

AGENDA
REGULAR MEETING OF THE AMES CITY COUNCIL
COUNCIL CHAMBERS - CITY HALL - 515 CLARK AVENUE
OCTOBER 24, 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.

PRESENTATION:

1. Presentation by Iowa Chapter of American Public Works Associations of Al Olson Excellence in Public Works Operations to Dave Cole, Public Works Street Supervisor

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

2. Motion approving payment of claims
3. Motion approving Minutes of Regular Meeting of October 10, 2017, and Special Meeting of October 19, 2017
4. Motion approving Report of Contract Change Orders for October 1-16, 2017
5. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Class E Liquor, B Wine, & C Beer – CVS/Pharmacy #10452, 2420 Lincoln Way, #104
 - b. Class C Liquor – Arcadia Café, 116 Welch Avenue
 - c. Class C Beer & B Wine – Aldi, Inc. #48, 108 S. 5th Street
 - d. Class E Liquor, C Beer, & B Wine – Target Store T-1170, 320 S. Duff Avenue
 - e. Class B Beer Permit – Mongolian Buffet, 1620 S. Kellogg Avenue, Suite 103
6. Motion approving request for Fireworks Permits for display from Jack Trice Stadium for ISU Marching Band Award Celebration on Saturday, October 28
7. Motion directing staff to draft ordinance regarding parking regulations on Suncrest Drive from Cedar Lane to Red Fox Road
8. Resolution approving quarterly investment report for period ending September 30, 2017
9. Resolution approving carry-over funding from FY 2016/17 to FY 2017/18 for Public Art Commission
10. Resolution approving reallocation of remaining 2016/17 Capital Improvements Plan funds for new Fire Station signs
11. Resolution approving request from Story County Auditor for parking waiver(s) for Election Day, November 7, 2017
12. Resolution approving request from U.S. Post Office to change parking in front of new Stanton Avenue office

13. Resolution approving Encroachment Permit for sign at 3407 Lincoln Way
14. Resolution approving Funding Agreement with Iowa Department of Transportation for 2017/18 Arterial Street Pavement Improvements (13th Street from Ridgewood Avenue to Harding Avenue)
15. Resolution approving Funding Agreement with Iowa Department of Transportation for South Grand Avenue Extension (South Grand Avenue-5th Street to South Grand Avenue to 600 Feet West of South Duff Avenue)
16. Resolution approving amendment to Professional Services Agreement for Design Services with Shive Hattery of West Des Moines, Iowa, in amount not to exceed \$102,891 for South Grand Avenue
17. Resolution awarding contract for purchase of Compact Track Excavator to Bobcat of Ames, Iowa, in the amount of \$68,010.66 for Parks & Recreation and Public Works Departments
18. Resolution awarding contract for purchase of Circulating Inlet Water Screens for Unit No. 8 to Technical Services, Inc., of Ames, Iowa, in the amount of \$61,931.60 for Electric Services
19. Resolution approving contract and bond for Valve Maintenance and Related Services and Supplies for Power Plant
20. Resolution approving contract and bond for 2015/16 and 2016/17 Bridge Rehabilitation Program - East Lincoln Way and Dayton Avenue
21. Resolution approving Plat of Survey for 502 and 512 Douglas Avenue
22. Resolution certifying completion of 2013/14 Shared-Use Path System Expansion (Skunk River Trail Extension, Phase 2)

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.

FIRE:

23. Options for limiting occupancy for rental units

PARKS & RECREATION:

24. Aquatic Facilities Options:
 - a. Motion providing direction to staff

PLANNING & HOUSING:

25. Amendment to Depot Development Agreement:
 - a. Motion providing direction to staff
26. CDBG Homebuyer Assistance Program Resale and Recapture Provisions in connection with development of 321 State Avenue:
 - a. Motion providing direction to staff

HEARINGS:

27. Hearing on Zoning Text Amendments pertaining to Tables 29.701(2) and 29.703(2) adding “if pre-existing” to the section under Group Living dealing with residences for the physically disabled, mentally retarded, or emotionally disturbed:
 - a. First passage of ordinance

28. Hearing on Major Site Development Plan (MSDP) for two eight-unit apartment buildings to be located at 3305 Aurora Avenue and 3315 Aurora Avenue:
 - a. Resolution approving MSDP
29. Hearing on vacation of Electric Utility Easement located at 4506 Lincoln Way:
 - a. Resolution approving vacation of Easement

