
Travel Mileage	\$344.40	\$458.00	\$390.00
Per-Diem	\$700.00	\$720.00	\$240.00
<b>Valve Technician x 2</b>	\$5,360.00	\$5,200.00	\$6,560.00
Travel Time	\$753.08	\$936.00	\$835.80
Travel Mileage	\$688.80	\$916.00	\$780.00
Per-Diem	\$1,400.00	\$1,440.00	\$480.00
<b>Truck x 1</b>	\$250.00	\$500.00	\$750.00
Travel	\$344.40	\$458.00	\$390.00
<b>SUBTOTAL:</b>			
5 Day Trip Total:	\$13,079.70	\$13,696.00	\$15,843.70
<b>2 Each - 5 Day Trip Total:</b>	<b>\$26,159.40</b>	<b>\$27,392.00</b>	<b>\$31,687.40</b>

<b>1 Each - 3 Day Trip</b>	<b>Total</b>	<b>Total</b>	<b>Total</b>
<b>Foreman x 1</b>	\$1,704.00	\$1,560.00	\$3,000.00
Travel Time	\$399.02	\$468.00	\$417.90
Travel Mileage	\$344.40	\$458.00	\$390.00
Per-Diem	\$350.00	\$360.00	\$120.00
<b>Valve Technician x 2</b>	\$3,216.00	\$3,120.00	\$3,936.00
Travel Time	\$753.08	\$936.00	\$417.90
Travel Mileage	\$688.80	\$916.00	\$780.00
Per-Diem	\$1,050.00	\$1,080.00	\$360.00
<b>Truck x 1</b>	\$150.00	\$300.00	\$450.00
Travel	\$344.40	\$458.00	\$390.00
<b>SUBTOTAL:</b>			
<b>3 Day Trip Total:</b>	<b>\$8,999.70</b>	<b>\$9,656.00</b>	<b>\$10,261.80</b>
<b>GRAND TOTAL:</b>	<b>\$38,461.78</b>	<b>\$41,056.00</b>	<b>\$45,957.00</b>

**COUNCIL ACTION FORM**

**SUBJECT:**           **ELECTRIC DISTRIBUTION AND ADMINISTRATION ROOF  
IMPROVEMENTS PROJECT**

**BACKGROUND:**

The Electric Distribution and the Electric Administration roofs were both over 20 years old. Due to their age and roof condition both roofs were leaking and needed to be replaced. It was decided to combine these projects into one bid package to take advantage of the economies of scale.

On October 25, 2016 City Council awarded the project to Central States Roofing of Ames, IA in the amount of \$235,000. There was one change order reducing the contract by \$3,047 for removing expansion joints that were not needed after tearing off the existing roof. This resulted in construction being done in the amount of \$231,953. Engineering and construction inspection was completed by Gensis in the amount of \$31,600, bringing total costs to \$263,553.

This project is funded in the amount of \$350,000 from the 2014/15 Capital Improvement Plan and \$40,000 from the Electric operating budget. A letter from the project engineer stating the project is complete in accordance with the approved specifications is attached.

**ALTERNATIVES:**

1. Accept the City Hall Roof Improvements Project as completed by Central States Roofing of Ames, IA in the amount of \$231,953.
2. Direct Staff to pursue modifications to the project.

**MANAGER'S RECOMMENDED ACTION:**

The roof replacement has eliminated the leaking and the need to patch the structure. The new roof will provide a twenty-five year warranty.

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



August 7, 2017

RE: City of Ames Electric Distribution and Admin Building Roof Replacements, Ames, Iowa  
SUBSTANTIAL COMPLETION DATE: June 2, 2017  
FINAL PUNCHLIST INSPECTION DATE: July 7, 2017

Mr. Corey Mellies,

This letter is to confirm Final Completion of the above sated project for the City of Ames. The Architect has performed a follow up final inspection of all items identified during the Substantial Completion inspection and found all Punchlist items properly completed. Furthermore, we have reviewed the attached Consent of Surety on the Final Payment and the Manufacturer's 25 Year Roof Warranty and Installer's 2 Year Warranty.

With this submittal, we consider this project complete. This consideration does not relieve the Builder from its post-construction responsibilities, including correction of discrepancies noted during the first year after Substantial Completion, warranty issues, latent defects, and other requirements of the Contract for Construction or State law.

We recommend final payment and release of retainage on the attached Pay Applications.

A handwritten signature in black ink, appearing to read 'Ed Matt', with a stylized flourish at the end.

Edward L. Matt, AIA  
GENESIS Architectural Design

Cc: Central States Roofing  
File

**COUNCIL ACTION FORM**

**SUBJECT: ACCEPT COMPLETION OF YEAR FIVE OF THE WATER PLANT WELL REHABILITATION CONTRACT**

**BACKGROUND:**

On September 13, 2016, City Council awarded a contract to Northway Well and Pump Company of Waukee, Iowa in the amount of \$75,923 to complete the fifth and final year of a five-year renewable contract for the rehabilitation of drinking water wells. This fifth year of the contract provided for the rehabilitation of five wells. As in previous years, it was recognized that additional well repair work may be required once each well was opened up for rehabilitation. It is generally not possible to know the extent of the repair work until each well was taken out of service for rehabilitation. It was anticipated that change orders would be necessary to pay for additional repair work as the need became known, and the contract includes unit prices for the most common repair items. There were three change orders approved during the course of the Year 5 work.

- On December 21, 2016, Change Order No. 1 was approved by the W & PC Department Director in the amount of \$2,430.00 for replacement of two sections of epoxy coated column pipe for Well No. 26.
- On January 31, 2017 Change Order No. 2 was approved by the W&PC Director in the amount of \$5,159.00 for replacement of one section of epoxy coated column pipe and one epoxy coated pump bowl assembly for Well No. 22.
- On March 20, 2017 Change Order No. 3 was approved by the W&PC Director in the amount of \$1,625.00 for the replacement of the epoxy coated pump motor adapter and the repair of well discharge head for Well No. 12.

The Water Plant operating budget (FY 2016/17) allocated \$76,000 for well cleaning, with an additional \$25,000.00 available for well repair work, as needed, during the well rehabilitations. All work for this year's contract has been successfully completed as of May 11, 2017. An Engineer's Statement of Completion has been filed with the City Clerk.

During this overall five-year contract, a total of 22 wells were cleaned and rehabilitated. This resulted in a total cost of \$326,192.00 for cleaning, with an additional \$75,913.35 for repairs. With the rehabilitation process complete, the average production yield of all 22 wells resulted in a 66% gain.

**ALTERNATIVES:**

1. Accept final completion of Year Five of the Water Plant well rehabilitation contract in the final amount of \$85,137.
2. Do not accept completion of Year Five of the Water Plant well rehabilitation contract at this time.

**MANAGER'S RECOMMENDED ACTION:**

Year 5 of the Water Plant well rehabilitation contract has been successfully completed in accordance with the city's plans and specifications. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as described above.



## ENGINEER'S STATEMENT OF COMPLETION

Water Plant Well Rehabilitation Project  
Contract No. 2012-227

Engineer: Ames Water and Pollution Control Department

Contractor: Northway Well & Pump Company

I hereby certify that the rehabilitation of four drinking water wells, by a contract dated September 13, 2016, has been satisfactorily completed in general compliance with the terms, conditions, and stipulations of said contract.

The work was completed on May 11, 2017.

I further state that the total amount due the contractor for the fulfillment of said contract is \$85,137.00.

Lyle Hammes, P.E., Superintendent  
City of Ames Water Treatment Plant

Date: May 22, 2017



**COUNCIL ACTION FORM**

**SUBJECT: CYRIDE BUILDING SECURITY SYSTEM ACCEPTANCE AND FINAL COMPLETION AND RELEASE OF RETAINAGE**

**BACKGROUND:**

CyRide's building security system project began in March 2017 and included the installation of a new security system for the office area, which resulted in the need for minor building modifications. This project was awarded to Electronic Engineering located in Des Moines, Iowa for a total cost of \$58,300. The following information details the original contract, change orders, actual payments, remaining balance and retainage amounts.

Original Contract Sum	\$58,300.00
Net Change with Change Order #1 & #2	\$ 2,655.50
New Contract Sum	\$60,955.50
Payment Made To-Date	<u>\$57,907.73</u>
Unpaid Balance - Retainage	\$3,047.77

The project was substantially complete on April 21, 2017, with all but the 5% retainage being paid to-date.

As of August 1, 2017, all conditions of the contract were met by Electronic Engineering. Therefore, with completion of the project, the project is ready for close out based on satisfactory completion of the following items:

- Punch-List Items
- Operating and Maintenance Manuals
- As Built Drawings
- Lien Waivers
- Final Pay Application

Acceptance of the project as complete and release of the retainage amount was approved by the Transit Board of Trustees on August 24, 2017.

**ALTERNATIVES:**

1. Accept final completion and approve final payment in the amount of \$3,047.77 to Electronic Engineering for completion of the Ames Transit Agency's security system installation.

2. Do not accept the Ames Transit Agency security system project as complete and withhold payment of the retainage to address City Council identified issues.

**MANAGER'S RECOMMENDED ACTION:**

With all documents, lien waivers, and punch list items completed, all conditions of the project have been satisfied, allowing for final acceptance of the project and payment of the retainage amount.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby accepting the Ames Transit Agency building security system project as complete and releasing the retainage amount of \$3,047.77 to Electronic Engineering.

## Staff Report

**REGULATING OCCUPANCY IN RENTAL UNITS**

September 12, 2017

**BACKGROUND:**

At the July 18, 2017 meeting, the staff reminded the City Council about the recently passed State law that stated “a city shall not, after January 1, 2018, adopt or enforce any regulation or restriction related to the occupancy of residential rental property that is based upon the existence of familial or non-familial relationships between the occupants of such rental property.”

A number of options were presented at this meeting to the City Council for regulating occupancy in rental units other than based on non-familial relationships. These options included limiting occupancy based on:

- The concentration of rental units in a specified geographic area
- A separation distance from each rental unit
- The total number of adults who can inhabit a rental unit
- A specified amount of square footage per adult person that inhabits a rental unit
- The number of off-street parking spaces
- The number of bedrooms
- Any combination of the options stated above

**CITY COUNCIL DIRECTION:**

After reviewing the information presented at the meeting, the City Council passed the following four motions directing staff to focus further analysis on only these issues:

1. Directed staff to solicit additional feedback from four specifically named neighborhoods impacted by the ISU campus as well as the landlord association regarding the issues discussed at the July 18<sup>th</sup> meeting. (SCAN, Oak to Riverside, CCOAMS, West of Campus)
2. Directed staff to present a proposal for increasing enforcement and inspection efforts in the above mentioned neighborhoods.
3. Directed staff to provide a tool that allows for the creation of an overlay district for the purpose of limiting rental units and assess what would be a healthy percentage to limit the concentration.
4. Directed staff to provide options for incentivizing the conversion of rental housing back to single-family units. (However, it was emphasized that this assignment could be completed later than the first three directives. Therefore, this issue will be addressed at a future date.)

## **1. FEEDBACK FROM LANDLORDS & NEIGHBORHOOD REPRESENTATIVES:**

On August 17, 2017 the City staff hosted two separate meetings at the Library with rental property owners and neighborhood representatives. The purpose of this meeting was to provide both groups the information that was presented to the City Council at the July 10, 2017 workshop regarding regulating occupancy in rental units and obtain feedback regarding this important issue.

Attachment I summarizes the thoughts raised by those who spoke up at each of the two meetings. In addition to providing an opportunity to speak at these meetings, the staff made available a questionnaire to obtain input from those in attendance. Attachments II, III, IV reflect the responses and comments from those in attendance who chose to respond to the questionnaire or sent emails to the City staff. Attachment V includes charts that highlight the responses to the questionnaire by the 54 attendees who opted to provide this form of feedback.

A summary of the responses to the questionnaire reflected in Attachment II are highlighted below.

<b>Issue</b>	<b>Landlord's Preference</b>	<b>Neighborhood Rep's Preference</b>
Should the City regulate Occupancy?	NO	YES
If occupancy is enforced, what mechanism should be used to enforce occupancy?	BY Bedrooms	By Number of People
Should there be proactive enforcement of exterior property maintenance issues on rental property?	NO	YES
Which enforcement strategy is best?	Reactive enforcement without occupancy enforcement	Proactive enforcement with occupancy enforcement
Should the City limit the number of rental units in an area?	NO	YES
What is the best way to regulate percentage of rentals?	Rentals per block	Rentals per block

## **2. INCREASED ENFORCEMENT:**

Two Housing Inspectors responsible for performing rental inspections for more than 13,000 units. Rental inspections include a review of both interior code compliancy of

dwelling units, but also the of exterior property maintenance items (garbage, furniture, outdoor storage, vegetation, etc.). Inspections occur can be required as often as annually, or as infrequently as every four years, depending on the violations identified during an inspection. In between scheduled inspections, enforcement of the rental code is generated by a complaint basis only.

Since July of 2011, Inspections has opened 1,899 exterior property maintenance enforcement cases, and 977 (51%) of those were rental properties. It is estimated that proactive enforcement on exterior property maintenance items would increase this case load by about 25%. Adding over-occupancy and other nuisance complaints (e.g., noise ordinance violations, parking, etc.) may also significantly contribute to increased time commitments for the current two Housing Inspectors.

### **New FTE Needed**

Increasing enforcement to accomplish proactive, complaint driven, and scheduled inspection efforts in the four proposed neighborhoods will require additional resources. **Therefore, should the City Council decide to pursue a more aggressive rental housing inspection philosophy, it is recommended that an additional Housing Inspector position be approved.**

The availability of three Housing Inspectors will allow for:

- A more manageable annual inspection load, freeing up time for all inspectors to take on additional duties.
- Proactive neighborhood patrols by Housing Inspectors, in efforts to discover violations at rental properties.
- More responsiveness to exterior rental housing complaints.
- *Annual* interior and exterior rental inspections for all single family and duplex rental units in the four targeted neighborhoods. (Note: this change will require a modification to Chapter 13 of the Municipal Code)
- More time for community outreach regarding rental expectations targeting new student renters, tenants, and landlords; as well as acting as the initial point-of-contact with neighborhoods and their corresponding associations.

**It should be emphasized that even if a more aggressive enforcement philosophy is adopted, the City staff would urge the City Council to support the current inspectors' practice to first educate the property owners regarding the Rental Code and violation process with the goal of correcting the situation rather than first citing them for a violation.**

### **Cost Of New FTE**

It is estimated that the first year total cost of this new position will be approximately \$104,000. **In our discussions with other cities who are contemplating increasing enforcement efforts as a result of this new State law, there was agreement that the additional costs should be recovered from rental housing fees, and not the**

**General Fund.** In order to accomplish this objective there are two approaches to funding the new position with rental housing fees.

The current rental housing fees are as follows:

Type of Unit	Current Units	Current Fees
Single Family	1,094	\$29.38
Duplexes	1,357	\$24.94
3-6 Apts	1,179	\$24.53
7-20 Apts	1,974	\$23.75
> 20 Apts	2,714	\$21.68
Lodg.&Board	10	\$24.00
Condominium	5,143	\$29.38

Approach 1. Assuming that the FY 2018/19 budget will require a 3% increase in expenditures for the existing program as well as the cost of this new position, the proposed fees spread among **all** of the rental units are currently estimated to be as follows:

Type of Unit	Current Units	Current Fees	Estimated Fees	Percentage Increase
Sgl. Family	1,094	\$29.38	\$38.33	30.48%
Duplexes	1,357	\$24.94	\$33.89	35.91%
3-6 Apts	1,179	\$24.53	\$33.48	36.51%
7-20 Apts	1,974	\$23.75	\$32.70	37.71%
> 20 Apts	2,714	\$21.68	\$30.63	41.31%
Lodg.&Board	10	\$24.00	\$32.95	37.31%
Condominium	5,143	\$29.38	\$38.33	30.48%

Approach 2. Assuming that the FY 2018/19 budget will require a 3% increase in expenditures for the existing program as well as the cost of this new position, the proposed fees spread among **only the Single Family and Duplexes** are currently estimated to be as follows:

Type of Unit	Current Units	Current Fees	Estimated Fees	Percentage Increase
Sgl. Family	1,094	\$29.38	\$79.30	169.91%
Duplexes	1,357	\$24.94	\$67.28	169.77%
3-6 Apts	1,179	\$24.53	\$25.27	3.02%
7-20 Apts	1,974	\$23.75	\$24.46	2.99%
> 20 Apts	2,714	\$21.68	\$22.33	3.00%
Lodg.&Board	10	\$24.00	\$24.72	3.00%
Condominium	5,143	\$29.38	\$30.26	3.00%

### **3. LIMITING RENTAL CONCENTRATION:**

Staff researched a variety of methods to establish limitations on the number of rental properties within a defined area and found that such limitations are typically based upon a percentage limitation within a “block.” City Council previously reviewed this concept of managing rental properties in February 2015. Other methods include separation distances from one rental property to another or to create an overlay zone with specific limitations.

#### **Percentage Limits**

The following table highlights a number of communities that were found to regulate concentration of rental property. From staff’s cursory review of these ordinances, existing rental properties were typically “grandfathered” and permitted to continue unless they ceased to be a licensed rental property. Some communities’ ordinances were challenged and upheld in court, including Winona and East Lansing.

**Table 1. Rental Percentage Limitation Examples**

<b>City</b>	<b>State</b>	<b>Restriction</b>	<b>Measurements</b>
<b>East Lansing</b>	MI	0%*	Zoning Overlay*
<b>Mankato</b>	MN	25%	Block
<b>North Mankato</b>	MN	10%	Block
<b>West St Paul</b>	MN	10%	Block
<b>Winona</b>	MN	30%	Block
<b>Northfield</b>	MN	20%	Block
<b>Berkeley</b>	MO	30%	Block
<b>Steubenville</b>	OH	0%	Zoning Overlay
<b>Philadelphia</b>	PA	0%	Zoning Overlay Non-Owner Rentals

*Notes: The zoning overlays are for limited areas of a community, whereas the percentage limits appear to be city-wide. Block is most commonly defined as what is understood as a square block. It would include properties bounded by street intersections, but does not include properties across the street. Block sizes would then vary depending on if it was a gridded street system or an area with curvilinear blocks and cul-de-sacs.*

*\*East Lansing has variable rental standards for each overlay. Some prohibit all rental licenses while some allow for certain classes of rental licenses.*

Many of the communities that restrict the location of rentals include online resources to identify restricted areas with maps and calculated rental concentrations. For example, here is a link to the [Winona map](#). **There was no common basis for setting a percentage limitation between the communities. Often the approach was to identify issues for an area related to loss of single-family home owner occupied housing or for parking, crime, and property maintenance complaints.**

#### **Distance Separation**

Staff also identified that some communities focused their limitation on separation distances rather than percentage limits of rental properties. This approach could be applied to any type of rental property or to a specific type of rental property. Some communities focus the separation standards specifically on a defined use of student housing rentals. This separation approach typically allowed non-student rentals or lower

occupant levels of less than three individuals and then restricted locations of student based housing that did not meet these prescribed standards. Often student housing is a defined use or building type that was only permitted by an exception process with specific review standards. This appears to be a favored approach within Pennsylvania jurisdictions as some of the limitations were litigated and the communities' ordinances were upheld. The following table describes separation standards for defined student housing.

**Table 2. Rental Separation-Student Housing Example**

City	State	Restriction	Measurements
State College	PA	9x minimum lot width	Shortest distance lot to lot
West Chester	PA	20x minimum lot width	Shortest distance lot to lot
Merion Township	PA	500 feet	Shortest distance lot to lot
Newark	DE	10x minimum lot width	Shortest distance lot to lot
Allentown	PA	Limit 2 students or a family	Zoning Overlay
Kutztown	PA	500 feet	Shortest distance lot to lot
Greenburg	PA	500 feet	Shortest distance lot to lot
Altoona	PA	250 feet	Shortest distance lot to lot
St Paul	MN	150 feet	Zoning Overlay-lot to lot

### **Rental Concentration In Ames**

The February 24, 2015 City Council staff report included analysis of single-family home rentals by zoning districts and discussed options for limiting rental licenses. The report included information for RL zoning finding that the percentage of total rental properties was almost 20% of the properties in the zoning district. RL zoning applies to older areas of town and it replaced a variety of older zoning districts that existed prior to 2000. The high percentage of rentals was due to a number of legal non-conforming duplexes and apartments in addition to single family home rentals. The RL rental percentage contrasts greatly with 4% rental percentage of FS-RL, which only permits single-family homes. The table below is an excerpt from the 2015 report with statistics for the most common zones that include single-family homes.