ORDINANCES:

30. First passage of ordinance making revisions to Chapter 28, Utilities, Divisions I and II
31. First passage of ordinance approving changes to Appendix N relating to utility rates
32. Third passage and adoption of ORDINANCE NO. 4325 establishing a moratorium with an expiration date of April 30, 2018, on new Rental Occupancy Permits for single- and two-family homes within the boundaries of the SCAN, Westside, Oak-Wood-Forest, College Creek/Old Ames Middle School, Old Edwards, Oak Riverside, and Colonial Village neighborhoods and prohibiting the issuance of Building Permits in the moratorium area that would enlarge the building by adding additional bedrooms

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

OCTOBER 10, 2017

The Regular Meeting of the Ames City Council was called to order by Mayor Ann Campbell at 6:00 p.m. on October 10, 2017, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law. Present were Council Members Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, Chris Nelson, and Peter Orazem. *Ex officio* Member Rob Bingham was also present.

PROCLAMATION FOR “COMING OUT WEEK,” OCTOBER 8-14, 2017: Mayor Campbell proclaimed the week of October 8-14 as “Coming Out Week.” Accepting the Proclamation was Joel Hochstein, representing Ames Pride. Mr. Hochstein commented that the goal of Ames Pride is to put on events that build community among the LGBTQ community and to educate about what the needs are of our citizens locally and the surrounding areas. Mr. Hochstein stated that the City added an LGBTQ liaison within the Police Department. He also commented on the work that has been done by the Ames Human Relations Commission. Mr. Hochstein provided information on an LGBTQ event that will be held at the Bandshell Park on Saturday, October 14, 2017, from Noon until 6 PM.

Mayor Campbell announced that the City Council would be working from an Amended Agenda. Item 29, the staff report regarding a request of Rose Prairie developers to amend the Pre-Annexation Development Agreement and Master Plan, had been removed from the Agenda at the request of the developer. An item pertaining to approval of the preliminary plans and specifications for the 2017/18 CDBG Public Infrastructure Improvements Program had been added.

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

2. Motion approving payment of claims
3. Motion approving Minutes of Regular Meeting of September 26, 2017
4. Motion approving certification of civil service applicants
5. Motion approving Report of Contract Change Orders for September 16-30, 2017
6. Motion approving new Class C Liquor License for Bullseye Restaurant Group, LLC, 114 S. Duff Avenue (pending dram & final inspection)
7. Motion approving temporary Outdoor Service Privilege for Tip Top Lounge, 201 E. Lincoln Way, for the following dates:
 - a. October 14-15, 2017
 - b. October 28-29, 2017
8. Motion approving renewal of the following Beer Permits, Wine Permits and Liquor Licenses:
 - a. Class E Liquor, C Beer, & B Wine - HyVee Food Store #1, 3800 W. Lincoln Way
 - b. Class C Beer - Doc’s Stop No. 5, 2720 East 13th Street
 - c. Class C Liquor, B Native Wine, & Outdoor Service - AJ’s Ultra Lounge, 2401 Chamberlain Street

- d. Class E Liquor, C Beer, & B Wine - HyVee Food & Drugstore #2, 640 Lincoln Way
- e. Class C Liquor - London Underground, 212 Main Street
- f. Special Class C Liquor - Creative Spirits Ames, 4820 Mortensen Road, Ste. 101
- 9. RESOLUTION NO. 17-602 approving and adopting Supplement No. 2017-4 to *Municipal Code*
- 10. RESOLUTION NO. 17-603 approving appointment of Sara Sheldon to fill vacancy on Public Art Commission
- 11. RESOLUTION NO. 17-604 proposing vacation of Electric Utility Easement at 4506 Lincoln Way and setting the date of public hearing for October 24, 2017
- 12. RESOLUTION NO. 17-605 awarding contract for purchase of 15kV Aluminum Cable to WESCO Distribution of Des Moines, Iowa, in the amount of \$75,723.90 (inclusive of Iowa sales tax), subject to metals adjustment at time of order
- 13. RESOLUTION NO. 17-606 approving contract and bond for 2017/18 Traffic Signal Program (East 13th Street/Interstate 35 Northbound Exit Ramp)
- 14. RESOLUTION NO. 17-607 accepting completion of CyRide Re-Roof Project
- 15. Cemetery Lane Improvements Project:
 - a. RESOLUTION NO. 17-608 approving transfer of \$42,796.30 from unobligated balance of G.O. Bonds proceeds
 - b. RESOLUTION NO. 17-609 approving Change Order No. 1
 - c. RESOLUTION NO. 17-610 accepting completion
- 16. 2017/18 Pavement Restoration Contract 1 - Concrete Joint Program:
 - a. RESOLUTION NO. 17-611 approving Change Order No. 1
 - b. RESOLUTION NO. 17-612 accepting completion
- 17. 2017/18 Pavement Restoration Contract 2 - Slurry Seal Program:
 - a. RESOLUTION NO. 17-613 approving Change Order No. 1
 - b. RESOLUTION NO. 17-614 accepting completion
- 18. RESOLUTION NO. 17-615 approving Plat of Survey for 2021 Audubon Drive and 2104 Leopold Drive
- 19. RESOLUTION NO. 17-616 approving Major Final Plat for Birch Meadows, 1st Addition
- 20. RESOLUTION NO. 17-617 approving Major Final Plat for Quarry Estates Subdivision, 2nd Addition
- 21. RESOLUTION NO. 17-618 approving partial completion of public improvements and reducing security for Crane Subdivision, 4th Addition
- 22. RESOLUTION NO. 17-619 approving completion of public improvements and releasing security for Scenic Valley, 1st Addition
- 23. RESOLUTION NO. 17-620 approving completion of public improvements and releasing security for Scenic Valley, 2nd Addition
- 24. RESOLUTION NO. 17-621 approving completion of public improvements and releasing security for Dotson Drive Subdivision
- 25. RESOLUTION NO. 17-622 approving completion of public improvements and releasing security for Sunset Ridge, 7th Addition
- 26. RESOLUTION NO. 17-629 approving preliminary plans and specifications for the 2017/18 CDBG Public Infrastructure Improvements Program (321 State Avenue); setting November 7, 2017, as the bid due date and November 14, 2017, as the date of public hearing.

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

PUBLIC FORUM: Merlin Pfannkuch, 1424 Kellogg Avenue, Ames, spoke requesting Council to develop a new policy regarding the City's tax abatement incentives for industries. Mr. Pfannkuch requested the adoption of a policy that would state that no company seeking industrial tax abatement incentives could be offered more than the standard industrial tax abatement of five years unless the company discusses the project with the Council and public first.

No one else requested to speak, and the Mayor closed public forum.

ORDINANCE TO ESTABLISH SIX-MONTH MORATORIUM ON NEW RENTAL OCCUPANCY PERMITS FOR SINGLE AND TWO-FAMILY HOMES: Interim City Attorney Mark Lambert gave background information on the establishment of a moratorium on new Rental Occupancy Permits for single- and two-family homes. Mr. Lambert stated that two motions were adopted the last time this had been discussed. There was an amendment of an ordinance to change the area for a moratorium from the entire City of Ames to certain neighborhoods near the University and to add language to prohibit the issuance of Building Permits within those areas. Within the memo that Mr. Lambert provided for the Mayor and Council, he stated that it would be problematic to describe all streets and boundaries of those neighborhoods. Planning had wanted to do maps, but there is no real way to put a map into the *Municipal Code*. It was decided to reference a URL and have the maps on the Website. He noted that this had been done at the state level. Mr. Lambert also noted that there is an option of making a motion to add the Colonial Village Neighborhood to the moratorium on the second reading.

Moved by Beatty-Hansen, seconded by Betcher, to amend the moratorium to add the Colonial Village Neighborhood.

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

Interim City Attorney Lambert reminded the Mayor and Council about the time limit on the moratorium. He noted that the length of time it has taken to pass the moratorium has already gone into part of the initial six months. If a motion is made to extend until April 30, that will give the Council more time to deliberate ideas. The six months will start once the Ordinance is published.

Moved by Gartin, seconded by Betcher, to make April 30, 2017, the date of the termination of the moratorium.

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

Moved by Betcher, seconded by Gartin, to pass on second reading the moratorium on new Rental Occupancy Permits for single- and two-family homes, as amended twice.