November 2014 Rental Licenses				
Zone	Rental Properties	Rental Properties in Zone	Single-Family Rental Properties	SF Rental in Zone
RL	1502	19.27%	560	7.18%
FS-RL	38	4.09%	35	3.77%
Village	501	47.04%	37	3.47%
RM	542	56.11%	34	3.52%
UCRM	342	19.64%	183	10.51%

### **Establishing Concentration Limitations for Single Family Rental Properties**

From staff's review of literature on single-family rentals and the examples cited above there is no consensus on what is an appropriate balance of



**homeownership and rental properties in a single-family area.** Therefore, it appears most Cities analyze their individual community needs and try to stabilize neighborhood change with uniform rental concentrations. Even across Ames, there is wide disparity between individual blocks on rental concentration. **Limiting rentals to 20% in a defined area would match our general levels of concentration in RL. Setting a ratio at 20% would restrict any additional single-family home rentals in already concentrated areas, but would allow for other parts of the community to add single-family rental properties.**

Establishing a percentage limitation would require some upfront work to establish the boundaries of an area to broadly manage concentration of rentals while allowing for some latitude for individual properties. Staff believes the downside of setting a percentage restriction is that it may not address highly localized concentrations of rentals in one part of an area even though the overall percentage is met. For example, if a 20 property area is restricted to 20% rentals, it would allow for four properties to be rented. All four of the allowed rental properties could be concentrated together in a row or surround one property while the rest of the block has no rentals. However, in areas that are already over the threshold then this would not be an issue as no new rental licenses would be permitted.

### **Defining The Area For A Concentration Standards Has Four Main Options.**

#### **Option #1 - Citywide Definition**

The city can define a uniform standard of a “block” for establishing the rental percentage limitation. Following the block model would mean areas as bounded by streets would be the defined block. The size of these blocks will vary across the City. In older gridded street blocks this may include a typical square block of approximately 16 properties while in newer areas with fewer intersections, such as Northridge, the block area could exceed 60 properties. Under this option the standard would likely be put into the rental license standards rather than as a zoning standard. This option would be consistent with the Winona example.

#### **Option #2 - Property Owner Petition for a Zoning Overlay**

The City could create an option for a Conservation District Overlay that would set rental limits within an individually defined area. Many Cities use conservation overlays and allow for property owners to petition for the overlay for a variety of reasons, including rental restrictions. This is similar to the Historic District petition process. The petition option is analogous to the East Lansing approach. Establishing an overlay would typically be based upon a minimum number of acres or properties and a requirement for a petition signed by a minimum percentage of property owners to have the City consider a rezoning request. The intent is to ensure the area fits a defined boundary and a sense of a neighborhood. East Lansing requires a minimum 50 properties and boundaries follow streets or other identifiable boundaries. The petition percentage requirement appears to vary between 51% and 66% of property owners to initiate the process and to have City Council consider a rezoning.

This approach would be part of the Zoning Ordinance. As a zoning regulation it should be noted that if 20% of the property owners affected by the regulation are opposed to the change, they can petition the City Council and require a 5/6 City Council approval rather than the typically 4 vote majority standard.

#### Option #3 - City Council Initiated Zoning Overlay

Rather than have a property initiated overlay, the City can apply a zoning overlay by its own volition. The City would create the terms of the Zoning Overlay in Zoning Ordinance and then proceed with the rezoning action for the defined area. No property owner concurrence is needed for this option. As a zoning regulation, it should be noted that if 20% of the property owners affected by the regulation are opposed to the change, they can petition the City Council and require a 5/6 City Council approval rather than the typically 4 vote majority standard.

#### Option #4- Separation Requirement

A different alternative to a rental percentage limitation would be a physical separation requirement. This approach would likely keep a distance of one or two properties between each rental to ensure there are not highly concentrated areas of single-family rental properties. In many instances this would be a more limiting approach than a percentage limitation. A separation distance for a license single-family rental could be established as part of the rental code standards.

The separation distance is meant to be an alternative to a percentage limitation without stating a maximum limit. While this approach generally does a good job of insulating individuals properties from having multiple properties become rentals adjacent to them, in some unique situations it could allow for a slightly higher overall percentage than a flat cap as described above if rentals were previously concentrated to one side of an a defined area or neighborhood. Staff estimates that a 150 to 200 foot separation distance would be roughly equal to a 15 %to 20% overall limitation unless lots are very large in width. A 150 foot separation would typically separate rentals by two or more properties from each other.

## **OCCUPANCY FORUM NOTES**

### **General points raised by those that spoke at the forum on 8/17/17**

#### **Landlord/Property Owner Forum**

Jay Avellino – Any restriction by age would be immoral. If a restriction by bedroom size is used, 120 square feet is excessive and a lower minimum should be established. People per bedroom would be a good solution – either 1 person for every bedroom or one more than the number of bedrooms if there is enough parking. More people should be allowed in single-family homes so that the landlords can have more income and conduct better maintenance on their properties. Limiting the number of rentals would be okay as long as current rentals are grandfathered in. Would like to see a medium density buffer between low and high density so that single-family homes aren't looking at large complexes. An increase in multi-family units is decreasing his property value. Limiting by neighborhood would be an embarrassment.

Polly Gilbert – What we really need is good tenants. Established neighborhoods are getting smaller due to the increase in rental properties. A limit by neighborhood would be good as would a limit based on square footage. We need to maintain integrity for all properties and should allow the landlords to decide who lives in their property.

Stacy Woodward – There's a need for proactive enforcement and police enforcement. No need to limit rentals, we just need to better manage them.

Al Warren – Why is occupancy an issue now? There are plenty of open units in the City so people shouldn't be cramming into small homes. Landlords typically only want one person per bedroom because any more than that is hard on the house. Inspection's does an excellent job. In many areas, the owner-occupied homes are in worse condition than the rentals. If safety is the bottom line, owner occupied homes should also have to comply. Likes the mix in neighborhoods. The University Impact Area was established for a reason. Students will always be 20 years old while the owner occupied neighbors get older and less tolerant. Neighborhoods decline when older people stay in their homes longer and don't let younger families move in. We should wait to see if there is a problem with occupancy before reacting. Let's let the system work first and then see if we need a law.

Brian Torresi – The state was very clear in that they don't want occupancy regulated. Why do we keep trying to find ways to do something that an extremely bipartisan group agreed we shouldn't do? Expects enforcement and thinks that enforcement in itself should be enough to resolve the nuisance issues. At this point, we should do nothing and wait to see if proactive enforcement will work.

Mary Warren – There was clear support from the state to not regulate occupancy. We need to keep the supply of single family homes as rental options because not everyone wants to live in multi-family properties. In recent editorials, SCAN has laid out issues that are 25 years old. Too many multi-family rentals that have amenities that single-family rentals can't offer. This is making it harder to find tenants. We need to enforce nuisance laws. We should wait until after January 1, 2018 to address occupancy so we have time to determine if it's even necessary. Students don't want to be crammed into properties so occupancy won't be an issue. There are lots of for rent signs out right now so it's clear there's not a rental shortage. Students have changed since the 90's. Air B&Bs need to be regulated more.

Kayleen Catus – Garbage and furniture violations in campustown are crazy. Enforcement is important and we need to be more proactive. Police Officer has done a good job. Inspection's needs more staff. Garbage pick-up should be required. Landlords need to patrol their properties.

Keith Denner – Landlord has some responsibility to maintain properties. Enforcement should apply to all properties. Ames should require new rentals to be part of crime free housing. There won't be a huge wave of overcrowding. HUD's standard is two people per bedroom. If the state says we can't do three people how will we be able to do five people? There's always the property maintenance appeals board if you don't like the answer an inspector has given. Des Moines has a crime property ordinance in which the letter of compliance gets revoked if a property is determined a crime property. We should focus on the sensitive neighborhoods. Limiting rentals in a neighborhood is a challenge. What options does it leave someone who can't sell their home or goes on a sabbatical if they can't rent their property.

Blake Andera – The number of people per bedroom would be a good minimum standard. More community involvement. Rummage Rampage was great and we need more of it. Single-family homes are necessary.

Jim Gunning – The market will take care of things. Against grandfathering.

Clark Colby – Keep older rentals as rentals. Dislike multi-family housing. Need to integrate students into neighborhoods. Don't restrict the ability for someone to create a rental.

Becca Mills – More education and community building. Officer Snyder does a good job.

Justin Dodge – Entire city should bear the burden of increased enforcement. Code violations are city-wide.

General synopsis of the landlord meeting: An increase in enforcement could replace occupancy standards.

### **Neighborhood Representative Forum**

Jon Wolseth – Lives in CCOAMS neighborhood which is in the most need of attention with 60% rental properties. Grandfathering will only keep the neighborhood the same instead of improve it. Need proactive enforcement and stricter rental inspections. Map of violations would be helpful.

Leslie Kawaler – Lives in SCAN. Please make powerpoint from July 18 Council Meeting part of her comments. Occupancy should be limited to three adults. Need stricter enforcement and rental fees should be raised. Owner-occupied houses should be considered rentals. Long term visitors are occupants. Would like a moratorium on rental permits – recently a six bedroom house was built.

Barbara Pleasants – Lives in SCAN. We should make it less attractive to convert homes to rentals. Create an overlay zone. Their neighborhood is 50% rental. Need to stabilize neighborhoods. Need to replace current occupancy code, not just increase enforcement. It cannot be based on parking because that won't solve it.

Ed Sorenson – His street should be changed to no parking because it is too narrow for parking.

Fern Kupfer – Student rentals are the problem. Want fewer students and more families. Proactive in stopping an increase in rentals. Increase fees for single-family homes.

Dilys Morris – More rules for landlords & consequences for violations. Rental fees are too low.

Marilyn Clem – More enforcement. Too many vacant homes, junk cars, break-ins in neighborhood. Not safe anymore.

John Pleasants – How do we determine a number of rental units that's appropriate? What's the tipping point? We need a simple occupancy code like a maximum number of people. Maintenance of units needs to be better. Not everyone wants to be the complainant so proactive enforcement would be good.

Mark Nettleson – Do we know how bad this is going to be? We can't know if attendance (ISU) keeps increasing. Staff should meet with ISU & Board of Regents to determine what their plan is.

Sharon Guber – Too many short term residents. We shouldn't choose between number of people or percentage of rentals. Instead, a combination of occupancy and percentage would be good. Don't want to be a complainer so proactive enforcement is

better for the neighborhood. Look at other towns outside of Iowa to see what they are doing.

Sheila Coady – We need to control the number of rentals in an area. Also need parking requirements.

Debbie Lee – Neighborhood stability is important. People need to respect the property they are renting and have an invested interest in the neighborhood. St. Paul restricted the number of rentals per block and it seemed to work. They also permitted on-street parking.

Evelyn Beavers – Increase in enforcement will cost money. Proactive enforcement will involve everyone. People don't understand that the city enforces reactively so they don't know that they need to file a complaint. Everyone is an enforcer.

Marsha Miller – Students in 'owner-occupied' houses don't sell the houses when they leave, they turn into landlords. Student housing is often unoccupied and neglected in the summer.

General synopsis of the neighborhood meeting: More enforcement/stricter standards and fewer (student) rentals.

ATTACHMENT II  
QUESTIONNAIRE RESPONSES

	Landlord	Neighborhood Rep.	Total
<b>Number of Respondents</b>	<b>32</b>	<b>22</b>	<b>54</b>
<b>Should the City regulate Occ?</b>			
Yes	10	19	29
No	14	1	15
Not Sure	4	1	5
<b>What mechanism should be used to enforce occupancy?</b>			
Number of People	5	19	29
Age	1	6	7
Number of Bedrooms	20	2	22
Size of Bedrooms	4	0	4
Size of House	13	2	15
Number of Off Street Parking	10	7	17
Student Status	2	7	9
<b>Which enforcement strategy is the best?</b>			
Proactive Enforcement instead of Occupancy Enforcement	9	0	9
Reactive Enforcement instead of Occupancy Enforcement	12	0	12
Proactive Enforcement with Occupancy Enforcement	2	16	18
Reactive Enforcement with Occupancy Enforcement	2	3	5
Not Sure	5	0	5
<b>Enforce exterior property maintenance Proactively?</b>			
Yes	12	21	33
No	13	0	13
Not Sure	6	1	7
<b>Should City limit the number of rental properties in an area?</b>			
Yes	3	21	24
No	20	0	20
Not Sure	5	1	6
<b>What is the best way to regulate the percentage of rentals?</b>			
Distance from another rental	1	3	4
Neighborhood Assn. Boundaries	3	5	8
Number of Rentals per Block	6	14	20
Other	2	0	2
<b>Should a moratorium be enacted?</b>			
Yes	3	21	24
No	20	0	20
Not Sure	5	0	5
<b># of Attendees on Sign in Roster</b>	<b>53</b>	<b>23</b>	<b>76</b>

## **Comments from Questionnaire**

- No dormitory/group living in residential neighborhoods. N
- # people = # bedroom. Proactive enforcement is the most important factor. Not enforcing the owner occupied student house is a real issue in camptown. Most are likely not registered rentals and no enforcement is taking place. L
- Increase landlord fees/rental fees. N
- Increase rental permit fees for single houses significantly. Maintain database of rental violations. Actively enforce rental permit regulations and deny rental permits for violators. Proactive enforcement of rental permit rules paid by rental permit fees. Limit occupancy to 3 with exceptions made for families. Limit number of rentals per block in low density. N
- Money is needed for enforcement. Needs to become a priority. N
- Need some way to regulate parent-owned properties with student children and others as tenants. I'm ok with limiting number of rentals per block and gradually reduction (grandfathering) through expiration of permits. Would support limiting by 3 undergraduates. N
- Please speak to ISU student renters. Data: over the past 20 years, has resident's room availability (dorm rooms) kept pace with changes in student registration? Can the city incentivize the university to help with this situation? N
- No grandfathering of existing rentals except those that fit into the percentage of rentals per block. N
- Recommendations: no grandfathering, limit cars per rental, enforcement of numbers living in rentals, enforcement of the looks of the property. N
- We need a disorderly house law like Iowa City's. N
- Yes to prohibiting additions/alterations. N
- Crime free. HUD limits 2 per average bedroom. Zero tolerance.
- Not necessary! L
- Need better sound system for some speakers. Could not hear them when they faced the front sometimes. Thanks for having this meeting! L
- City has let too many new rental properties be built! Stop owner occupied exemption. L
- A property owner should be allowed to do what they wish with their property within reason-if a house structure has serious exterior or interior issues – upkeep should be required. Rental inspectors may need to take a harder look at properties when certifying them for occupancy and a rental permit. L
- We do not need more restrictions. We do not need brand new sprawl. We need quality rentals integrated into the community of Ames. We need to build community. I bought a foreclosure and was able to renovate and bring it back to life because it was a rental. L



- Each rental accommodates a different # of individuals. Cookie cutter rules do not work. Each unit needs a rating of # of tenants that will be allowed. L
- I would prefer occupancy regulations because if I am not allowed as a landlord to cap occupancy then I need help. I don't want a ton of people in the duplex because it causes problems with parking, and it is hard on the property itself. L
- Reactive enforcement may be the best method. L
- It may be time for a property maintenance code for all properties. L
- Check other cities (university cities) across U.S. San Luis Obispo was very organized, proactive in early 2000's. N
- I also live in Santa Cruz, CA and rent a 2 bedroom condo there. There is no occupancy restriction here. Santa Cruz is very similar to Ames, UCSC = ISU, small # of rentals. Their approach is to be hands off as much as possible. I appreciate their approach a lot. It works well for landlords. They have only started inspections 2 or 3 years ago, and I am allowed to self report. Santa Cruz has much more serious issues to deal with, so I think you are making a mountain out of a mole hill, but I understand where people here are coming from. They all complain about traffic on Duff, but believe me it's nothing compared to California. Landlord for 25 years. Grew up in Ames. Live here ½ time, in CA other half. Also landlord there. L
- #4 just use Chapter 4 of International Property Maintenance Code as more people are introduced in property the common area increases. #5 all properties need to be maintained to good standards – both Cedar Falls and Iowa City have stepped up nuisance ordinances on both owner & rental. The incidences of violations are representative across the population – ie Cedar Falls has 63% owner occupied, 37% rental and that's the same rate of nuisance violations owner vs. rental. #6 -NO-NO as a financial planner for over 31 years people should be able to sell their property to whomever. A home can be the only asset for some retired people – they need to be able to sell to the highest bidder. Then just enforce nuisance code. L
- The city has been working and planning to increase density in certain areas. This is completely in contrast to limiting occupancy by age, bedroom size or parking. Also the use of medium density buffers between residential & commercial zones has been ignored as well buffers between high and low density. L
- Parking is a problem now – sight lines near my property at 711 Ash already poor with street parking allowed North of my drive on West side of Ash up to Storm. N
- There needs to be affordable housing for families. Our neighborhoods are very taken over by rental housing for students. N

**EMAILED COMMENTS FROM THOSE WHO DID NOT ATTEND MEETINGS**

Thank you for allowing us to be a part of the forum this evening. One topic that puzzled me is about the size of the bedroom. I could see the size of the apartment would matter, but many people spent less time in their bedrooms than they do in the rest of the apartment/duplex so the size of the apartment would weigh more than that of the bedroom. Am I overlooking something? Thanks, Helene

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Am not sure if I will make it tonight, if you have another meeting might move the time to 6 or 7PM. Hard for us who work to make a 5PM meeting.

I do have a few questions, with the new law what will be the rule for rentals. What I mean by that if you have a 4 bedroom house how many people will be allowed to rent/live in it under the new rule.

As for me I don't agree with the current rule for Ames, I think it is stupid that you can have a 4 bedroom house but only rent it to 3 unrelated people, but if someone has a huge family of say 7 or more it is fine. I think you should be able to rent it to one more person then they have bedrooms. So if it is a 4 bedroom, 5 people should be OK. I don't think you should be able to have 6,7,8 etc. living in a 4 bedroom but 5 would be ok. I know one big thing the city is trying to do is lower rents in Ames but letting all these new rentals be built. I do not agree with that, it cost a lot to own a rental property and keep it up over building is not the answer. If they want lower rents for lower income people they should be building lower income property building and not new fancy ones right in or around campus to drive down prices of other rentals. Many people who only own a few rental properties live off the rent income or that is there retirement plan. Causing them to lower rents is not good.

But one good way to help lower rent cost per person is to allow a few more people to live in a property. If you have a 4 bedroom house renting for \$1600 but only allow 3 people to rent it cost around \$533 per person just for rent. If you would allow 4 or 5 to rent it would be \$400 or \$320 per person that is a lot less and still allows the owner of the proper to make an ok income on the property after expanses. So I think a happy middle would be best, the 3 unrelated person rule needs to be changed but at the same time you do need to have a cap so you don't have all the rental house turn if to frat houses. That is why I think the one person over the amount of bedroom in the house rule would be good.

Hope I can make it but don't think I can. Have a lot more I could say but the above is the bulk of it.

Thanks

Chris (Chris Marty, PSA)

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Sirs,

I am unable to attend tonight's Occupancy Regulations Workshop. My input

is, following a model similar to St. Paul is bad idea. If you go with a City-wide percentage of home rental to single family occupied, then certain areas that are landlocked like Campustown/South Campus Area will be punished for having a smaller number of homes.

At the very minimum, any home that has passed the Rental Housing Inspection (RHI) should be allowed to continue to be a rental even if the property owner changes. It costs a lot of money to bring the old homes up to the City of Ames, Rental Housing Code, Chapter 13. The selling property owners would be financially punished for meeting or exceeding the 2006 International Residential Code.

I would add an observation. Those properties that have followed the rules and passed the RHI are better maintained than the single-family homes in the SCAN. I think the City would want housing that meets the housing quality standards to "ensure public health, safety and welfare" regardless of the occupants or their relationship.

Regards,

Scott Wannarka  
2225 Donald Street

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Please note for your purpose that any regulation by age might be seen as discriminatory and is specifically frowned upon by the constitution. Even if someone believes that a legal argument could be made to enforce age discrimination then they would a best be unethically advancing discrimination.