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

ORDINANCE TO ALLOW PARKING ALONG WEST SIDE OF KINGSBURY AVENUE:
Moved by Betcher, seconded by Corrieri, to pass on third reading and adopt ORDINANCE NO.

4324 to allow parking along west side of Kingsbury Avenue.

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

EARL MAY REQUESTS ON STORM WATER REQUIREMENTS AND SITE DEVELOPMENT PLAN REVIEW REQUIREMENTS: Director of Planning and Housing Kelly Diekmann gave the Council the background on the issue: A letter had been received from Jeff Harris concerning the parking lot redevelopment of the Earl May store located at 1601 S. Kellogg Avenue. The issue at hand is that the work was essentially complete by the time of the notification by staff that there was a requirement for a Minor Site Development Plan and subject to storm water management requirements. The property owner representatives had disputed the Site Development Plan requirement with staff, but eventually prepared a Minor Site Development Plan reflecting what was already done. Mr. Diekmann indicated that the problem was that it did not meet City standards for zoning, landscaping, and parking lot design and did not meet the storm water requirements. This Plan was unable to be approved by staff. The applicant indicated they would not make the changes and would seek changes to the standards in support of their completed project as being consistent with the 1998 site plan that was approved for a prior addition to the building. Director Diekmann commented that no infractions have been issued at this time.

According to Mr. Diekmann, the Zoning Ordinance includes requirements specifically for site improvements, parking reconstruction, and the review of Site Development Plan prior to approval of a Building/Zoning Permit. In this instance, the relevant issues are that development or reconstruction of a parking lot triggers Site Development Plan review by the Planning Director.

According to Mr. Diekmann, representatives of Earl May have requested the City to consider how storm water ordinance applies to redevelopment projects specific to parking lots and site development plan application process. Public Works Director John Joiner explained that the Post-Construction Ordinance dictates storm water quality and quantity standards of storm water requirements. Mr. Joiner noted that the City of Ames has a threshold for kicking in those standards of a project that disturbs one acre or more or 10,000 square feet of impervious cover created; when the parking lot is removed the impervious cover kicks in. Council Member Beatty-Hansen asked about there being 10,000 square feet of new impervious cover created. Mr. Joiner responded by informing the Council on the discussions that had been held at the time the Ordinance was initially adopted. The Council felt when a parking lot is removed, then reconstructed, there is an opportunity to create improvement, and that is when the impervious threshold kicks in.

Council Member Nelson indicated that he does not feel that a good decision can be made at this time because of the complexity of the issue. He felt that the City Council needs to have a workshop to point out the challenges that are specific to the Ames community and some of the existing conditions. Mr. Nelson stated that he wants the Council to have a broader conversation on this issue. Mayor Campbell inquired if this was due to the new standards getting out there. Council Member Nelson feels it is a chance to ask more questions. Council Member Betcher inquired as to what happened with Earl May to get to this point. Mr. Diekmann responded that a Building Permit is not required for a parking lot, and the Planning Department was not contacted about what needed to be

done.

Moved by Gartin, seconded by Nelson, to direct staff to withhold enforcement on the Earl May project pending a resolution of the workshop and process out of that.

Council Member Beatty-Hansen asked what the corrective action would be if a motion does not go through. Director Diekmann stated that there is a fine per-day after a citation is given until compliance has been reached. Council Member Betcher pointed out that this situation is yet another time that something has been done and then they had asked for forgiveness. She also noted that storm water has been out there in many Council discussions.

Vote on Motion: 6-0. Motion Carried unanimously.

Moved by Nelson, seconded by Betcher, to have a workshop as soon as possible on the storm water requirements to discuss challenges with the storm water ordinance.

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

Mr. Diekmann requested clarification at this time that no action will be taken on the site plan application process. He would prefer to not support changing the site plan application requirement, but remove from the discussion about storm water. Mr. Diekmann would like to respond to the Earl May representative that the site plan application will not change, but there will be a discussion on storm water. The pending project will go nowhere until the storm water discussion happens. This was confirmed by Mayor Campbell.

REQUEST OF RES DEVELOPMENT AND R. FRIEDRICH AND SONS REDEVELOPMENT OF FORMER CRAWFORD SCHOOL AT 415 STANTON AVENUE:

Director Diekmann stated that the former Crawford School site on Stanton Avenue has been sitting vacant for the last two years. RES Development and R. Friedrich and Sons have purchased the property and would like to rehabilitate the existing building and make an addition to the property to make it a multi-family housing option. At this time the area is zoned as low density, which does not allow multi-family housing. The request is to have a land use amendment to a high-density residential and also concurrently to rezone the site for a single-use, which would be senior living only.

According to Mr. Diekmann, the applicant is proposing to limit occupancy to one type of occupant, which would be an independent senior living facility age-restricted living environment of 55+. The applicant does agree to this as well as to maintaining the current building is part of the project as part of a contract rezoning as part of this process. The owner would like this done concurrently. Staff does support this because it is only one use involved and using an existing building. It was noted that the developer has reached out to representatives of the area. Mr. Diekmann indicated that this could be a one-step minor amendment. He also noted that the site is not large enough for a PRD.

Director Diekmann stated that the last issue the developers have raised is that they would like the City to consider establishing an Urban Revitalization Area to provide a partial property tax abatement. He said that there is not a policy at this time that support or not support, so the Council will need to provide direction on this. If the City Council would agree to establishing an Urban Revitalization

Area, staff would need to know what criteria it would be interested in establishing to be eligible for those incentives.

Luke Jensen, RES Development, 2519 Chamberlain, Ames, told the Council that they have worked with the SCAN and Crawford Task Force for the past year and a half. It was noted that they had been the developer who had completed the Roosevelt School redevelopment, and also had been the developer who had worked with the Colonial Village. RES believes that there is a need for a neighborhood for those 55 and older. These people are wanting and needing spaces that are safer, more modern, and be an updated living space. Mr. Jensen advised that the existing portion of the Crawford School will have 12 units. The south wing will be two stories of ten units on each floor for a total of 32 units. The facility will have parking on grade that will be covered. There will be amenities inside such as fitness room, along with amenities outside such as a fire pit. There is a goal of having the residents not be able to tell the old part of the building compared to the new. Mr. Jensen is in agreement with the LUPP amendment along with public meeting, contract rezoned to the independent senior living language, amend the text amendment language to the code on 55+ that would affect the whole City.

Mr. Jensen offered his opinion that the Urban Revitalization designation would give the community something fresh and keep the building preserved for the history. He said that the developers are looking to start in Winter 2018 and complete in Winter 2019. The developers see this as an important project to this neighborhood and believe that this type of use provides a lot of certainty and use to this area. This will give new opportunities to this neighborhood and the homes in the market stock. Council Member Betcher asked about what the model would be for the housing units. Mr. Jensen responded that they are continuing to listen to the citizens to see what is wanted. At this time, the developer is not sure if the units would be for sale or for rent; however, those that purchase would get the tax abatement, if offered, which is similar to what was done in the Roosevelt.

Barbara Pleasants, 516 Lynn Avenue, Ames, explained that she was representing the SCAN and the Crawford Task Force. According to Ms. Pleasants, the SCAN has had continued conversations with Dean and Luke Jensen on the possible development of the old Crawford School. She commented that the developers have listened to the input of the residents of the Neighborhood, and there was unanimous support from the Neighborhood for a senior housing development. Ms. Pleasants said that the Neighborhood needs to have a conversation about the possible text amendment dealing with the age requirement.

Moved by Beatty-Hansen, seconded by Betcher, to direct staff to proceed with a Minor Land Use Policy Plan Amendment for the property in question to high-density residential and also concurrently to rezone the site for a single-use, which would be senior living only.

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

Moved by Beatty-Hansen, seconded by Betcher, to direct staff to concurrently authorize a rezoning application and to require it to be a contract rezoning.

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

Mr. Diekmann stated he needed to know if the Council was interested in any particular criteria. Council Member Beatty-Hansen suggested that public space or community room be required. Mr. Jensen was asked to respond on his thoughts about that suggestion. Mr. Jensen stated there would be common space, but it would not be public; its use would be limited to the residents.

Moved by Betcher, seconded by Orazem, to direct staff to come back with information on how to proceed with the Urban Revitalization Area at the time of the Land Use Policy Plan Amendment. Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Betcher, seconded by Corrieri, to refer to staff for a memo concerning a text amendment around the definition of “independent senior living” around the City. Vote on Motion: 6-0. Motion declared carried unanimously.