I hope to attend the meeting but in advance I hope the concept of house square footage is of particular interest. The size of a house is particularly limiting the the number of occupants and health and safety issues. Ass well Larger homes are in need of lenient occupancy guidelines to help the maintenance and quality of living. Larger and more expensive homes to upkeep need reasonable cash flow to justify clean and updated facility.

I hope to present this view and reference logical understanding of parameters for housing rental control.

I have canvassed mdozens of peopl on this matter and all seem to believe that one person per bedroom should be minimum guidelines. Literally all those I have spoken to (well over thirty in number) have brought this formula to my attention without my input. Of this I have been surprised.

It will be a difficult task to present over occupancy issues as numbers of persons per property given the city's determination to increase the person per square foot within the campus area. As well parking guidelines have been generous to the high rise structures now dominating the campus town region.

So, I am curious to hear some the city's tentative ideas before the meeting referencing "parking, families, etc." as directed in your letter.

Jay Avellino

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I won't be able to attend, but I think any law that regulates occupancy by anything other than numbers would be discriminatory. It's no ones business who is living with who as long as it's safe, and occupancy levels can be used to ensure that without taking any other criteria into consideration with only one exception... immediate

family. A parent/guardian with minor children family should not be subject to occupancy restrictions as long as they are abiding by safety codes (like basement bedrooms and egress windows, etc).

Kirk Youngberg

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To whom it may concern:

As a former renter in Ames and a current owner of 2 single family investment homes in Ames, I certainly have a vested interest in the outcome of the City's decision regarding occupancy requirements. I currently serve on the Affordable Housing Board for the City of Fort Collins (Colorado) and we have a U+2 ordinance that has consistently been pointed to as one of the causes for the City's home inventory shortage and unaffordability issues. The City of Fort Collins is currently working towards funding a study to determine the effectiveness of the ordinance along with any impact to housing stock and prices.

I fully agree with the State of Iowa's stance that municipalities should not be defining family or relationships. It is not up to an ordinance to tell us who and who is not a relation. This progressive movement of Iowa leaves Colorado in dust and I could not be more proud of my Cyclone State for taking this measure.

Where both Ames and Fort Collins have failed it's citizens with the 3 unrelated rule is that it defines a triangle but requires it be put into any hole whether that hole be square, circle or octagon. If my husband and I chose to have a passel of kids and bring my mom with her husband, my father with his wife and my mother-in-law with her boyfriend to live in a 4 bedroom home we would meet your definition of the previous ordinance even though we'd be bringing in 8-12 people and at least 8 vehicles to the home. That would be very impactful to the neighbors' enjoyment of the property, for certain. On the other hand, if we had three individuals renting a 5 bedroom home, the impact would be less than nil. Whether they are related or not, should 10 people be crammed into a 3 or 4 bedroom house...probably not. Conversely, whether they are related or not, can 4-5 people be comfortably ensconced in a 3 or 4 bedroom house...it's not out of the question.

There are tools in the toolbox to address bad tenants, neglectful owners and inadequate property management. These tools include noise ordinances, parking regulations, couch ordinances, party permitting, landscape and weed standard ordinances, snow removal/sidewalk care ordinances and rental property inspection requirements. If these tools are being used effectively, it should be taking care of a good majority of the complaints. Does another standard need to be established and enforced to make the point?

If the City of Ames feels to put maximum occupancy limits in place then it would be of my opinion that these ordinances should be in place from a health/safety standpoint and applied to all homes, not just tenants. If occupancy is a problem then it needs to be addressed for tenant and owner occupied homes alike. Out of all the occupancy requirements I've reviewed, the rules that are established from a health/safety/overcrowding standpoint and address adult occupants by square foot seem to be the most fair. Here's an example:

The zoning ordinance also establishes maximum occupancy. The maximum occupancy of a single family dwelling is calculated from the total finished area of the home (plus finished basement area) as it is listed in the County's residential property records.

For a dwelling with a total finished area	Number of adult occupants
of up to 1000 square feet	3
from 1001 to 1500 square feet	4
from 1501 to 2000 square feet	5
from 2001 to 2500 square feet	6
from 2501 to 3000 square feet	7
from 3001 to 3500 square feet	8
from 3501 to 4000 square feet	9
over 4000 square feet	10

Additionally the Uniform Statewide Building Code requires that sleeping areas designated for one person are at minimum 70 square feet and two or more persons require 50 square feet minimum per person. There are other requirements for living and dining space, location of bathrooms etc. Contact Property Code Enforcement at 703-792-7018 for more detail and explanation.

Fort Collins is 23 short years away from anticipated full build out. The median home prices have been driven up to \$430,000. It is nigh on impossible to find a home for less than \$300,000. The rental side of things is just as bad with the average rent being \$1700/month. Affordable housing is seen as the number 1 problem facing tenants and owners in Fort Collins today. How will our food service workers, grocery checkers, school bus drivers, teachers and other middle to low income wage earners live in the city in which they work? I would hate to see Ames go in this same vein by defining max occupancy as 3 without any consideration to additional factors such as number of rooms or square footage. Furthermore, occupancy needs to be addressed consistently as a health/safety issue and should not be targeting tenants alone.

Thank you for your time and consideration with my remarks.

Sincerely,

Jennifer R. Bray

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Dear Mayor and Council,

A much belated thank you for your interest in pursuing methods to mitigate the recent legislative change related to occupancy limits. I am writing with some comments to follow up on your initial July 18th discussion.

I would like to emphasize that the impact of rental occupancy is not limited to areas zoned RL or FS-RL. Many of the neighborhoods where occupancy limitation is of great concern are zoned UCRM or RM. I respectfully request that future discussions of plans to mitigate occupancy concerns expand beyond the 'low-density residential' categorization.

I would propose that you consider applying mitigation efforts to the entire community. My experience in Ames is that dwellings in the most improbable areas have been used for rental housing at one time or another. My hope is that we can design a plan that provides for the health and safety of residents of all housing types and preserves the anticipated density levels and quality of life in all areas of the community.

Sincerely,  
Debbie Lee

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Dear Ms. Gould I understand there is to be a meeting for Neighborhood Associations at the Ames Public Library on Aug. 17. Unfortunately I shall be out of the country on that date, so will be unable to attend - much as I should wish to. But I want to register my opinion with you to the effect that I totally oppose any change to the Rental Occupancy Law that limits the number of unrelated persons who can share a house or apartment. I don't know how much effect my opinion will have or what channels I should address beside you -- hence my email to you . I am going on vacation to Norway on Tuesday which is why I am writing to you so hurriedly. Thank you for your attention in this matter.

Yours sincerely,  
Rhoda Mansbach, 512 Oliver Cir. Ames 50014.

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Julie, I know coming up with an occupancy ordinance to effectively replace the current one in my neighborhood, which limits occupancy to three unrelated adults, is a difficult task, but I was truly surprised to read in Deb's summary that:

1. the City questions whether new occupancy regulations are necessary and
2. the focus seems to be on nuisances in low density neighborhoods only.

Occupancy limits are necessary in Urban Core Medium Density neighborhoods. I was unable to attend the July 18th work session, but I sent a short email to City Council members. Before I go on, thank you to Deb for summarizing. Because of

my absence at the July 18th session, I am not certain I understand the meaning of the phrase "whether new occupancy regulations are necessary". If the quoted phrase means the City is considering having no occupancy regulations in my neighborhood, then I am very concerned. Again, although replacing the current limitation is difficult, I certainly hope the City doesn't simply throw up its administrative hands and leave occupancy to landlords. When I was shopping for my home in the 1980's, one of my first questions of the real estate agent was, what is the occupancy zoning? I was moving to Ames and wanted to live in a single family residential neighborhood. At the time, I was told 311 was in what was referred to as R2, meaning no more than 3 unrelated adults could occupy the neighboring homes. That was fine with me. As my neighbors to the north and south eventually sold their homes to landlords, a series of almost exclusively student renters began. Most are good neighbors, but I've seen lots of loud, drunken behavior and congested parking with vehicles that significantly exceed the number of renters. The idea that no occupancy limit is necessary in a medium density neighborhood and stepped up enforcement alone will control overcrowding, unreasonably shifts the City's responsibility onto adjacent property owners, who would have the burden to monitor and complain about overcrowding and its unpleasant side effects. Its hard to tell where the overcrowding line is legally with no written limit. I don't want to call the City "occupancy clean up crew". If occupancy limitation is off the table, what is the basis for stepped up enforcement? Enforcement of what? Will the City be expanding its definition of nuisance? Is the City conceptualizing bringing property ejection proceedings against individual renters or simply fines for landlords? Does the City and District Associate Court actually have the resources and capacity for such an undertaking of increased size? Even if the resources are available, how long would each proceeding take? How much will it cost tax payers? If the focus is simply on the enforcement against violations of nuisance ordinances, how many and how long must a series of nuisance complaints go on? There is no guaranty a court will agree with City and neighbors in a nuisance challenge. It just seems a lack of occupancy ordinance will create a situation in my kind of neighborhood that could set property owner residents against renter neighbors, instead of providing Re: Oak-to-Riverside Neighborhood: Notice of public input session regarding an orderly ordinance system of occupancy control that is clear and definite to everyone. More and more apartment buildings are being built at the perimeter of my neighborhood. Not limiting occupancy in some way within my neighborhood will continue to contribute to the traffic, noise, lack of property respect and loss of what is given lip-service as the single family neighborhood atmosphere. It is unlikely I will attend the August 17th public forum. I will be away from Ames most of each day for the next week and a half. I will not have access to my email. I hope the City takes the time to gather and review approaches other cities have taken to sensibly limit occupancy.

Thank you, Tam Lorenz, 311 S. Maple, 232-8427

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Julie Gould

As a long term City of Ames resident I desire to share my thoughts on a matter that has concerned me and has, what I believe, a huge impact on the quality of the life here in our wonderful community. It is my understanding that on January 1st, 2018 the law or regulation governing 3 unrelated persons living in a residential low density zoned home will be removed. This will allow landlords to have more than three unrelated persons living in houses in residential low density areas of Ames. Additionally, this will encourage landlords to purchase as many "cheaper" single family homes to rent out.

It is my opinion that the City of Ames, outside contractors, and local contractors, have currently met the demand and needs for student housing. As large apartment buildings have drastically changed the landscape of Ames the City is now approaching a saturated, and competitive, rental market. The days of needing rental housing in low density single family home area's has come and gone as the needs have been met elsewhere. With the removal of the 3 unrelated regulation, more single family homes will become rental properties packed full of people. My past experience is that most of these properties are very poorly maintained and become an eyesore for the residence residing in the block they are located in. Additionally, it has been shown that most first time home buyers in the City of Ames are looking to purchase homes in the \$120k - \$160K range. Unfortunately for them, landlords purchase these properties before a first time home buyer ever gets the opportunity. In a City that is looking to offer growth for new families and first time home buyers this is a recipe for disaster! I don't know if this is feasible or not but here is what I would like you to consider and pass on. I would adopt an ordinance, or whatever it would be called, that mandates the following:

Any single family home located in a zoned area of Residential Low Density (RL) MUST BE OWNER OCCUPIED. The exception would be existing duplexes and single

family homes that are currently "2 Family Conversions"

Certainly, some type of "grandfathering" could be accommodated here too for those units that currently have letters of compliance and are being rented out as single family homes in RL zoning. Additionally, some areas of the City might need to be reviewed on their current zoning (Lincolnway Corridor). Some areas that are RL that are mostly rentals might need to be changed to an RM zoning or some other type of overlay. But that can all be worked out. If this was able to be implemented I feel that it would bring a great quality of life back to the City of Ames by encouraging and allowing young families and first time homeowners to buy housing in our community. Neighborhoods would return to a higher standard of care and well-being. State of Iowa Mandated changes to occupancy.

Thanks for attention to this matter  
Taylor Outsly  
Concerned citizen

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7 September, 2017



As a resident within the Campustown neighborhoods (I live at 521 Hayward Avenue), I would like to see the City of Ames take a proactive response to the forthcoming changes to the regulations of rental units in Ames. I find it troubling that there will no longer be a limit on 3---unrelated people within a single residence.

When the rental regulations are loosened and it becomes potentially easier to market houses in Campustown as rental properties, the stability of the Campustown neighborhoods is threatened. I think that a solid core of permanent, year---round residents in Campustown houses is key to the vitality and sustainability of Ames.

To use a real, tangible example – I just noticed this week that 2215 Storm is now being offered as a rental. This single---family house went on the real estate market in July of 2017 and quickly sold. And, just as quickly, it is now “for rent.”

When single---family homes transfer over to rental properties in Campustown, the city of Ames assumes the burden to increase enforcement of inspections, noise ordinances, trash ordinances, etc. Furthermore, even if the tenants are responsible and respectful, these are not permanent, year---round residents who have an investment in their real estate property. Renters are transient, variable, and they are not truly part of the fabric of that neighborhood. The City of Ames can spend more money on enforcement to see that renters/landlords comply with city laws and ordinances, but this is just a “bandaid” for the real problem (which is that the Campustown neighborhood is eroding away).

I think a more productive, forward---thinking stance would be if the City of Ames would protect and encourage permanent residency in Campustown houses. By either discouraging more rental houses from being created or establishing an overlay district that preserves a core of permanent homeowners, the City of Ames sends a message that it values diversity

within the Campustown neighborhoods (and by diversity I mean that a variety of citizens live together: ISU students, faculty, young families, retired people, etc.)

I propose these ideas because I moved here from East Lansing, Michigan, where I was a resident for 12 years. I lived in a house that was adjacent to the commercial district and was also within walking distance to Michigan State University. My neighborhood in East Lansing was the Bailey neighborhood and it had large swaths where mostly MSU students resided. But, it also had a core overlay district where, with time, young families moved in and the rental houses reverted back to permanent residents. The neighborhood was stable with a strong sense of community: where neighbors invested in their homes, looked out for each other, and sent their children to the public schools. With this kind of community buy---in, we also saw a decrease in the number of houses purchased by parents for their university students to live in (this is also another current problem in the Campustown neighborhood and a round---about way to create rental houses).

In sum, I urge the City of Ames to take a very proactive approach to planning within the Campustown neighborhoods and to think about how these neighborhoods can be preserved to benefit a large variety of residents. Yes, students need to live in Campustown and be close to campus, but the City of Ames and ISU also need to market Campustown as a place where ISU faculty and staff can live so that they have easy access to the campus and where families can settle in and send their children to excellent schools, such as Edwards Elementary and Ames Middle School (both of which are on the southwest edge of Ames). It would be a real shame to see the Campustown neighborhoods become a majority of rental units and to see fewer and fewer permanent residents who invest in Campustown as a vital, safe, and dynamic place to live.

Thank you very much for considering my comments,

Anne Grevstad---Nordbrock  
521 Hayward Avenue, Ames  
515.708.4034

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## SCAN and CC/OAMS Regarding Occupancy Limits

Leslie

Friday, August 25, 2017 03:55PM

Kawaler

To: ANN CAMPBELL, CORRIERI AMBER, GLORIA BETCHER, GARTIN TIM, Chris Show Details

Nelson, Peter Orazem, BRONWYN BEATTY-HANSEN, Steve Schainker

Cc: jmphealth@aol.com, jwolseth@iastate.edu, Kelly Diekmann, Barbara Pleasants, Leslie Kawaler

To Members of the City Council, Mayor Campbell, and City Manager Schainker,

As a follow-up to last week's neighborhood forum on occupancy, and particularly in light of our looming January 1 deadline, we want to emphasize the following points:

1) The fact that other neighborhoods either did not attend the meeting, or raised issues unrelated to occupancy, confirms our assertion that **campus-impacted neighborhoods have unique problems when it comes to rental properties**. As we have suggested in the past, it would be appropriate to treat "campus-adjacent," or "campus-impacted" areas (SCAN and CC/OAMS) differently with respect to occupancy limits, perhaps through the use of a special overlay.

2) **We strongly urge you to keep any new rental occupancy ordinance as simple and easy-to-enforce as possible.** To maintain the spirit of the current ordinance, **we respectfully request that you limit occupancy in rental homes in campus-impacted areas to no more than three adults.** This solution would give Ames the flexibility to allow more than three adults in any other part of the city where student rentals are not an existential threat. The use of off-street parking or various square-footage measurements to determine appropriate occupancy could be easily abused and would be extremely difficult to enforce.

If you do nothing to limit the number of occupants, then the six-bedroom mini-dorm recently constructed on Storm Street represents our neighborhoods' future.

3) While we still feel that **rental density caps should be instituted, they are only one component of a long-term solution.** Given our current high proportion of rentals, it would take decades for such caps to return the neighborhoods to a reasonable mix of owner-occupied and rental properties. **Rental caps will do nothing to help us as of January 1.**

4) While we appreciate the City's recognition of the need for increased enforcement, it will not stop the supply of affordable homes in our two neighborhoods from disappearing. Keeping the occupancy limit at three is our best option because **the greater the number of renters permitted in a home, the more economically attractive it becomes to convert an owner-occupied house to a rental property.** The longer we go with no occupancy limits, the higher our percent rental property will become, **taking us closer to the point where we are in danger of driving long-term residents away and becoming student-only neighborhoods.**