ENCROACHMENT PERMIT FOR 400 MAIN STREET: Director of Parks and Recreation Keith Abraham provided background on the request for an Encroachment Permit at 400 Main Street. Randy Pyle, the owner of 400 Main Street, had filed an application for an Encroachment Permit and is now seeking City Council approval. Mr. Pyle’s intention is to rent the basement space of that building to a business, but first needs to bring the stairwell into compliance with the Code and address water issues in the basement. In addition, Mr. Pyle wants to widen the stairwell that enters the basement and remove the concrete stairs to the Bar La Tosca entrance and replace those with a set of stairs similar to what has been installed for the Spice Restaurant. He also has requested to cut the vertical supports to the fire escape and extend the posts of the railing below to support the fire escape. Mr. Pyle would like to deal with his water issue by removing the concrete along his building, the adjacent sidewalk, and the north/south curved sidewalk in the plaza and replace that with a north/south walkway that extends 16' to the east. As part of the project, Mr. Pyle is requesting to remove the four trees and stumps located on the west side of the plaza. Director Abraham stated that those four trees are showing distress, and he does not feel that the City would lose anything by taking them out. One to two new trees may be planted in new locations within the plaza as determined by staff. The last part is to repair any turf damaged during construction with seed or sod as determined by staff. Mr. Pyle has agreed to pay for all of these improvements if given approval to move ahead with the project. He is aware that he will need to obtain any needed permits and site plan approvals as required, by the City.

Council Member Gartin inquired about the possibility of using permeable pavers. Mr. Abraham said that he had not discussed that with Mr. Pyle. He noted the water issues presently occurring around 400 Main Street and pointed out that Mr. Pyle wants to move the water away from his building. Council Member Betcher noted her concern over the loss of shade and wondered about any future plans for another shelter. Mr. Abraham answered that, at this time, there is not any funding for that.

Mr. Schainker brought the Council’s attention to staff’s recommendation that approval of the Encroachment Permit be contingent on eight items. Those items would have to be completed before the Permit would go into affect. He noted that Mr. Pyle will have to talk with the City about building permits and site plans. Mr. Abraham reiterated that Mr. Pyle is aware that a Building Permit and site plan would have to be approved.

Moved by Corrieri, seconded by Betcher, to adopt RESOLUTION NO. 17-623 approving an Encroachment Permit for 400 Main Street contingent on approval of a Building Permit and the following:

- a. Install a new stairwell, 5' by 27' 1", to the basement of his building.
 - b. Remove the concrete stairs to Bar La Tosca and replace with a metal staircase, 52: wide by 13' 5.75" long.
 - c. Remove four trees and plant up to two trees with the species and location determined by Parks and Recreation staff.
 - d. Cut vertical supports to fire escape and extend posts of railing to support the fire escape.
 - e. Remove both sidewalks through the west portion of the Plaza and replace with a sidewalk, running north to south, which extends 16' to the east from his building wall.
 - f. Repair any turf areas damaged during construction or created by removing the sidewalks.
 - g. Obtain all necessary permits and site plan approvals as required by Municipal Code.
 - h. Pay all appropriate fees associated with this project and sign the Encroachment Permit Agreement.
- Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

FEMA GRANT APPLICATION FOR FLOOD MITIGATION: Tracy Warner reminded the Council about the special meeting that dealt with the flood mitigation and river flooding in November of 2016. Ms. Warner stated that the environmental clearance associated with Grand Avenue that also covers this area was received. Now staff is able to have and continues to have property owner conversations and is able to move forward with grant applications and design components. The items before the Council were the FEMA application requirements. Ms. Warner stated this is a nationally competitive grant, is very limited, and the application is required by this Friday.

Moved by Beatty-Hansen, seconded by Nelson, to adopt RESOLUTION NO. 17-624 approving the local match in the amount of \$ \$1,144,000 (a minimum of 25 percent) for the Flood Mitigation-River Flooding project with a total project estimated cost of \$4,576,000 and adopt RESOLUTION NO. 17-625 designated Tracy Warner to serve as the authorized representative. .
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON MAJOR SITE DEVELOPMENT PLAN (MSDP) FOR 2151 COTTONWOOD ROAD: Mayor Campbell opened the public hearing. Mr. Diekmann stated that all "FS-RM" apartment buildings must go through public hearings with the Planning and Zoning Commission and the City Council. According to Mr. Diekmann, the Planning and Zoning Commission recommended this project be approved, but requested additional landscape to the rear of the site because of the interface with Christofferson Park. The applicant has chosen to integrate this into their project. There are two conditions that are common to the projects. One is if lighting is to be submitted at a later date, it does need staff approval. The second condition is about the outlot on the site. The project must meet a transitional buffer requirement. The buffering should happen on the outlot and not the apartment project. In the event the landscaping is not installed, it is the apartment property owner's responsibility, not the homeowners association.

Council Member Betcher inquired about the kind of metal and percentage of metal. Mr. Diekmann stated there were two types of metal, the flat architectural metal siding and corrugated ribbed metal; it is to be about seventy-five percent metal. The building has more of a modern or industrial look to seem to be a commercial-looking building. Council Member Betcher stated the metal is not common in the residential area.

Chuck Winkleblack, 105 South 16th Street, Ames, spoke on behalf of the developer. He advised that when the focus groups were completed, what they heard from the people in the area was for them to do something that doesn't look like the rest of the apartment buildings. The transition will be from three-story buildings to two-story buildings with garages. The developer said it will have very little impact on the houses to the west because a person would see very little of the building. No one else came up to speak, and the Mayor closed the hearing

Moved by Beatty-Hansen, seconded by Corrieri, to adopt RESOLUTION NO. 17-626 approving the MSDP to allow for a 12-unit apartment building located at 2151 Cottonwood Road, with the following conditions:

1. Review of an outdoor lighting plan is deferred for staff review and compliance with the Outdoor Lighting Code, Section 29.411 of the Municipal Code.
2. Prior to occupancy, complete the High Screen plantings within Outlot B as a substitute for on-site plantings.

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

HEARING ON 2016/17 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER): The Mayor opened the hearing. No one came forward to speak, and the hearing was closed.

Moved by Nelson, seconded by Corrieri, to adopt RESOLUTION NO. 17-627 approving the 2016/17 CAPER.

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

HEARING ON FURNISHING OF 15kv OUTDOOR METALCLAD SWITCHGEAR AND 69kv CONTROL PANELS FOR TOP-O-HOLLOW SUBSTATION EXPANSION: The hearing was opened by the Mayor and closed after no one requested to speak.

Moved by Betcher, seconded by Gartin, to accept the report of bids and delay award of a contract. Vote on Motion: 6-0. Motion declared carried unanimously.

HEARING ON 2015/16 AND 2016/17 BRIDGE REHABILITATION PROGRAM (EAST LINCOLN WAY AND DAYTON AVENUE): Mayor Campbell opened the public hearing and closed same after there was no one wishing to speak.

Moved by Orazem, seconded by Gartin, to adopt RESOLUTION NO. 17-628 approving final plans

and specifications and awarding a contract to Peterson Contractors, Inc., of Reinbeck, Iowa, in the amount of \$853,467.

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

PRESENTATION OF 2017 RESIDENT SATISFACTION SURVEY RESULTS: Public Information Officer Susan Gwiasda presented the results of the 35th Annual Survey. The overall rating for the City was 98% either very good or good.

COUNCIL COMMENTS: Moved by Corrieri, seconded by Orazem, directing staff to place on a future agenda a text amendment to allow pet grooming in the Village Residential zone.

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

Moved by Gartin, seconded by Orazem, to refer to staff for a memo the Bloomington Town Homes Association request for drainage improvement and storm sewer installation from Hyde Avenue to Ada Hayden Park.

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

Council Member Orazem inquired about the letter received from Kum & Go. Mr. Diekmann stated this was a request to initiate a text amendment to allow gas stations to be a special use in Campustown. If this was not approved as requested, Kum & Go is requesting other alternatives be considered. He noted that there are many options that could be pursued for redevelopment of the property in question. It was noted by Council Member Betcher that the Council had already dealt with this, stating that it was not interested in referring this request back to staff.