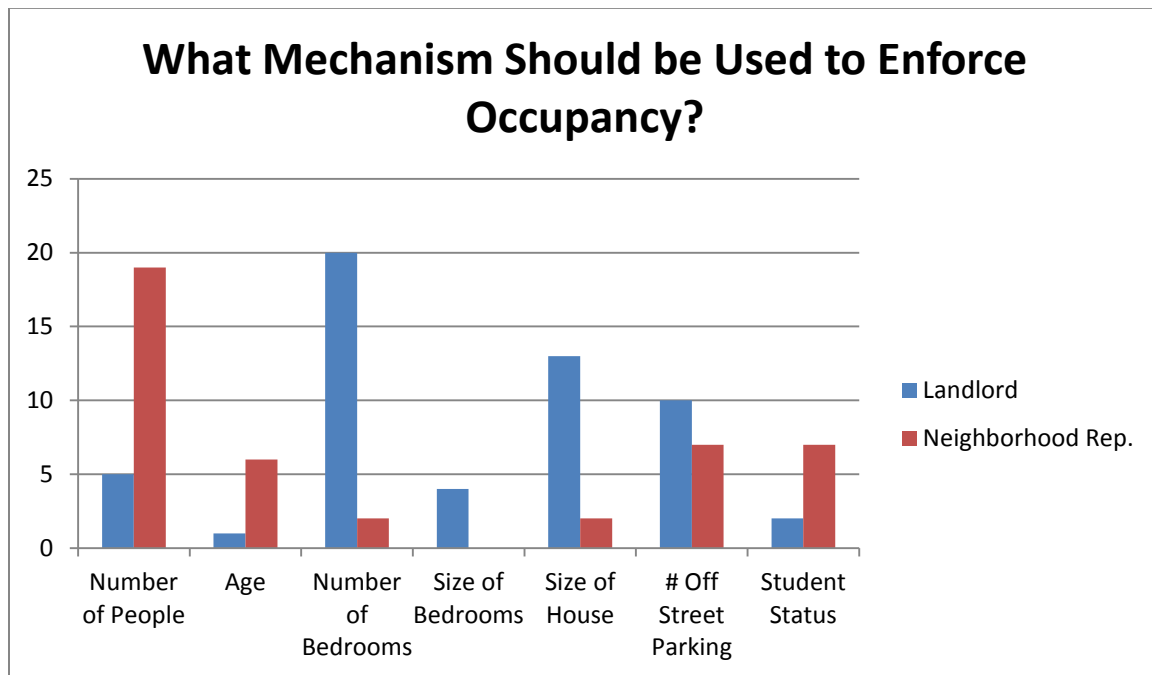
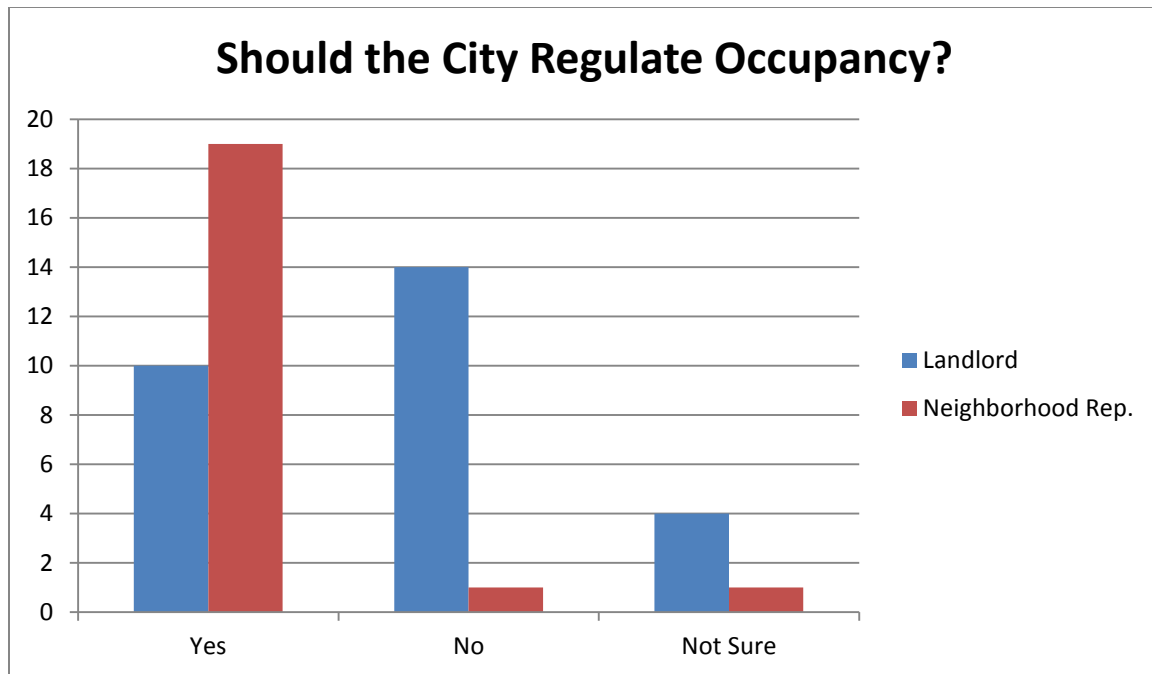
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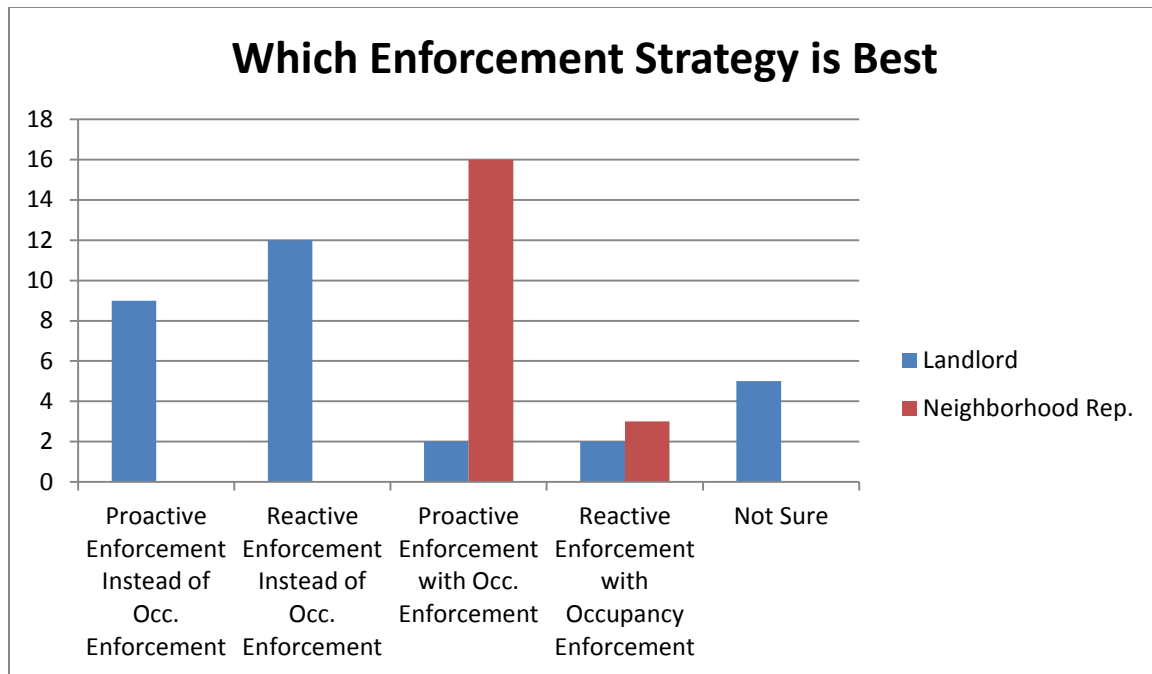
Barbara Pleasants, President SCAN

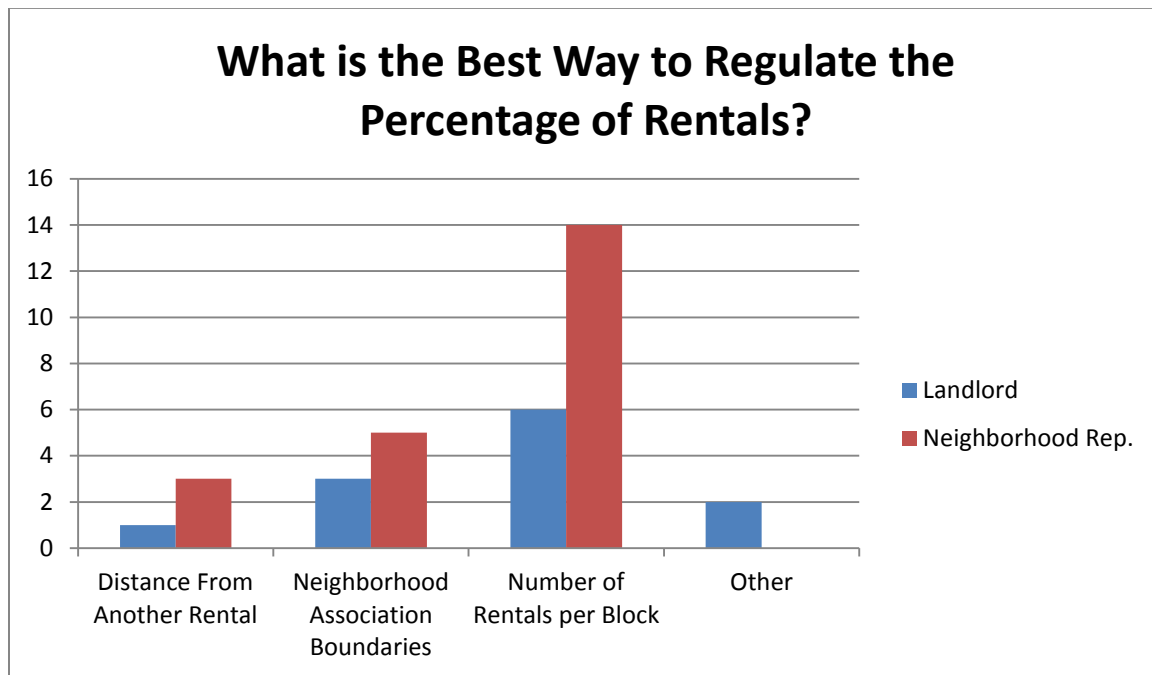
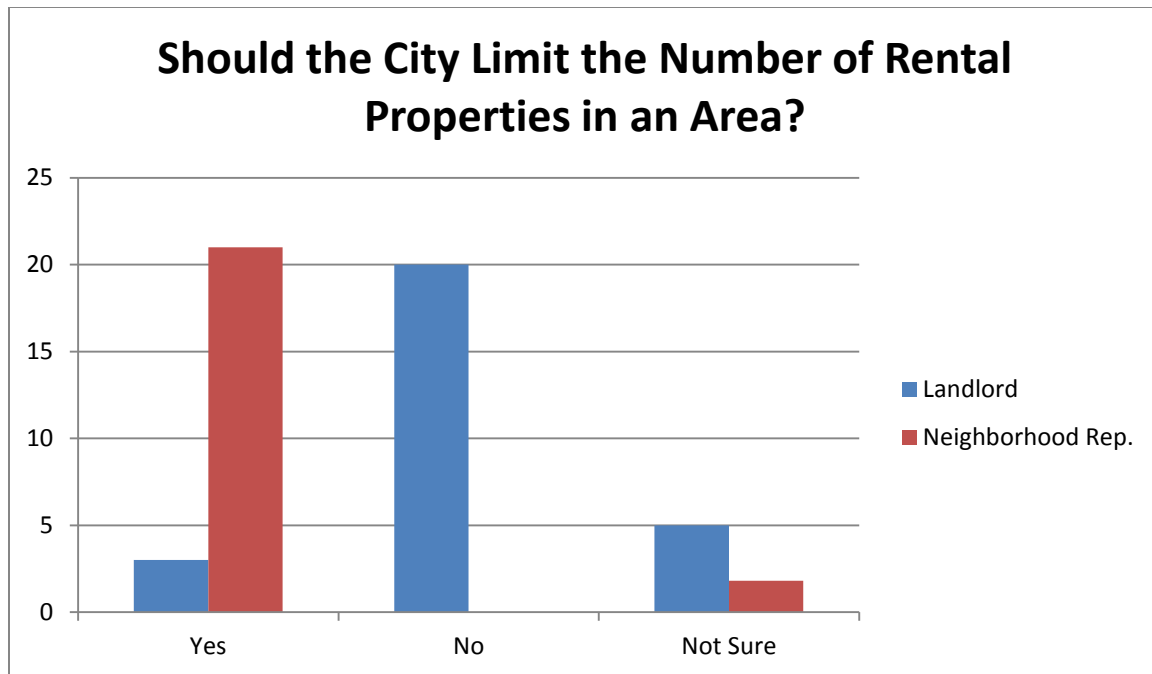
Leslie Kawaler, Board Member SCAN

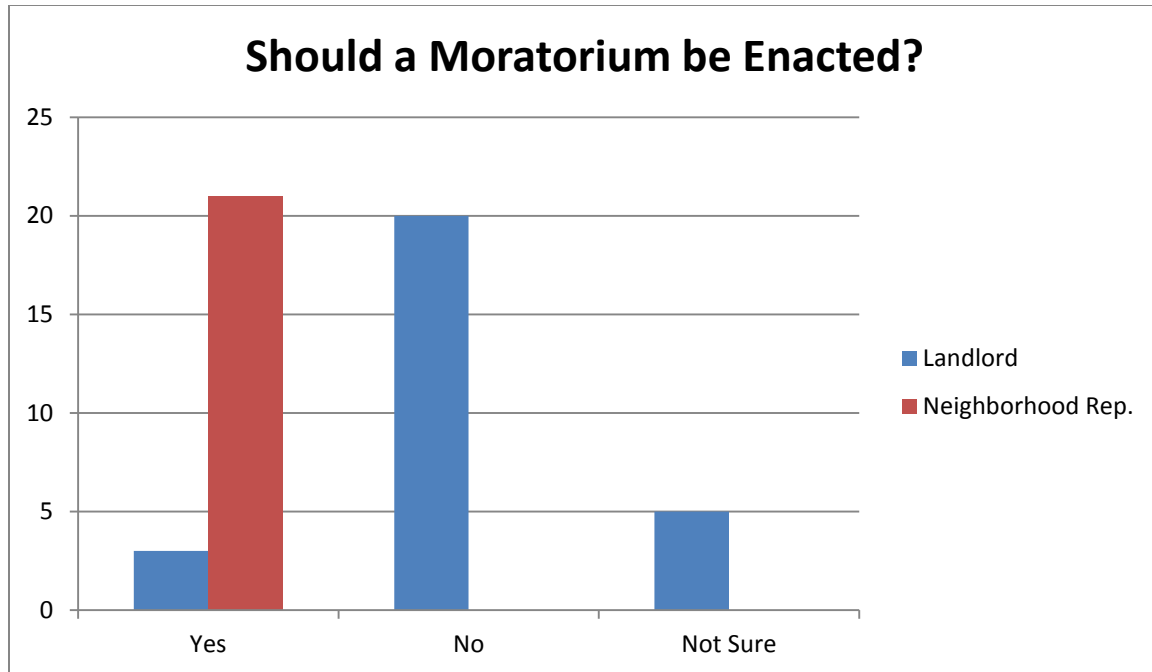
Joanne Pfeiffer, Co-President CC/OAMS

Jon Wolseth, Co-President CC/OAMS









Staff Report

**CAMPUS AND COMMUNITY COMMISSION ISSUES TO INVESTIGATE**

September 12, 2017

**BACKGROUND:**

In February, the City Council voted to establish a Campus and Community Commission (CCC). This Commission is charged with investigating issues of common interest to the City, Iowa State University, and the ISU Student Government. The Commission may be assigned issues by the City Council, and the Commission may propose issues for City Council approval. The resolution describing the Commission's charge is attached.

The Commission was appointed over the spring and summer and held its initial meeting on August 28. The Commission membership includes:

- Evelyn Beavers, Neighborhood Association Representative
- Tom Lindsley, City At-Large Representative
- Warren Madden, Business Community Representative
- Pete Englin, ISU Administration Appointee
- Eric Abrams, Main Street Cultural District Appointee
- Karin Chitty\*, Campustown Action Association Appointee
- Rob Bingham, ISU Student Government Appointee
- Cody Smith, ISU Student Government Appointee

\*The Commission selected Karin Chitty to be the Commission chair

At its initial meeting, the CCC members discussed potential issues it might investigate. The Commission brainstormed a list of topics, including:

- Communicating construction and other disruptions to university community/others
- University action for off-campus student conduct
- Parking in Campustown
- Welcoming/inclusiveness of Campustown/Main Street
- Public gathering space in Campustown
- Services/retail needs in Campustown
- Rental housing occupancy
- Rent Smart Ames utilization
- Connectability (transportation between areas of Ames), infrastructure quality
- Retention of recent graduates
- What should the 100-block of Welch Avenue look like?



**Following discussion, the Commission narrowed this list to three main priorities:**

1. Parking in Campustown
2. Public Gathering Space in Campustown
3. Inclusive Community Principles:
  - a. Education of tenants/landlords
  - b. Welcoming/inclusiveness of Campustown/Downtown
  - c. Rent Smart Ames utilization
  - d. Retention of recent graduates
  - e. Connectivity between areas of Ames

The Commission indicated the remaining issues from the brainstorming session may be proposed to the City Council as work activities once the initial three priorities are addressed.

### **STAFF COMMENTS:**

At the August 8 City Council meeting, the City Council received a letter from the Campustown Action Association (CAA) regarding the Campustown gathering space concept (attached). The City Council moved to add the letter to the list of priorities the City Council will discuss with the CCC.

During the City Council's workshop regarding campus area parking regulations in May, the City Council also discussed whether to refer the issue of parking regulations to the CCC. However, no motions were made during that discussion to do so.

**The City Council now has the opportunity to add to, remove from, or modify the proposed topics the Commission has identified to pursue. The Council could consider the following to guide them in making those determinations:**

**1. What work product will the Commission produce for the Council?**

The City Council may identify specific questions it would like to have answered by the Commission to help guide the Commission's work. For example, in regards to the Campustown Gathering Space issue, the Council could ask the CCC:

- a. What is the right location for a project?
- b. What are the desired uses of the space?
- c. What needs/concerns do affected property owners have with a proposed site

**It should be emphasized that the Commission should play a role in obtaining background information regarding a specific topic, gathering feedback from the stakeholder groups, identifying current problems, and suggesting courses of action to the City Council. The City Council would**

**then turn the issue over to City staff and/or consultants to develop implementation plans.**

**2. Is this Commission the appropriate group to address the topics proposed?**

Some issues may involve other City boards or commissions, or may require professional analysis the CCC is not able to provide. The CCC may propose issues that are not priorities of the City Council. The Council ultimately must decide in which topic areas it wants to invest CCC's and staff's resources.

After reviewing the proposed topics, the City Council may choose to re-direct Commission proposals to others to be completed. For topics the Council directs the CCC to work on, the City Council could provide clear direction regarding not only what is within the CCC's scope, but what areas, if any, are outside its scope of work.

**3. Is there capacity among the CCC and among City staff to address the issues that have been identified?**

The Commission has two methods of addressing issues: one is for the members themselves to all work together on a topic. The other is to create a topic-specific task force to bring additional experts and stakeholders into a discussion. Although the use of task forces can help distribute the work, it requires coordination by the Commission leadership and support from City staff to ensure compliance with open meetings/records and City policies. **It may be advisable to limit the number of topics the Commission is directed to pursue to a few at a time, to ensure the work can remain organized and manageable. Additional topics can be pursued once the initial topics are completed.**

**4. If the City Council has specific requirements for each topic, it should communicate those to the CCC now.**

These might include specific timeframes, stakeholders to ensure are involved in the discussion, and—above all—specific questions the Council feels must be answered by the Commission for its efforts to be considered a success.

Once additional direction has been provided to the Commission, the Commission will use its next meeting to develop action plans for each topic. These plans will include the specific questions the City Council has requested be answered, timeframes, stakeholders to consult, meeting logistics, and any limitations on the scope of the Commission's work.

**NEXT STEPS:**

**At the September 12, 2017 meeting, it is expected that the City Council members will identify: 1) the topics they want explored by the CCC, and 2) questions for each topic. It should be emphasized again that not all of the topics can be explored at one time, and the City Council will have to prioritize the work.**

## RESOLUTION NO. 17-097

### RESOLUTION ESTABLISHING A CAMPUS AND COMMUNITY COMMISSION FOR THE CITY OF AMES, IOWA

WHEREAS, from time to time, issues arise that are of common interest to the City of Ames, Iowa State University, and Iowa State Student Government; and

WHEREAS, it is desired to establish a commission to investigate these issues and provide advice to the City Council;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ames, Iowa:

Section One. **Membership:** There is hereby established a Campus and Community Commission. That Commission shall consist of eight members providing representation as follows:

(1) Business Community Representative	3 year term
(1) Neighborhood Association Representative	3 year term
(1) City At-Large Representative	3 year term
(1) Iowa State University Administration Appointee	Indefinite term
(1) Main Street Cultural District Appointee	Indefinite term
(1) Campustown Action Association Appointee	Indefinite term
(2) Iowa State University Student Government Appointees	Indefinite term

The Business Community Representative, Neighborhood Association Representative, and City-At Large Representative shall be appointed by the Mayor with the consent of the City Council. For the purpose of staggering the terms of the membership, the Mayor shall choose one initial mayoral appointee to serve a two-year term and one to serve a one-year term. Appointees may serve two consecutive terms.

The Iowa State University Administration Appointee, Campustown Action Association Appointee, and Iowa State University Student Government Appointees shall be appointed by their respective organizations.

Section Two. **Charge:** It shall be the mission of the Campus and Community Commission to:

- (1) Provide a public forum to facilitate discussion of issues of common interest to the City of Ames, Iowa State University, and Iowa State University Student Government.
- (2) Offer an opinion or recommendation to the Council regarding issues brought forward to the Commission by the Council that are of common interest to the City of Ames, Iowa State University, and Iowa State University Student Government.
- (3) Subject to City Council approval, investigate issues of common interest to the City of Ames, Iowa State University, and Iowa State University Student Government which are brought forward to the Commission and currently not being considered by the Council.
- (4) Prepare and transmit to the Mayor and City Council from time to time, but not less often than once each year, reports describing its proceedings and other activities of the Commission.

Section Three. Task Forces: Subject to City Council approval, the Campus and Community Commission may appoint and take input from appointed task forces on issues of common interest to the City of Ames, Iowa State University, and Iowa State University Student Government that are not being dealt with by City staff or another City commission. Any such task forces created shall be conducted as follows:


- (1) Task forces shall be comprised of representatives from the Ames and Iowa State University communities appointed by the Campus and Community Commission. Task force membership shall be as large as necessary to address the task force's charge. Each task force shall be chaired by a member selected by the Campus and Community Commission. A member of City staff shall be assigned to each task force by the City Manager to provide advice and to ensure that task force activities comply with the charge given by the Commission and with Chapter 21 of the Code of Iowa (Iowa Open Meetings Law).
- (2) Each task force may adopt such rules of procedure and conduct for its meetings and other activities as it shall deem useful and appropriate, within the limits of the charge from the Commission. Task force meetings shall be open to the public and shall conform to the requirements of Chapter 21 of the Code of Iowa (Iowa Open Meetings Law). Meetings of each task force shall typically be held at City Hall or on the Iowa State University campus, but meetings may be held in alternate locations to provide more convenient access for special public forums.
- (3) Upon completion of its charge, each task force shall submit copies of its final report to the Campus and Community Commission. The Commission will present the report results to Council and gain Council approval if further action is necessary. If either Council or the Commission decides that no further action is required, the task force shall dissolve.

AND BE IT FURTHER RESOLVED that a copy of this resolution be published in the appendix of the *Municipal Code* of the City of Ames, Iowa.

ADOPTED THIS 28<sup>th</sup> day of February, 2017.



Diane R. Voss, City Clerk



Ann H. Campbell, Mayor

Introduced by:	Betcher	
Seconded by:	Corrieri	
Voting aye:	Beatty-Hansen, Betcher, Corrieri, Gartin, Nelson, Orazem	
Voting nay:	None	Absent: None

Resolution declared adopted and signed by the Mayor this 28<sup>th</sup> day of February, 2017.



campustown  
action  
association

Campustown Action Association  
119 Stanton Ave, Suite 602  
Ames, IA 50014

August 3, 2017

Honorable Mayor Ann Campbell and Members of the Ames City Council,

Campustown has long been in need of a high quality, well maintained public green space large enough to hold events and comfortable enough for people to use for general outdoor gathering, eating, and studying. As the housing-density has increased in Campustown, the need for this space has only grown. In fact, it would be hard to imagine another area of the city that expanded housing by as many residents without adding a park.

Fortunately, as the density of Campustown is growing so is the tax base, making this an ideal time to start planning for an investment in creating a much-needed space with a known increase in available funds over the next several years as tax abatements subside. CAA strongly supports the concept of a large green space in Campustown.

The logical choice seems to be the space currently designated as Parking Lot X. We believe it is vital to success that we start budgeting for the project and working with property owners and businesses in the district to determine the best way to move forward with its creation.

We would like to request that Council direct staff to begin the process of planning a Campustown Plaza. Planning would require many divisions of the city government including Electric (burial of electric cable); Public Works and Transportation Engineering (design of transit through the site and pedestrian-vehicle interaction, parking issues) Finance (possible funding options), Police and Fire (consideration of public safety in the design), Planning and Housing (zoning issues and parking requirements) and the City Manager's Office (coordination and overseeing conversations with property owners, businesses and residents).

The project will not be simple and will require coordination between many entities. We would be happy to be part of a planning committee that would include representatives from CAA, property owners, the City, the Student Affairs Committee, Iowa State Administration, the local residents, and other interested parties.

As it will serve multiple uses, the space will demand professional design help. Perhaps two designs could be created, public input accepted and then the designs voted on to allow students and residents a say while still maintaining a manageable design concept. CAA would be happy to offer its assistance in facilitating this project by working with the City and other stakeholders throughout the potential project's development.

As always thank you for your time,

*Kathy Dubansky*

Kathy Dubansky  
President

*Karin Chitty*

Karin Chitty  
Executive Director

## Staff Report

**CAPITAL FUNDING GRANT PROGRAM FOR HUMAN SERVICES AGENCIES**

September 12, 2017

**BACKGROUND:**

In February 2017 the City Council approved funding for the Human Service Agency Capital Improvements grant program, with \$500,000 earmarked for this initiative. While funds have been appropriated in the budget for this effort, a number of important administrative decisions related to the proposed program have yet to be finalized by the City Council. **The staff is seeking direction from the City Council regarding these issues so that the design of this new grant program can be finalized.**

You will recall that in summer 2016, Brian Phillips sent out a survey to the human service agencies that receive City funding seeking feedback related to information that could influence the development of the criteria for the grant program. (See Attachment)

The City Council received the results of the survey on August 23, 2016. The average costs of individual projects identified in the survey were as follows:

New Construction: \$1,500,000

Vehicles: \$61,800

Renovation/Repairs: \$35,940

Equipment: \$22,413

Other: \$6,250

**POLICY OPTIONS:**

The following is a list of possible guidelines that could be used for the new grant program.

**Issue #1 – Type of Eligible Projects**

The City Council must decide for what projects the grant funds can be used. Should the City money be used for:

- New construction of primary or secondary buildings
- Renovation work on primary or secondary buildings
- Vehicles (buses, vans, cars)
- Movable Equipment (computers, copiers, riding mowers, etc.)
- Other purposes

### **Staff Comments:**

Based on the information obtained in the 2016 survey it was determined that because of the magnitude of some of the needed projects, only about two grants could be made available for new construction building projects before the total grant funding would be exhausted.

On the other hand, the grant funds would go the furthest if monies were made available for movable equipment and/or vehicles. In addition, these types of projects require less time to prepare planning documents or raise matching funds.

### **Issue #2 – Agency Match Requirements**

In order to receive a City grant for this new program, what percentage of match should be provided by the recipient agency:

- 0%
- 25%
- 33%
- 50%
- Other

For reference, other City programs, such as Neighborhood Improvement, Outside Funding Request, and Façade grants require a dollar-for-dollar match. **In addition, the City Council should decide if the match from the recipient must come in the form of cash or if in-kind contributions be allowed.**

### **Staff Comments:**

The survey results indicated that a 50% match appears to be acceptable to several agencies.

### **Issue #3 – Maximum Grant Award**

The results from the survey indicated that the greatest number of projects were in the \$20,000 to \$50,000 range.

### **Staff Comments:**

Having fewer awards at a greater dollar amount will likely require less City staff time to administer, but result in fewer grants being distributed among the agencies. The maximum amount for the Neighborhood Improvement grant program is \$5,000 and \$16,000 for the Campustown and Downtown Façade programs. The City Council does not have a stated per grant maximum for Outside Funding Request grants.

#### **Issue #4 – Agency Eligibility**

The City Council must decide which of the following group of agencies should be eligible for grant funding under this program?

- Any agency that receives funding from the City under the ASSET program (25 agencies)
- Any agency that receives funding from other than the City under the ASSET program (33 agencies)
- Any human services agency that provides a service within the City of Ames (50 to 60 agencies)
- Any non-profit agency that provides a service within the City of Ames (100+ agencies)

#### **Staff Comments:**

When the concept of this new grant program was first discussed by the City Council there was no mention that only agencies receiving funding through the ASSET process would be eligible for these monies. However, it does appear from previous Council discussions that the emphasis was on funding projects for human services agencies, not for all non-profit agencies in Ames.

#### **Issue #5 – How To Prioritize Funding Requests?**

Historically, the City Council's philosophy has been to use City funds to purchase services rather than making a donation. While the City Council has expressed an interest in connecting an agency's service to measurable outcomes, it will be difficult to tie funds for facilities or equipment directly to the outcomes experienced by clients.

#### **Staff Comments:**

Direction from the City Council as to what its desired outcomes are for this capital improvements program will helpful to those preparing and reviewing funding applications.

#### **Issue #6 – Who Should Review And Make Recommendations To The City Council**

A decision should be made regarding who will be delegated the responsibility to review the applications and make funding recommendations to the City Council. Committees composed jointly of City staff and citizen volunteers have been utilized in this way for the Neighborhood Improvement and Outside Funding Request grant processes. Possible alternatives include:

- The City Council directly reviews requests



- A Committee comprised of only City staff members reviews the requests
- A new Council-appointed advisory body similar to ASSET/COTA reviews the request.
- United Way of Story County administers the total grant program for the City Council

### **Staff Comments:**

One option the City Council requested the staff to pursue is the possibility of the United Way of Story County administering this new grant program for the City. As evidenced below, the criteria utilized by United Way for its Community Impact grant program are different from what might be desired for the City's new grant program.

The United Way grant program guidelines are as follows:

- Provide financial support to projects that support the mission of the United Way of Story County
- Provide financial support to projects that address one of the community impact areas of education, income, and health
- Provide financial support to projects that have clear outcomes and benefits
- Must show how long-term financing will be secured to sustain the project once the grant funds go away
- Provide financial support to projects where there is an identified need, and the project and the budget directly tie to the need
- Proposals that incorporate matching funds will strengthen the application
- Projects must serve the residents of Story County
- Financial support will be provided only to human service projects
- Partial funding of a project may be awarded
- Proposals that incorporate matching fund or community resources are encouraged.
- Partial funding may be awarded.
- Show how the proposed program and the budget directly tie to the need.
- Give examples of how the program impacts the need.
- Financial support will not be provided for an expense not critical to the implementation of a project (such as T-shirts)
- Financial support will not be provided for items such as computers or other technology hardware unless there is a clear demonstration of how it is essential to the implementation of the project.

- Financial support will not be provided for festivals, events, budget deficits, endowments
- Financial support will not be provided for religious related activities (worship, prayer, proselytizing, or instruction)
- Should not rely of funding annually through the Community Impact grant program to meet ongoing general program expenses (such as staff salaries)

United Way of Story County Executive Director Jean Kresse has indicated recently to City staff that the UWSC board is supportive of pursuing a partnership with the City of Ames and are open to any scenario where they would administer our new grant program. Of course, in order to consider this option, more discussion with United Way officials is needed to determine how the City Council's program guidelines will be applied.

## HUMAN SERVICE AGENCY SURVEY SUMMARY DATA

The Ames City Council is seeking information regarding the capital project needs of area human services agencies. To accomplish this, we would like to ask you to provide some general information about your agency, the capital improvements you have planned within the next 24 months to meet your clients' needs, and then what unplanned capital improvements would help your clients.

For the purpose of this survey, a capital project can be described as: acquiring, repairing, or upgrading a physical asset such as land, a building, or equipment. For the project to be considered a capital project the physical asset must have a useful life that extends beyond a year and helps to facilitate a service to clients.

This information will be compiled and reported back to the City Council. It is estimated that this survey will take between 15-45 minutes to complete, depending on the complexity of your agency's plans. Thanks in advance for your participation.

### **Q1. Respondents:**

Ames Community Preschool Center (ACPC)  
Boys and Girls Club of Story County  
Mainstream Living, Inc.  
Friendship Ark, Inc.  
American Red Cross  
Legal Aid Society of Story County  
Mid-Iowa Community Action, Inc. (MICA)  
Volunteer Center of Story County  
Heart of Iowa Regional Transit Agency (HIRTA)  
The Salvation Army  
University Community Childcare  
Heartland Senior Services  
Raising Readers in Story County  
NAMI Central Iowa

<b>Q2</b>	<b>Yes</b>	<b>No</b>	<b>Total</b>
<b>Does your agency have a capital projects plan in place?</b>	42.86%	57.14%	
	6	8	14
<b>Does your agency currently receive operational funding from the City of Ames?</b>	92.86%	7.14%	
	13	1	14

**Q3. Please provide a short description and estimate of costs for capital projects you plan to undertake in the next two years in each category. If you have no project in a category, please leave it blank. Examples – Purchase 15 Passenger Van -- \$35,000, Remodel Existing Commercial Kitchen -- \$85,000.**

Vehicles:

- Replace 5 vehicles per yr (including lift vans) - \$150,000/yr
- Purchase wheelchair assessable van and replace needed vehicles - \$100,000
- 8 buses and 1 Minivan \$783,000

New Facility Construction or Expansion:

- Build 5<sup>th</sup> home--\$400,000
- A new 16,000 square foot facility to accommodate Adult Day Center, Outreach and Administrative offices -- \$5 million
- Need for climate controlled storage space for books and program materials-cost unknown

Renovation or Repairs to Existing Facilities:

- HVAC System Replacement Project--The facility is currently fed with only single phase electrical power which significantly limits options for Heating Ventilation and Air Conditioning. The electrical upgrade will allow more efficient centralized systems. Design work is underway to replace equipment that was original to the building. We have already replaced the boilers but need to replace the electrical single phase, the pneumatic system and the air distribution system.
- Enclosed entryway with controlled access doors - \$20,000; Sound attenuation throughout the building - \$25,000
- Annual facility repairs across agency - \$75,000/yr
- Replace damaged flooring in existing home's kitchen--\$2500

Equipment:

- Three Phase electrical Pneumatic System and Air Distribution System--estimated cost is \$ 750,000
- Replace 35 computers per year - \$13,000/yr
- Install handicap stair lift in existing home-- \$4500, replace/upgrade IT/Computers--\$2000
- NuStep exercise equipment- \$2400.00

Other:

- As part of Disaster Services (Preparedness) Smoke Alarm Installation Projects and Fire safety Education

**Q4. If you have begun raising or saving funds for these planned projects, please provide the amount you have been able to secure from each source:**

Grants:

- \$50,000
- \$5,000
- \$10,000
- Have applied for this

Fundraising Campaign:

- \$150,000 is ear marked by the Board to start
- N/A
- \$12,000

Donors:

- \$125,000 remains in our donor account
- N/A
- \$5,000
- \$21,200
- \$125,000

Other:

- We have increased our yearly repair budget to \$ 40,000.
- N/A
- \$50,000 (purchased lot for home)
- The City owns our existing building and land. Subject to City Council approval, the City Manager has indicated that he will recommend that the net proceeds (estimated at \$350,000) from selling the building/land be used toward the costs of a new facility for Heartland.

**Q5. If you have not yet secured enough funds to pay for your planned capital projects, do you anticipate being able to secure remaining project financing within your project schedule?**

Definitely Not	Probably Not	Neutral	Probably Yes	Definitely Yes	Total	Weighted Average
10%	10%	50%	10%	20%		
1	1	5	1	2	10	3.20

**Q6. a. How will completing these projects affect the services received by your clients?**

- We hope to continue these renovations in stages to help manage the expenses without adverse effects on the clients. The current effect on the children and staff are high humidity, erratic heat in the winter, frequent repair calls and inefficient building operations.
- A controlled access entryway will provide for safer access to the Club; sound attenuation will decrease the volume of sound within the Club making the

Club experience safer for children's hearing, and a better environment for programs.

- Obviously repairs need to be done to maintain health and safety needs as well as maintain the facilities.
- By building a 5th home, we will be able to serve 5 additional clients from our waiting list of over 20 referrals. By buying a wheelchair accessible van, it will allow us to serve or better serve individuals that are wheelchair bound. Replacement of vehicles is necessary based on the transportation needs of our clients to participate in their community and complete necessary day to day activities. Replacing electronics/computers is becoming more and more vital as we have moved to electronic documentation due to the requirements by our partners, the State and MCOs. Replacing the damaged flooring in one of our existing homes ensure that our clients will be safe from tripping hazards as well as allow us to maintain a quality home/living environment for the clients that live there. We have developed an Accessibility Plan to ensure that our services and facilities meet the needs of our clients, which includes putting in stairlifts in the homes that do not currently have them. This ensure our clients safety in the event of inclement weather as well as allowing them full access to every part of their home.
- Reduce fire-related deaths and injuries by 25%
- The above described project (16,000 square foot) is envisioned to be included in a much larger complex - a Healthy Life Center. Conversations with the City, Mary Greeley Medical Center, ISU, DMACC, and Story County have been ongoing to determine the viability of developing such a facility. Heartland's mission is to serve those 60+ in age. With the number of Baby Boomer retiring (10,000/per day in America) a new facility of this magnitude is paramount to serving this population in Ames and Story County. This generation of retirees desires a holistic approach to "live well/age well". To that end, the Purpose Statement of this collaborative groups reads as follows: "To provide a one of a kind Center offering services that support the life-long goal of healthy living accessible and enjoyable to people of all ages." The three major components of the facility focus on Physical Activity, Social Networks, Health & Nutrition. Research and education encompass these programmatic areas.
- Able to store more things off site from office, clearing up space for more programming at RRSC office
- We are focusing on a whole health approach and our participants need to improve physical health

**b. What would happen if you were unable to complete these projects?**

- It is unclear how long we can continue as we are. It is a bit of a time bomb hoping that we make it through a hot summer with old AC units that we cannot replace without three phase electrical and so on.
- The decibel level within the Club is detrimental to the programs we offer, and puts the hearing of children and staff at risk. It must be attended to. The secure

entryway will create a safer access point to the Club, and a more welcoming reception area.

- In the case of transportation rides and outings would have to be reduced.
- Our waiting list continues to grow. Without the addition of a 5th home, we would not be able to serve additional clients from that waiting list. We are currently not able to transport an individual that is wheelchair bound in any of our existing vehicles which limits our ability to serve individuals with this level of need. Not replacing the damaged floor or installing the stairlifts in the homes, could pose a safety hazard and put our clients at risk. Having computers that do not function properly delays our staff in being able to complete the required documentation for services making us less efficient.
- At-risk communities may not learn about fire safety.
- In the event the Healthy Life Center does not become a reality Heartland will in all likelihood look to develop a new facility at our existing location. It would still be a 16,000 square foot facility. As noted above, this would accommodate our Adult Day Center, Outreach and Administrative Offices.
- We're functioning now with very little storage-would continue
- We'd have to look outside the center and find some other easy ways to motivate participants to get active

**c. What would the anticipated effect be on your operating cost? For example, would a proposed new vehicle replace an older vehicle with higher operating costs, or would a new facility expansion increase utility costs?**

- We only have \$ 125,000 remaining on our existing mortgage. But we worry about trying to handle payments for a project of this size without greatly increasing our rates. We are still in the process of developing a schematic design to develop a budget to spread out the costs.
- Electrical costs may increase slightly with the enclosed entryway.
- We are currently attempting to get 8 to 10 years out of vehicles and the ongoing repair costs are continually increasing as well as safety concerns for members riding. Medicaid only allows 39 cents per mile for transportation and the cost of operating large vehicles greatly exceeds that amount.
- Most of our projects are about meeting additional needs or expanding our services to assist more individuals. These would not necessarily have an impact on our current operating costs. The replacement of vehicles and equipment would increase our operating cost, because of inefficiency of the older vehicles or the cost associated with using public transportation.
- Operating costs enable the Red Cross to help people prepare for, respond to, and recovery from local disasters.
- A Feasibility Study would be required to answer this question.
- See above
- Our electric bills will increase with use of the machines

**d. What would be your ability to contribute matching funds towards these projects? (e.g., could you match 10%, 25%, 50%, etc.?)**

- We feel we have the initial funds to get us started. The fundraising committee is working on a new project. We are waiting on the final project information to proceed.
- 50%
- At least 25%
- The Central Iowa Chapter could find matching funds at each percentage level with individual, foundation or corporate donors.
- 50%
- GUESSTIMATE: Healthy Life Center: 66% (\$20 million of \$30 million). Heartland at our existing site: 60% (\$3 million of \$5 million)
- 50% potentially
- We are currently funding it in whole, so we could match 100%

**Now that we have an idea of projects that are already planned, tell us about projects you would undertake if you had the funding to do so. What is on your wish-list? There is no time restriction for the questions on this page, so these can be projects you have in mind for any point in the future.**

**Q7. Please provide a short description and estimate of costs for capital projects you wish you had funds for in each category. If you have no project in a category, please leave it blank.**

Vehicles:

- Small bus – 30 passengers - \$65,000
- We are always in need of replacement vehicles as Volunteer Disaster Action Team Members use them on a daily basis for fire emergency calls.
- SUV and small trailer -- \$27,000

New Facility Construction or Expansion:

- Clubhouse expansion - \$650,000; 2-3 additional club sites (partnering with other facilities) \$3 million
- Add 2 4 BR facilities to serve Mental Health members transitioning from institutions to the community. \$225,000 each.
- Small transitional living complex for low income/disabled individuals--\$1,000,000
- We will eventually need larger office space in the next 5-10 years

Renovation or Repairs to Existing Facilities:

- Parking lot renovation- \$57,200 Quote

Equipment:

- Window Replacement-\$ 86,320 Quote The current windows are single pane with poor thermal and solar heat plus they have air leaks.
- Track System in one home--\$10,000+ (??)



- Updated Computers, tablets and server -- \$5,000
- Stove, dishwasher/sanitizer - \$3500

Other:

- Office furniture and chairs -- \$2,500
- At this time, we do not have other needed capital improvements. Investing in our existing facility would not be a wise use of funds. A new facility is needed due to the expectations and desires of those 60+.
- Playground updates - \$10,000

**Q8. If you have begun raising or saving funds for these planned projects, please provide the amount you have been able to secure from each source:**

Grants:

Fundraising Campaign:

- \$30,000

Donors:

Other:

- None in the Central Iowa Region thus far.
- We expended the funds we had to modify our current rental space.

**Q9. a. How will completing these projects affect the services received by your clients?**

- We need more parking spaces to avoid parking in the street in front of neighbor houses. The windows are drafty and cold to the touch b any of us.
- Clubhouse facility will enable us to serve more youth, and not turn away youth because of a waiting list.
- They would serve 8 new individuals in the MH system.
- This would allow for individuals with low income to be able to find quality affordable housing. It would also all individuals with disabilities that do not need 24 hour care, but still need support to live more independently than a group home setting allows.
- Our trained Volunteers would have access to reliable vehicles to respond to fire emergency calls. Typically, we strive to answer the call within the first few hours of being notified.
- The vehicle and trailer would provide us a way to transport supplies and equipment for events and projects. All are conducted out of building and can involve up to 1,500 people. Upgrading computers and purchasing tablets will allow for maximum use of technology to community and mobilize our community. Office furniture and chairs would contribute to increased organization and a more professional appearance for the organizations.

- Meal preparation/sanitation easier to handle on-site; expand outdoor classroom possibilities for clients
- As we add more staff, we'll need a larger office. More staff means more programs for Ames and Story County families

**b. What would happen if you were unable to complete these projects?**

- We can continue with the old lot, and at least the windows open!
- This summer we had 40 youth on a waiting list who we were never able to provide services for. Without expanding our reach, potentially hundreds of youth will not have access to the life changing opportunities and programs we provide.
- Those individuals may stay in institutions longer.
- We would not be able to offer this housing option to our clients.
- Volunteers may be pressed to utilize their own personal vehicle.
- The scale of our projects may be smaller or more time is required for multiple trips. Technology upgrades and updates will not be completed and tracking services will not be completed as easily. We will continue to function with ISU Surplus and slightly used equipment.
- It's a while in the future, so unknown at this time

**c. What would the anticipated effect be on your operating cost? For example, would a proposed new vehicle replace an older vehicle with higher operating costs, or would a new facility expansion increase utility costs?**

- Both of these projects are further down on our wish list but also necessary to complete within five years.
- An expanded facility means higher utility costs, and more staff to supervise those areas.
- These would be additional facilities with associated operating costs.
- Operating costs would likely become lower as newer vehicles are more fuel efficient and maintenance is lessened.
- The vehicle and trailer would increase organizational insurance, costs for motor vehicle checks and add maintenance and fuel expense. The other items would not significantly affect costs, but should contribute to a higher return on volunteer investment in the organization.
- New equipment would increase costs to clients
- Our current office space is donated, so any new space would have a very large impact on our budget

**d. What would be your ability to contribute matching funds towards these projects? (e.g., could you match 10%, 25%, 50%, etc.?)**

- We will have a better idea of our on-going budget after the next few years working on the HVAC issues.
- We could potentially match 10%.

- 50%
- We have not researched this option at this time, so we are unable to determine an amount for matching funds.
- The Red Cross could find matching funds from individuals, foundation or corporate donors.
- 50%
- 10%

**Q10. If you have other comments regarding the capital funding needs of area human services agencies, please provide them here:**

- The ACPC Board of Directors had hoped to have more precise costs to include in this survey, but we do not yet have those. We would be happy to recontact the Council with those costs that we expect to have within a few weeks.
- Given the current staffing and move to managed care our focus is on maintaining existing operations and updating existing facilities and vehicle fleet rather than expanding.
- It is very exciting that the City of Ames is willing to consider how they may be able to assist human services agencies with capital improvement needs.
- We are truly grateful for the support Story County brings to the American Red Cross.
- Thank you for asking us to complete this survey. It is so difficult for human service agencies to raise significant capital funds as we strive to provide needed services. The City's interest in us as a collect group is really encouraging and appreciated.

## Staff Report

**LANDSCAPE STANDARDS TEXT AMENDMENT UPDATE TO ADMINISTRATIVE STANDARDS AND MISCELLANEOUS UPDATES**

September 12, 2017

**BACKGROUND:**

At the May 23, 2017 City Council meeting the City Council approved the proposed new landscape standards in Chapter 29 Article 4 Development Standards (29.403) and associated changes to zoning district standards. The new landscaping standards are a comprehensive rewrite of landscaping requirements. **At the adoption of the general standards, City Council also directed staff to return with updated administrative provisions for implementing the new standards.** The administrative sections govern issues such as timing of improvements, inspections process, compliance on nonconforming and existing sites, amendments to landscape plans, and long term maintenance of required landscaping.

This report addresses staff's recommended approach for these outstanding issues. Of particular note, direction is needed from the City Council on options of how to address existing sites that do not have conforming landscaping. After receiving direction from the City Council on how to proceed, a draft ordinance reflecting the changes will be completed and noticed for a public hearing.

**PROPOSED STANDARDS:**

The proposed administrative standards address five primary areas that are essential to enforcement and implementation of landscape standards so as to ensure that landscape design standards are maintained on all required sites across the city. Attachment A includes draft language for each issue.

One of overriding considerations within the administrative standards is how the City addresses non-conformities. Site improvements, such as landscaping and parking lots, are categorized as "Other Non-Conformities" with an expectation that they are removed as practicable. The intent is to improve the conditions as fast as possible compared to trying to correct other nonconformities related to buildings or uses that are often more substantial to correct. Additionally, the Zoning Ordinance considers any site improvements that were within the scope of a Site Development Plan approval to be a conforming condition and not as a non-conformity. The City has had Site Plan review since 1983. This means, that although sites may have been approved over 30 years ago under two editions earlier of different zoning standards, they are not required to come up to current standards. Many of these sites are subject to new site plan

requirements for additions or reconstruction but do not clearly have obligations to do other improvements and this is confusing for both staff and applicant as what is the expectation.

#### Maintenance of Landscaping:

Current language requires a property owner to maintain landscaping in a healthy manner and to replace landscaping within six months upon notice by the Zoning Enforcement Officer. **The proposed language articulates the specifics of maintaining required landscaping in greater detail than before.** The Maintenance section language addresses the specifics of the plant condition and type of growth that property owners must ensure all required vegetation achieve on site. The proposed language also explains the timeline by which property owners must replace or come into compliance with current landscape standards if vegetation is removed. Failure to maintain landscaping will continue to be a violation of the ordinance subject to fines and orders to comply. **Sec. 24.403(5)(A)(1)**

#### Removal of Vegetation or Changes to Required Landscaping:

Current code requires maintenance of landscaping, but does not address landscape change that in and of themselves may not trigger a Site Development Plan review. This is a critical issue due to the substantial changes in commercial and industrial site requirements and should be addressed to have a clear expectation on how to revise or update landscaping on a site. Since implementation of the current landscape regulations, staff has anticipated that property owners may desire to reconfigure existing landscaping to reflect new standards approved earlier this summer. **The new standard specifies previously approved landscaping cannot be removed and not replaced without approval of a revised landscape plan.** The intent is that the quality of landscaping on the site cannot be diminished through the revised landscape plan process by not following current standards and just removing old landscaping materials. Changes to plant materials only would be exempt from certain standards, such as soil quality, planter dimensions, etc., that could not reasonably be met while changing out vegetation.

Staff proposes that a landscape plan amendment can be done as a separate application from a Minor Site Development Plan if it does not trigger other application requirements. This allows property owners to work with landscape installers and staff on revising plant materials without the requirement to include a licensed engineer, architect, or surveyor. In cases where the removal of existing vegetation is proposed due to other site design changes, a Minor Site Development Plan may be required in the review process.

**Sec.24.403(5)(C)**

## Installation and Inspections

Currently, the Zoning Ordinance requires all landscaping and site improvements to be completed prior to occupancy of building. Allowances are in place that due to weather, landscaping can be financially secured and deferred. Site inspections and timing of granting occupancies has been a challenge for staff over the past few years and staff would prefer to modify the process and put more onus on property owners to fulfill requirements and complete projects in a timely manner without as much staff time for follow up.

Staff has generally addressed occupancy requests based on size and scope of the individual project and the individual conditions on the property at the time of the request. Staff has often allowed temporary occupancy if landscaping is not fully installed and at times has required financial security and a targeted installation date. **The proposed criteria describe procedures for accommodating occupancy requests on larger multi-phase sites as well as criteria for providing for security or escrow to ensure installation of required landscaping occurs.** Much of this proposed new language simply puts in written form criteria by which how staff already often deals with requests for occupancy. It also makes it clearer that lack of landscaping even with granting of an occupancy permit by Inspections is still a violation of the Zoning Ordinance. **Sec. 24.403.(5)(D)**

## Existing Sites

A new provision being added to landscape standards deals with how to address existing sites when new development, redevelopment or a use change requiring a special use permit, site plan or variance is submitted. **Staff proposes to include language that requires a review of current health and adequacy of existing landscaping on site in previously approved or current required landscape areas as practicable to ensure that all required vegetation meets the objectives of the zoning ordinance.**

**One substantial departure that is proposed from current practice is a trigger of requiring front yard landscaping with a change of use that includes display or storage areas.** The most relevant example to this would be for an automobile sales establishment. A new site would require a 20-foot landscaped setback. Whereas reuse of an older site is unlikely to have required landscape yards and would be substantially non-conforming, but likely not trigger the same requirements as new development trigger other improvements.

Staff has drafted two separate versions of this standard for direction on which is more appropriate. **Language addressing landscaping for outdoor display areas is proposed to be included with either version Council chooses.** The first proposal

includes language specific to required areas and vegetation types on an existing site. **This language would layout specifically what is looked at and where it is reviewed when reviewing an existing site.** Some cities do go so far as to specify that certain types of improvements, additions, change of use, trigger site improvements such as adding parking lot planters where none have been previously. For example a practical change to add parking lot landscaping would be practicable when a site exceeds minimum parking requirements. This proposal does not go to that length, but it does intend to add landscaping in space that is available if no other reconfiguration of the site will occur with the project.

*(1.) No new development, redevelopment, or change of use that requires approval of a special use permit, site development plan, or variance may be approved without a review of the health and adequacy of landscaping within existing or approved landscaped areas to ensure trees, ground cover, and screening, and front yard landscaping is in place to meet the objectives to the Zoning Ordinance for landscaping. **Additional landscaping must be provided for front yards and to the extent practicable for parking lot landscaping when no landscaping was previously required or approved with a Site Development Plan.***

The second proposal contains language addressing practicable improvements to nonconformities. Improvements to the site include parking lot configurations, site design and alteration of existing landscaping. This language requires that all sites must be less nonconforming than before and focuses on individual site conditions based on the scope of proposed improvements.

*(2.) Sites that do not comply with the landscaping standards of this ordinance are non-conforming. Landscaping, design and parking lot configurations, are categorized as other non-conformities that are to be removed as practicable. **Practicable improvements take in to account current conditions, dimensions, and scope of improvements proposed for a property. Although full compliance may not be achievable, all sites must advance towards compliance with current requirements.***

The two options listed above take different approaches to achieving the goal of making sure that landscaping is more compliant once a project is approved. Option 1 is the more stringent version that affirmatively requires enhanced landscaping on a site. The second Option more narrowly defines required improvements by scaling it to the extent of proposed changes.

### **Staff Comments**

**Staff is seeking direction from the City Council on proceeding with drafting an ordinance for administrative requirements. Staff requests feedback on any of the sections that are described within this report, but must have direction specifically on a preferred approach for existing sites that are non-conforming. The primary**

**question is the degree of specifying improvements and the extent of the City's expectation so property owners are aware of how to proceed with their plans.**

Staff believes that to follow up on the original goals of the landscape revisions, it is important to require investment in site landscaping to improve the aesthetics of the community and to treat new and old sites equally. With City Council's direction to proceed, staff will take the proposed language and refine the language for draft ordinance. Due to prior construction of the Zoning Ordinance standards, changes to non-conformities, landscaping, and parking language will be needed to clarify the administrative requirements as part of the draft ordinance needed to make the proposed changes.



## **Attachment A- Draft Administrative Standards**

### **29.403(5) Administration Section**

#### **(A) Maintenance of Landscaping**

(1.) The property owner shall maintain required landscaping in a healthy and vital condition. The property owner shall permit and support the full maturity of planted landscaping, including allowing for trees to reach their mature height and canopy size by not prematurely pruning, removing, “topping,” or by other means discourage the growth and health of vegetation. If landscaping is removed the property owner is responsible for replacing the landscaping in kind within 60 days of removal.

#### **(B) Existing Sites (Council Direction On One Option Is Needed)**

**(Option 1.)** No new development, redevelopment, or change of use that requires approval of a special use permit, site development plan, or variance may be approved without a review of the health and adequacy of landscaping within existing or approved landscaped areas to ensure trees, ground cover, and screening, and front yard landscaping is in place to meet the objectives to the Zoning Ordinance for landscaping. Additional landscaping must be provided for front yards and to the extent practicable for parking lot landscaping when no landscaping was previously required or approved with a Site Development Plan.

New development, remodeling, or additions to existing sites must improve nonconforming landscaping conditions in conjunction with the approval of a zoning permit. Uses establishing permanent outdoor display and storage areas, such as vehicle sales, must meet front yard landscaping requirements prior to establishing such a use on a site.

**(Option 2.)** Sites that do not comply with the landscaping standards of this ordinance are non-conforming. Landscaping, design and parking lot configurations, are categorized as other non-conformities that are to be removed as practicable. Practicable improvements take in to account current conditions, dimensions, and scope of improvements proposed for a property. Although full compliance may not be achievable, all sites must advance towards compliance with current requirements.

New development, remodeling, or additions to existing sites must improve nonconforming landscaping conditions in conjunction with the approval of a zoning permit. Uses establishing permanent outdoor display and storage areas, such as vehicle sales, must meet front yard landscaping requirements prior to establishing such a use on a site.

### (C.) Removal of Vegetation

(1.) Failure to maintain landscaping consistent with an approved Site Development Plan and the standards of this ordinance is a violation of the Zoning Ordinance and subject to enforcement as a municipal infraction.

(2.) Property owners shall not remove existing vegetation that is consistent with an approved Minor Site Development Plan that may no longer be required under the current standards without providing for a whole site review that includes replacement landscaping consistent with all new standards. For example, although side yard buffering is not required in many commercial areas there are additional parking lot landscaping requirements that would need to be addressed with a new landscaped plan before trees could be removed and total landscape area is compliant for a site. Existing trees and shrubs cannot be removed without addressing how replacement landscaping that is consistent with current requirements in terms of quantities, areas, quality, and types, will be added to a site.

(3) Modifications to landscape plans to modify plantings may be submitted as a separate plan from a Minor Site Development Plan. However, if there are changes to the planting areas that affect stormwater management or reconfigure impervious areas, a Minor Site Development Plan is required for modifications to the site.

### (D.) Installation and Inspections

(1.) Landscaping shall be installed commensurate with the overall construction and phasing of a site. Site Development Plan approvals may include conditions to facilitate planting of vegetation during the first phase of construction for larger projects.

(2.) All required landscaping materials, both living and non-living, shall be in place prior to the time of issuance of a final Certificate of Occupancy, weather permitting. In periods of adverse weather conditions, a temporary Certificate of Occupancy may be issued, subject to the posting of a cash escrow or irrevocable letter of credit in an amount equal to one and one-half times the estimated cost of the landscaping, with said estimated cost to be certified by a landscaping provider. The cash escrow or irrevocable letter of credit may be forfeited if the landscaping is not completed within one year after the issuance of the temporary Certificate of Occupancy. Between the months of November and March deferral of landscaping installation may be granted. The deferral agreement will require installation by the third week of May of the following year. During the months of

April through October only a limited extension of time for installation of landscaping may be granted.

(3.) Prior to requesting occupancy of a building, the property owner or applicant must submit a report verifying that required planter requirements for soil conditions, the number of plants, and The Zoning Enforcement Officer may grant a temporary certificate of occupancy for use of a site or building when the property owner has agreed to complete the required plantings within 60 days of the request for occupancy or by October 1st, whichever would occur first. No financial security is required for a limited term deferral with a Temporary Certificate of Occupancy.

(4.) The property owner may be found to be in violation of the Zoning Ordinance at any time once the initial deferral of installation term has expired.

**COUNCIL ACTION FORM**

**REQUEST:** MAJOR SITE DEVELOPMENT PLAN FOR 5498 MORTENSEN ROAD

**BACKGROUND:**

GW Land Holdings, LLC is requesting approval of a Major Site Development Plan for 120 apartments on the property located at 5498 Mortensen Road (Attachment A) for a lot within the recently platted Crane Farm 5th Subdivision. The lot is 7.49 acres and currently zoned FS-RM Suburban Residential Zone Residential Medium Density (See *Attachment A, Location and Current Zoning Map.*) The site is located south of Mortenson Road and north of Highway 30 with recently built apartments to the east, future development area to the west, and a developing single-family home subdivision to the north of Mortenson Road. The site was approved for FS-RM zoning with a Master Plan in 2016. The Master Plan identified three sites for development within the FS-RM zoning for a total of 801 beds across the entire 28 acres and defined the types of housing that could be constructed as well. This is the second site proposed for development.

The developer of the site proposes a residential apartment development configured with 10 buildings for a total of 120 units. (See Attachment B, Major Site Development Plan-Hard copy included in packet material) The apartment buildings are 3-story buildings with 12-units per building. Within those 120 units there are 287 bedrooms for an average of 2.39 bedrooms per unit. (See following addendum for full analysis.) The proposed development intensity and use is consistent with the Master Plan.

The proposed development has an orientation that features the buildings constructed along the north half of the property with parking and drive aisle areas in the central and south portions of the site. The project includes garage parking along the south edge of the property in combination with surface parking. Access to the site is from Mortensen Road at two locations along the north side of the property. Storm water treatment occurs at the southeast corner of the site as well as off site to the west. The applicant proposes to include a swimming pool for usage by the residents in the front center portion of the site along Mortensen Road. The development can also take advantage of the common area amenities that abut the site to the east.

The site has a grade change downward from the northwest to the southeast. The proposed plan includes cut and fill of the site to flatten the grade across the site. A retaining wall is proposed along the east property line for support of the approximately 7 feet of fill in the low area along the east property line. The grade change is proposed to be approximately 4 feet from northwest to southeast upon completion of grading and fill. A small retaining wall is proposed along the east edge of the property to retain fill. Currently the site is wooded with volunteer trees which will be removed with construction of the proposed buildings.

The proposed project is similar in design to the recently constructed Mortenson Heights Apartments to the east. The proposed buildings are of the same general appearance and mass as each other. Each apartment has access to either a small patio or balcony. The apartment building design incorporates a pitched roof with hipped and gabled design. Materials on the buildings are proposed as vinyl siding of various orientations and a moderate amount of stone veneer to provide design continuity and interest on all sides. The stone veneer treatment also surrounds the primary entry to the buildings on the site. (See elevations Attachment C-F)

FS-RM includes requirements for common open space as part of development and due to the limited density allowances also has large landscaped areas on the site. The common open space abuts the site to the east as an outlot to serve all of the FS-RM developments. The City Council approved a site plan for the landscaped common area to the east this past spring.

The proposed project is the first apartment project required to meet the new landscape standards. The front yard landscaping includes a mix of trees, shrubs, and ornamental grasses. The parking lot includes well dispersed overstory trees and Highway 30 frontage trees. As part of the Major Site Development Plan review, the applicant seeks acceptance of modifications to the some parking lot screening requirements for parking areas set back from property lines behind other yard areas as can be requested with Major Site Development Plan reviews. Staff supports adjusted landscaping plantings for trees and shrubs along the front and side of the property where the parking is situated behind buildings with intervening yards and landscaping. .

The developer has shown a design for a swimming pool area that includes a pool house with elevations and surrounding fence located near the front of the property along Mortenson.

At its meeting on August 16, 2017, the Planning and Zoning Commission reviewed the proposed site development plan and discussed site layout, access, and design of the project. The Commission recommended approval the site plan by a vote of 5-0 with the following conditions and stipulations as recommended by staff:

- A. Finalize the site plan details for the pool house and swimming pool area prior to the public hearing with City Council.
- B. Update plans to include compliant mechanical screening of electric and gas meters prior to the public hearing with City Council.
- C. Move mechanical units located in the front setback near buildings E and J out of the front setback along Mortenson prior to the public hearing with the City Council
- D. Include shrub screening materials along the head in parking spaces at the southwest and southeast portions of the parking lot where no shrub screening has been proposed.

**Since the time of the Planning and Zoning Commission meeting, the applicant has made revisions to the plan to address all the conditions. The revised plans**

currently reflect the noted conditions of items A thru D as recommended by the Planning and Zoning Commission.

**ALTERNATIVES:**

1. The City Council can approve the Major Site Development Plan for the proposed ten building apartment project if it finds the project meets the Major site Development Plan criteria.
2. The City Council can deny the Major Site Development Plan for the proposed ten building apartment development if it finds the project does not meet the Major Site Development Plan criteria.
3. Action on this request can be postponed and referred back to City staff and/or the applicant for additional information.

**CITY MANAGER'S RECOMMENDED ACTION:**

The Major Site Development Plan review is to determine conformance with development standards and for the appropriate arrangement and design of the use of the site. FS-RM zoning is intended to implement the LUPP vision of landscaped suburban style development that provides for desirable apartment housing choices. **The proposed project is consistent with the master plan for use limitations and meets a community interest of providing for apartment types of various floor plans from 1 to 4 bedrooms that will have wide appeal.** The developer continues to incorporate amenities in support of the future residents of the development.

**The project is the first to meet the new landscape ordinance requirements and has incorporated landscaping enhancements with details that meets both the quantitative planting requirements of the new ordinance and the intent of the ordinance for enhanced site design compared to the old standards.**

**Therefore, it is the recommendation of the City Manager that the City Council act in accordance with Alternative #1, which is to approve the Major Site Development Plan.**

## **ADDENDUM**

### **PROJECT DESCRIPTION:**

The project site is 7.49 acres, containing 120 dwelling units. The zoning district allows a maximum apartment size of 12 dwelling units. The owner has configured these 120 units into ten 12-unit buildings. The density of this project is 16.02 dwelling units per acre, located between the required minimum of 10.0 and maximum of 22.31 dwelling units per acre. The units vary in size from 1 bedrooms to 4 bedrooms. Within the ten buildings, there are 287 bedrooms.

The project requires one parking space per bedroom for units of 2 bedrooms or more and one and one half parking spaces in 1 bedroom units. The parking is configured as two double loaded aisles across the east portion of the site with single drive aisle parking along the south, central and western portions of the site. There is access for vehicles and emergency vehicles through these aisles. There are 298 parking spaces required based on the number of bedrooms being proposed. The developer is proposing 323 parking spaces. Of those proposed spaces 40 are proposed to be enclosed garage stall spaces. The majority of the spaces being proposed are standard size 9 X 19 size parking stalls. The central east to west drive aisle is 26 feet wide due to fire apparatus requirements with 17 foot deep stalls along the north side of the drive aisle with a 7 foot wide sidewalk running along the north side of the aisle. The 7 foot wide abutting sidewalk allows the parking stalls to be reduced to 17 feet deep as opposed to the standard 19 foot depth required for a standard 9 X 19 parking space.

The project creates 65,341 square feet of building footprint including garages, added to 134,735 square feet of additional impervious surface (surface parking, sidewalks, swimming pool) for a total impervious area of 4.59 acres of the site or 200,076 square feet. Landscaped open space accounts for the remainder, comprising 2.9 acres of the parcel. In addition, the required 10% of common open space is accounted for in the Outlot adjacent to and east of the ten buildings. FS development standards require 10% open space that meets the intent of accessible and useable by residents. Open space is a subset of the overall landscape area. A site plan detailing landscaping and amenities for the abutting outlot to the immediate east of this site was submitted and has been approved by City Council.

Landscape requirements are met with the installation of front yard landscaping within the front yard facing Mortensen Road of 9 overstory trees and 14 ornamental and evergreen trees as well as 234 ornamental grasses and 78 shrubs configured into clusters of plantings across the frontage of the site within the front yard. Parking lot landscaping consisting of overstory trees within and immediately abutting the parking lot requiring 54 overstory trees is provided in addition to the front yard landscaping. Internal parking lot landscaping is provided across 32 separate islands based on parking lot landscaping requirements. The proposed islands ensure a minimum of at least 150 square feet each to meet this interest. Remaining parking lot landscaping is also provided within 10 feet of the edge of the parking lot with overstory trees in various locations. There are additional landscaping requirements for apartment buildings in the FS-RM district and these are met with landscaping near the main entrances of the

buildings consisting of shrubs and ornamental grasses as well as the US Highway 30 frontage which requires evergreen trees.

High screen parking lot landscaping near the southeast and southwest corner of the site between the parking lot and detention area is required by the base residential landscape standards. The developer proposes to provide parking lot screening in these locations with reduced height in shrub plantings due to intervening outlot and stormwater detention facilities between the neighboring residential uses. The developer shows compliant tree plantings along these areas. Lower growing shrubs may substitute for high shrubs when an outlot separates two residential sites given that the distance to the neighboring residential use is much greater. The lower growing shrubs will still soften and block out a portion of vehicular headlight appearance. High shrubs by contrast are intended to block out the general overall appearance of a vehicle. Staff finds that with proposed reduced parking lot screen plantings that the proposed mix of plants adds appropriate diversity and interest in the design while meeting the objectives of the Zoning Ordinance.

Refuse receptacles are screened according to the ordinance. Mechanical units such as air conditioning units are screened according to the ordinance. The electrical and gas meter units have been relocated to the extent possible away from primary view of public streets or otherwise are screened appropriately.

Site access is from two driveways off of Mortenson. The frontage of the site along Mortenson Road will also have a shared use path constructed according to a development agreement with the developer. The shared use path will be paved by the City at a date yet to be determined. Pedestrian connections are provided to the northwest and northeast, providing access to the shared use path along Mortenson Road. Additionally a pedestrian connection to the abutting outlot to the east is also provided on the east edge of the property between buildings J and I providing access to landscaped common open area.

The ten buildings are generally consistent in size and shape but feature two separate sizes with the distinction being buildings containing 3 bedroom units being the smaller versus those containing 4 bedroom units which are slightly larger. Buildings D, F and G in the central part of the site are the larger buildings containing up to 4 bedroom units. The remaining buildings on the site all contain up to 3 bedroom units. The smaller buildings being about 78 feet by 58 feet. The larger buildings measuring about 100 feet by 67 feet. Entrances are oriented on various sides of each building according to its location to the parking areas on the property. The buildings are about 38 feet tall. The height limit of the district is 50 feet. The building setbacks measure 25 feet on the front setback and 25 feet in the rear yard setback with side yard setbacks measuring 12 feet on the west side and 25 feet on the east side. All required setbacks have been found to meet standards.

The façades of each building utilize the same materials, with stone veneer applied on the bottom half the buildings and around main entrances. The vinyl siding is a tan shading color. Each façade has some degree of architectural relief with a bump out to



create a vertical bay. The balconies consisted of treated wood and finished supporting columns.

**MAJOR SITE DEVELOPMENT PLAN CRITERIA**

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

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

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

The Public Works Department has reviewed the storm water management plan and finds that the proposed development has met the required storm water quantity and quality measures by use of the proposed regional detention facility on the southeast corner of the site. The Iowa DOT has approved drainage design details along US Highway 30.

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

The existing utilities were reviewed and found adequate to support the anticipated load of 120 dwelling units comprising 287 bedrooms, consistent with prior determination at the time of rezoning and subdivision approval.

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

The fire inspector has reviewed access and fire truck circulation, sprinkler, and hydrant requirements and found that the requirements of the Fire Department are met.

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

It is not anticipated that this proposed development will be a danger due to its site location and proximity to other uses.

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

Grading will occur for the construction of the buildings. The site has a soft topographic descent from west-to-east. Grading will occur mostly to level the site and direct storm water where required.

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

Access to this site from Mortensen Road is through two access points along the north side of the property. Vehicular and pedestrian access is accommodated between and among the various buildings within this development. The on-site sidewalks provide pathways throughout the site and will connect with external connections to allow for circulation amongst the site and out to Mortenson Road. A sidewalk connection to the landscaped outlot to the east is provided for resident access to open space area.

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

The general development standards of the zoning ordinance have been met. Refuse receptacles are placed on site with appropriate screening in four separate locations dispersed evenly across the site. Parking design is spread throughout the site and follows access to the buildings with landscaped islands. The buildings themselves provide a high degree of separation and screening of the parking from adjoining views.

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

Access to Mortensen Road will be through two access points along the north side of the property. There is capacity within those proposed driveways to accommodate the expected traffic from this residential development.

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

Lighting is proposed to be generated from lighting units located on the buildings. The proposed lighting meets the lighting standards found in Sec 29.411 for mandatory downlighting and cutoff levels.

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

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

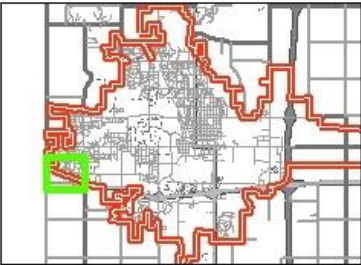
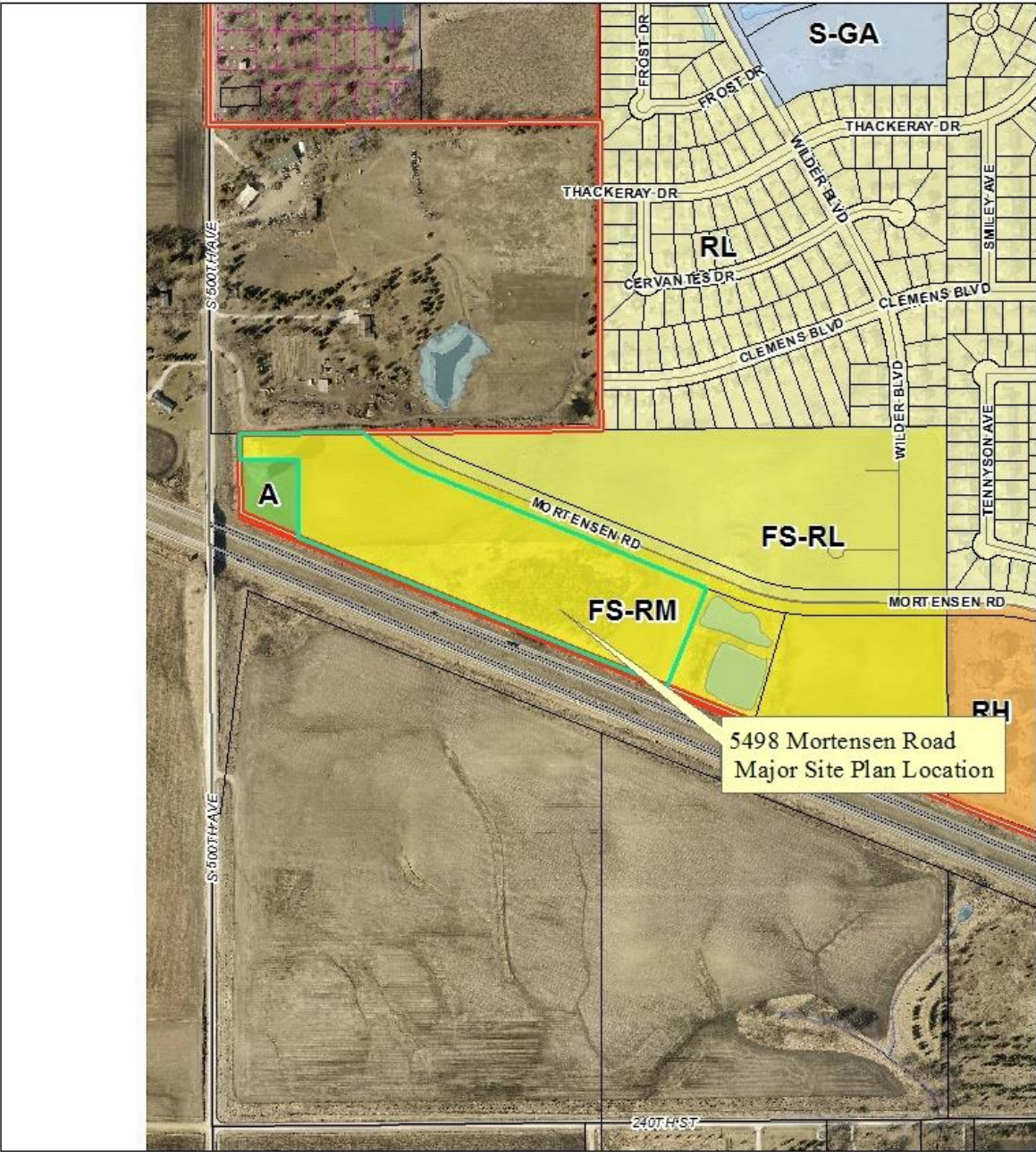
The proposed residential uses are not expected to generate nuisances in this area as they are typical of this development type.

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

The ten buildings provide generally balanced coverage across the site. The site falls within the limits of the number of units allowed by the lot size and zoning (120 units). The density is maximized by the efficiency of the layout of the site in a manner that utilizes the land proportionate to what is required for parking and landscaping. The building design is also efficient in its uniform appearance and arrangement. The apartment appearance is compatible with the character and scale of its general surroundings to the east along the south side of Mortensen Road. Appropriate separation of the homes from Highway 30 with buffering is included as conceptually proposed. Open areas and landscaped areas meet the quantitative standards of the code and would allow for use by the residence for informal activities.

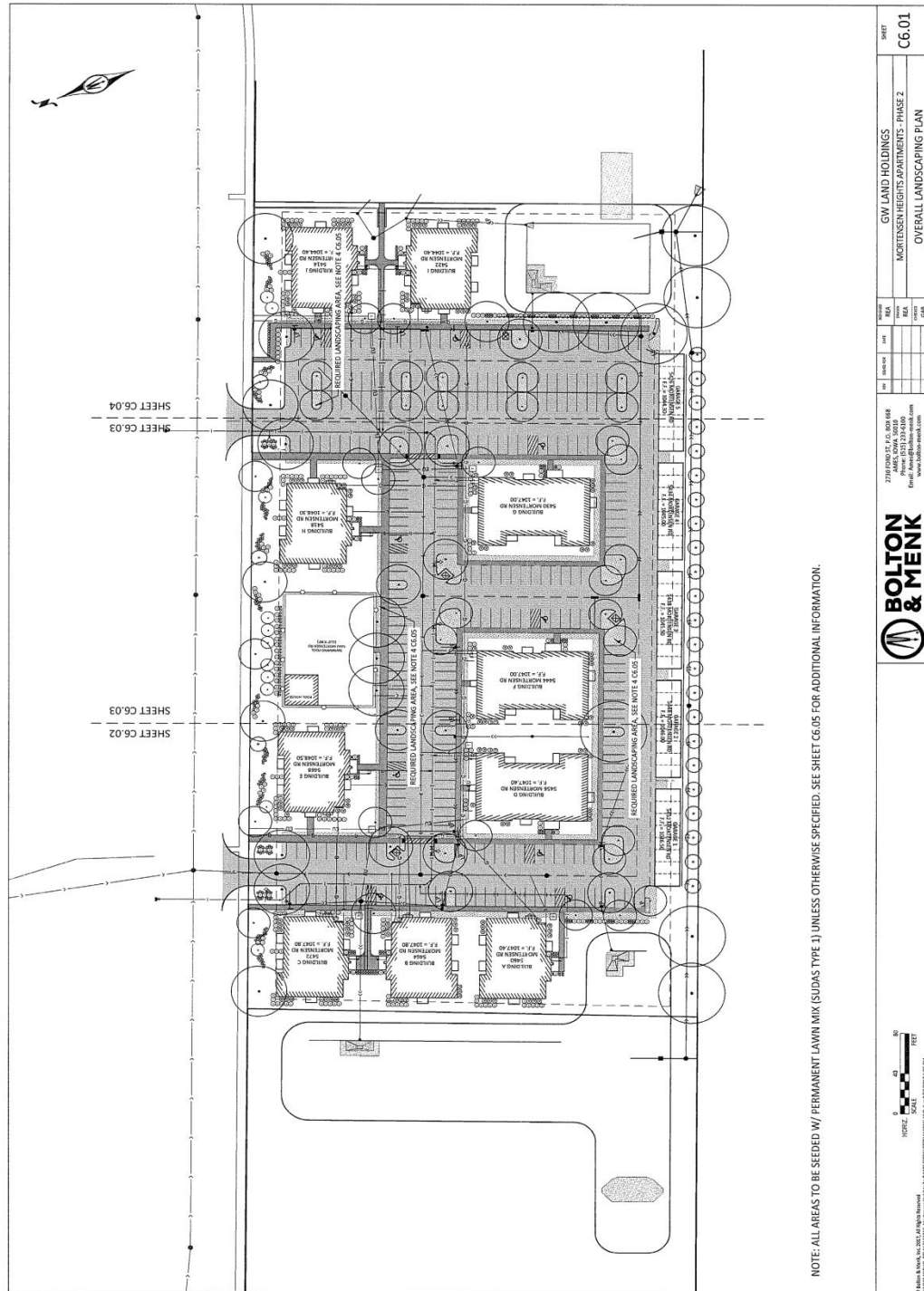
The Development Review Committee has reviewed the Major Site Development Plan and found that it complies with all other requirements of the Ames Municipal Code.

Attachment A- Site Location & Zoning

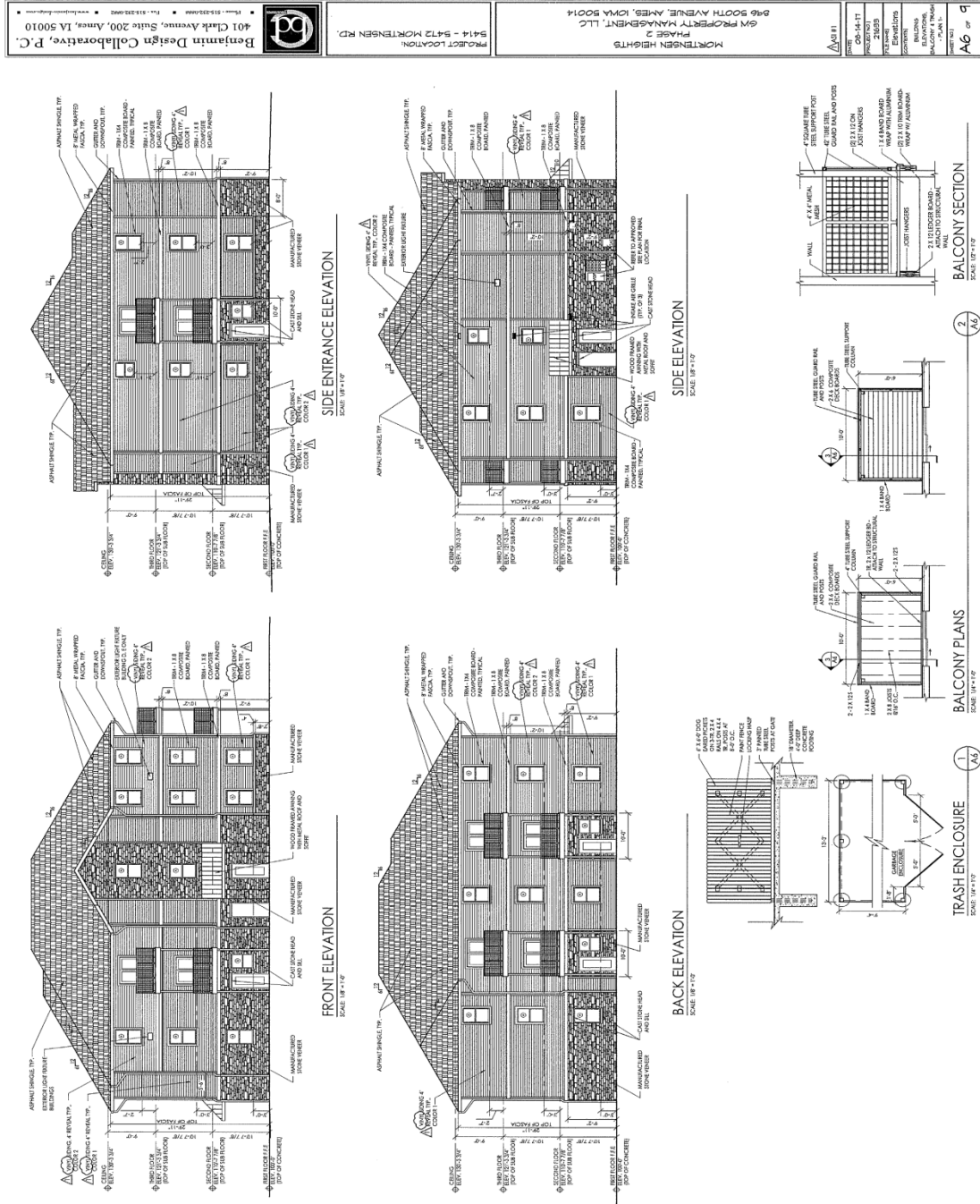


**5498 Mortensen Road  
Location & Zoning**

## Attachment B- Site Overview With Landscaping Shown

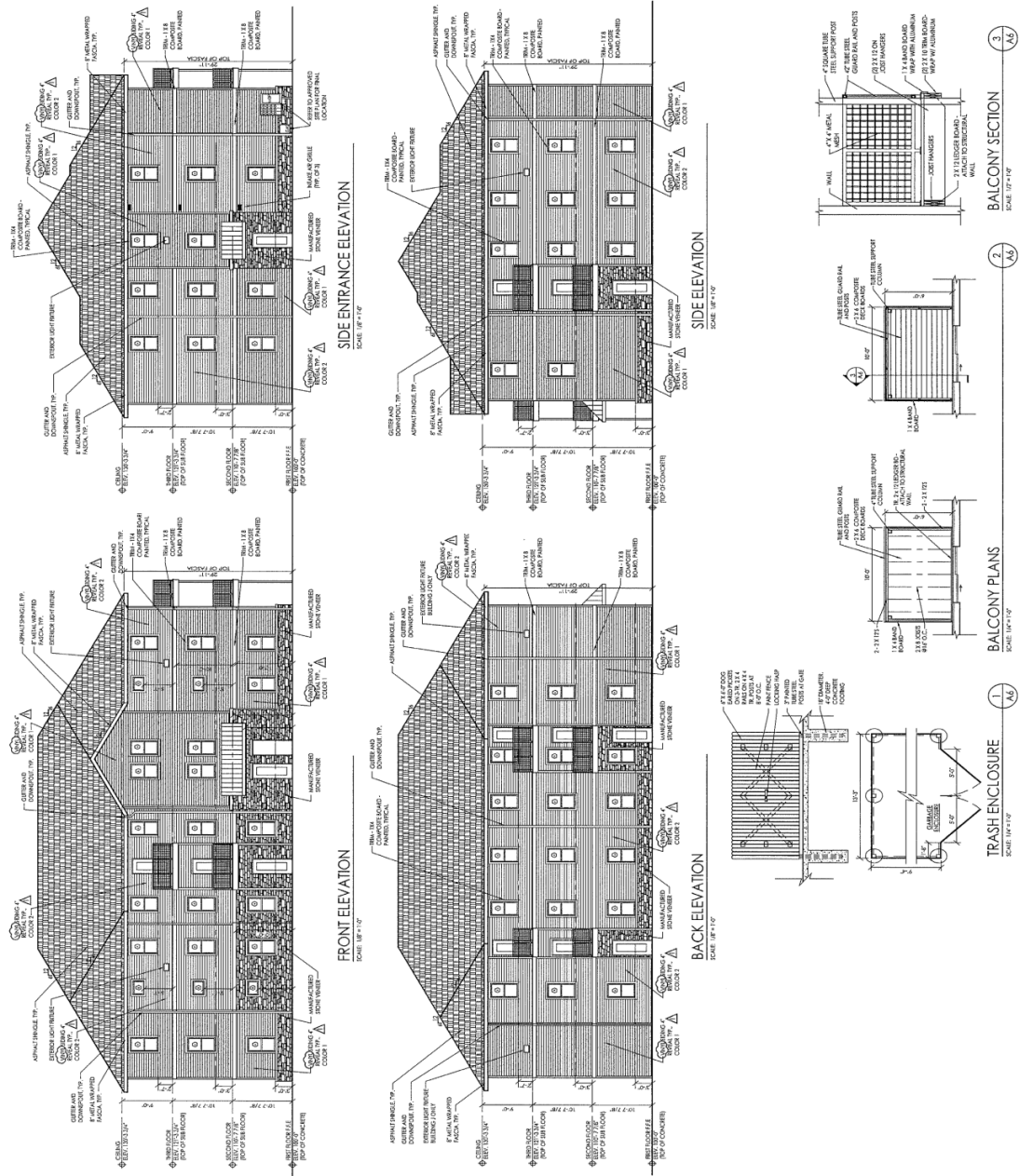


# Attachment C- Elevations- Up to 3 Bedrooms

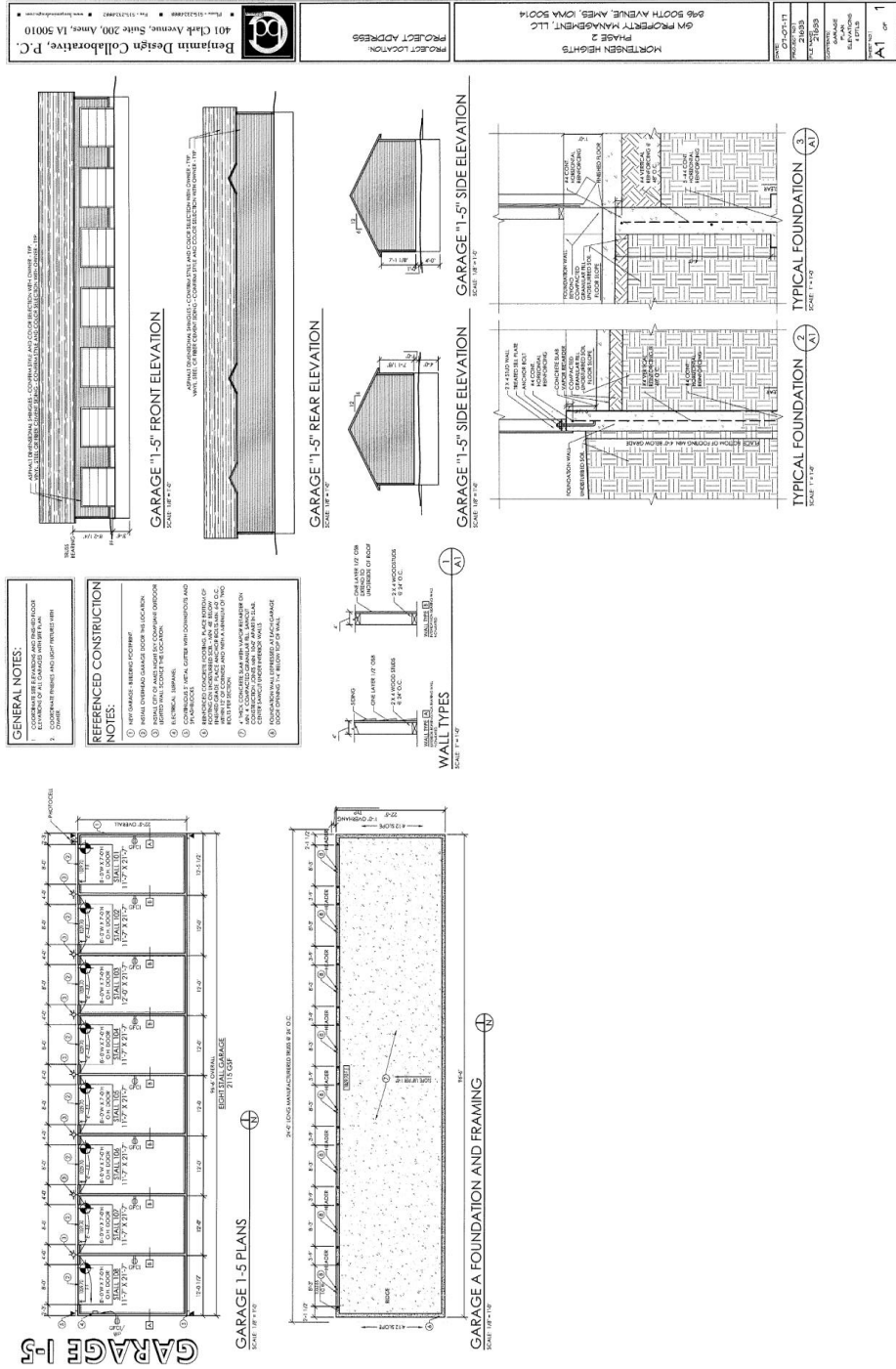




401 Clear Avenue, Suite 200, Ames, IA 50001 Benjamin Design Collaborative, P.C. Tel: 515.232.0888 • Fax: 515.232.0882 • www.benjamin-design.com		PROJECT LOCATION 5414 - 5472 MORTENSEN RD. NORTHWEST HEIGHTS 6210 PROPERTY MANAGER, LLC 836 SOUTH AVENUE, AMES, IOWA 50014	1/8" = 1'-0" 1/4" = 1'-0" 1/2" = 1'-0" 3/4" = 1'-0" 1" = 1'-0" 1 1/4" = 1'-0" 1 1/2" = 1'-0" 1 3/4" = 1'-0" 2" = 1'-0" 2 1/4" = 1'-0" 2 1/2" = 1'-0" 2 3/4" = 1'-0" 3" = 1'-0" 3 1/4" = 1'-0" 3 1/2" = 1'-0" 3 3/4" = 1'-0" 4" = 1'-0" 4 1/4" = 1'-0" 4 1/2" = 1'-0" 4 3/4" = 1'-0" 5" = 1'-0" 5 1/4" = 1'-0" 5 1/2" = 1'-0" 5 3/4" = 1'-0" 6" = 1'-0" 6 1/4" = 1'-0" 6 1/2" = 1'-0" 6 3/4" = 1'-0" 7" = 1'-0" 7 1/4" = 1'-0" 7 1/2" = 1'-0" 7 3/4" = 1'-0" 8" = 1'-0" 8 1/4" = 1'-0" 8 1/2" = 1'-0" 8 3/4" = 1'-0" 9" = 1'-0" 9 1/4" = 1'-0" 9 1/2" = 1'-0" 9 3/4" = 1'-0" 10" = 1'-0" 10 1/4" = 1'-0" 10 1/2" = 1'-0" 10 3/4" = 1'-0" 11" = 1'-0" 11 1/4" = 1'-0" 11 1/2" = 1'-0" 11 3/4" = 1'-0" 12" = 1'-0" 12 1/4" = 1'-0" 12 1/2" = 1'-0" 12 3/4" = 1'-0" 13" = 1'-0" 13 1/4" = 1'-0" 13 1/2" = 1'-0" 13 3/4" = 1'-0" 14" = 1'-0" 14 1/4" = 1'-0" 14 1/2" = 1'-0" 14 3/4" = 1'-0" 15" = 1'-0" 15 1/4" = 1'-0" 15 1/2" = 1'-0" 15 3/4" = 1'-0" 16" = 1'-0" 16 1/4" = 1'-0" 16 1/2" = 1'-0" 16 3/4" = 1'-0" 17" = 1'-0" 17 1/4" = 1'-0" 17 1/2" = 1'-0" 17 3/4" = 1'-0" 18" = 1'-0" 18 1/4" = 1'-0" 18 1/2" = 1'-0" 18 3/4" = 1'-0" 19" = 1'-0" 19 1/4" = 1'-0" 19 1/2" = 1'-0" 19 3/4" = 1'-0" 20" = 1'-0" 20 1/4" = 1'-0" 20 1/2" = 1'-0" 20 3/4" = 1'-0" 21" = 1'-0" 21 1/4" = 1'-0" 21 1/2" = 1'-0" 21 3/4" = 1'-0" 22" = 1'-0" 22 1/4" = 1'-0" 22 1/2" = 1'-0" 22 3/4" = 1'-0" 23" = 1'-0" 23 1/4" = 1'-0" 23 1/2" = 1'-0" 23 3/4" = 1'-0" 24" = 1'-0" 24 1/4" = 1'-0" 24 1/2" = 1'-0" 24 3/4" = 1'-0" 25" = 1'-0" 25 1/4" = 1'-0" 25 1/2" = 1'-0" 25 3/4" = 1'-0" 26" = 1'-0" 26 1/4" = 1'-0" 26 1/2" = 1'-0" 26 3/4" = 1'-0" 27" = 1'-0" 27 1/4" = 1'-0" 27 1/2" = 1'-0" 27 3/4" = 1'-0" 28" = 1'-0" 28 1/4" = 1'-0" 28 1/2" = 1'-0" 28 3/4" = 1'-0" 29" = 1'-0" 29 1/4" = 1'-0" 29 1/2" = 1'-0" 29 3/4" = 1'-0" 30" = 1'-0" 30 1/4" = 1'-0" 30 1/2" = 1'-0" 30 3/4" = 1'-0" 31" = 1'-0" 31 1/4" = 1'-0" 31 1/2" = 1'-0" 31 3/4" = 1'-0" 32" = 1'-0" 32 1/4" = 1'-0" 32 1/2" = 1'-0" 32 3/4" = 1'-0" 33" = 1'-0" 33 1/4" = 1'-0" 33 1/2" = 1'-0" 33 3/4" = 1'-0" 34" = 1'-0" 34 1/4" = 1'-0" 34 1/2" = 1'-0" 34 3/4" = 1'-0" 35" = 1'-0" 35 1/4" = 1'-0" 35 1/2" = 1'-0" 35 3/4" = 1'-0" 36" = 1'-0" 36 1/4" = 1'-0" 36 1/2" = 1'-0" 36 3/4" = 1'-0" 37" = 1'-0" 37 1/4" = 1'-0" 37 1/2" = 1'-0" 37 3/4" = 1'-0" 38" = 1'-0" 38 1/4" = 1'-0" 38 1/2" = 1'-0" 38 3/4" = 1'-0" 39" = 1'-0" 39 1/4" = 1'-0" 39 1/2" = 1'-0" 39 3/4" = 1'-0" 40" = 1'-0" 40 1/4" = 1'-0" 40 1/2" = 1'-0" 40 3/4" = 1'-0" 41" = 1'-0" 41 1/4" = 1'-0" 41 1/2" = 1'-0" 41 3/4" = 1'-0" 42" = 1'-0" 42 1/4" = 1'-0" 42 1/2" = 1'-0" 42 3/4" = 1'-0" 43" = 1'-0" 43 1/4" = 1'-0" 43 1/2" = 1'-0" 43 3/4" = 1'-0" 44" = 1'-0" 44 1/4" = 1'-0" 44 1/2" = 1'-0" 44 3/4" = 1'-0" 45" = 1'-0" 45 1/4" = 1'-0" 45 1/2" = 1'-0" 45 3/4" = 1'-0" 46" = 1'-0" 46 1/4" = 1'-0" 46 1/2" = 1'-0" 46 3/4" = 1'-0" 47" = 1'-0" 47 1/4" = 1'-0" 47 1/2" = 1'-0" 47 3/4" = 1'-0" 48" = 1'-0" 48 1/4" = 1'-0" 48 1/2" = 1'-0" 48 3/4" = 1'-0" 49" = 1'-0" 49 1/4" = 1'-0" 49 1/2" = 1'-0" 49 3/4" = 1'-0" 50" = 1'-0" 50 1/4" = 1'-0" 50 1/2" = 1'-0" 50 3/4" = 1'-0" 51" = 1'-0" 51 1/4" = 1'-0" 51 1/2" = 1'-0" 51 3/4" = 1'-0" 52" = 1'-0" 52 1/4" = 1'-0" 52 1/2" = 1'-0" 52 3/4" = 1'-0" 53" = 1'-0" 53 1/4" = 1'-0" 53 1/2" = 1'-0" 53 3/4" = 1'-0" 54" = 1'-0" 54 1/4" = 1'-0" 54 1/2" = 1'-0" 54 3/4" = 1'-0" 55" = 1'-0" 55 1/4" = 1'-0" 55 1/2" = 1'-0" 55 3/4" = 1'-0" 56" = 1'-0" 56 1/4" = 1'-0" 56 1/2" = 1'-0" 56 3/4" = 1'-0" 57" = 1'-0" 57 1/4" = 1'-0" 57 1/2" = 1'-0" 
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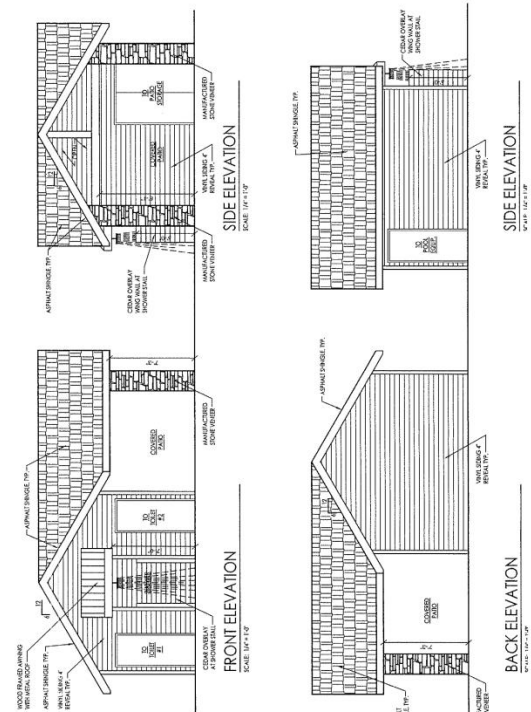


# Attachment E- Garage Elevations





**MORTENSEN HEIGHTS  
PHASE 2 - POOL HOUSE  
MORTENSEN ROAD, AMES, IOWA 50010**

14



ITEM # 35  
DATE: 08-08-17

### **COUNCIL ACTION FORM**

**SUBJECT:** REQUEST TO ALLOW PARKING ON WEST SIDE OF KINGSBURY AVENUE

#### **BACKGROUND:**

At the July 25, 2017 City Council meeting, the City Council referred a request from Habitat for Humanity to allow parking on Kingsbury Avenue across the street from Habitat's retail store. Currently the Municipal Code prohibits parking on the west side of Kingsbury Avenue from Lincoln Way to South Second Street. Habitat has asked that parking be allowed for approximately four vehicles on the west side of the street.

As is evident on the attached photograph, this section of Kingsbury is adjacent to the back side of the Ames Motor Lodge. There will thus be no negative impact on other businesses or residences in the area.

To accomplish this change, a modification to Section 18.31(141) of the Municipal Code is required.

#### **ALTERNATIVES:**

1. Direct staff to prepare an ordinance allowing parking along the west side of Kingsbury Avenue as requested.
2. Do nothing.

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

There is adequate room to accomplish the request for approximately four parking spaces on the west side of Kingsbury Avenue. This added parking will be beneficial to the businesses on the east side of Kingsbury Avenue, including the Habitat store.

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

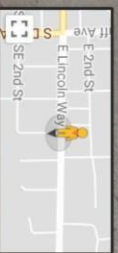
Habitat for Humanity Store

Ames Motor Lodge

Kingsbury Ave

40' wide

Area to allow parking



Google



July 20, 2017

Dear Mayor and City Council,

Habitat Store  
402 East Lincoln Way  
Ames, IA 50010

This is a request to allow parking on the west side of Kingsbury Av. where the street is wider. This will allow clients for Habitat Store to park where presently the street is signed NO PARKING. The sign could be moved approximately four stalls to the south where Kingsbury Av. narrows.

Presently the parking on the north side the Habitat is shared with another active store.

Respectfully,

A handwritten signature in blue ink, appearing to read "Dan Thomsen".

Dan Thomsen  
Store Manager

**ORDINANCE NO.**

**AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING CHAPTER 18, SECTION 18.31 (141) AND ENACTING A NEW CHAPTER 18, SECTION 18.31 (141) THEREOF; FOR THE PURPOSE OF ALLOWING PARKING ALONG THE WEST SIDE OF KINGSBURY AVENUE; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.**

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

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by enacting a new Chapter 18, Section 18.31 (141) as follows:

**“Sec. 18.31. REGULATIONS FOR SPECIFIC STREETS OR LOCATIONS.**

...

**(141) KINGSBURY AVENUE.** Parking is prohibited at all times on the west side from a point beginning 130 feet south of the south line of Lincoln Way to South Second Street.”

Section Two. Violation of the provisions of this ordinance shall constitute a municipal infraction punishable as set out by law.

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

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

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

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

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