ADJOURNMENT: Moved by Beatty-Hansen to adjourn the meeting at 8:08 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

Stacy Craven, Recording Secretary

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

AMES, IOWA

OCTOBER 19, 2017

The Ames City Council met in special session at 6:30 p.m. on the 19th day of October, 2017, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law with Mayor Ann Campbell presiding and the following Council members present: Bronwyn Beatty-Hansen, Gloria Betcher, Tim Gartin, Chris Nelson, and Peter Orazem. Council Member Corrieri was brought into the meeting telephonically. *Ex officio* Member Rob Bingham was absent.

Council Member Gartin asked if there was a legal reason to enter into Closed Session. Assistant City Attorney Victoria Feilmeyer replied in the affirmative. Ms. Feilmeyer left the meeting.

Moved by Gartin, seconded by Orazem, to hold a Closed Session, as provided by Section 21.5(1)I, *Code of Iowa*, to evaluate the professional competency of an individual whose hiring is being considered.

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

The Council entered into Closed Session at 6:40 p.m.

OPEN SESSION: The City Council resumed meeting in Open Session at 8:45 p.m.

It was noted that the telephonic connection with Council Member Corrieri had been lost.

CITY ATTORNEY RECRUITMENT: Moved by Orazem, seconded by Nelson, to direct that the City Manager negotiate an agreement with Interim City Attorney Mark Lambert regarding salary and a compensation package.

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

ADJOURNMENT: Moved by Beatty-Hansen to adjourn the meeting at 8:50 p.m.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor



REPORT OF CONTRACT CHANGE ORDERS

Period:	<input checked="" type="checkbox"/> 1 st – 15 th
	<input type="checkbox"/> 16 th – End of Month
Month & Year:	October 2017
For City Council Date:	October 24, 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)
Public Works	2016/17 Water System Improvements Program #1	1	\$422,737.00	Ames Trenching & Excavating Inc.	\$0.00	\$18,500.00	J. Joiner`	MA
Electric Services	Power Plant Electrician Services	4	\$24,000.00	The Baker Group	\$80,000.00	\$8,500.00	B. Phillips	CB
Public Works	2015/16 Low-Point Drainage Improvements Program (Westwood Drive)	1	\$86,650.26	Neuvirth Construction, Inc.	\$0.00	\$-(474.95)	J. Joiner	MA
Public Works	2015/16 & 2016/17 Seal Coat Street Pavement Improvements	1	\$1,341,472.79	Manatt's Inc.	\$0.00	\$8,018.05	J. Joiner	MA
Public Works	Professional Services for South Duff Avenue Access Safety Improvements	1	\$87,873.00	CGA Consultants	\$0.00	\$500.00	D. Pregitzer	MA
			\$		\$	\$		

*Caring People
Quality Programs
Exceptional Service*

5a-e

TO: Mayor Ann Campbell and Ames City Council Members

FROM: Lieutenant Dan Walter – Ames Police Department

DATE: October 15th, 2017

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

The Council agenda for October 24th, 2017, includes beer permits and liquor license renewals for:

- Class E Liquor, B Wine, & C Beer - LE0002656 - CVS/Pharmacy #10452, 2420 Lincoln Way, #104
- Class C Liquor - LC0042952 - Arcadia Café, 116 Welch Ave.
- Class C Beer & B Wine - BC0028132 - Aldi, Inc. #48, 108 S. 5th Street
- Class E Liquor, C Beer, & B Wine - LE0001269 - Target Store T-1170, 320 S. Duff Avenue
- Class B Beer Permit - BB0036121 - Mongolian Buffet, 1620 S. Kellogg Avenue, Suite 103

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.



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: ISU Band Celebration - 10/28 Game at Halftime

Name of Organization Sponsoring Event: ISU Marching Band

Address of Organization: 107 Music, 2427 Union Drive, Ames, IA 50011-2018

Name of Applicant: Christian Carichner

Telephone: 515.294.1520 E-mail address: cbc@iastate.edu

Organization's On-site Manager/Contact for Day of Display: Christian Carichner

Contact's Cell Phone Number on Day of Display: 480.686.7885

Date & Time of Event: 10/28/17 / Halftime of Game Rain Date(s) & Time: N/A

Exact Location of shoot/display: Jack Trice Stadium - See Attached Aerial View

Attach diagram of display location.

Size of shells and/or type of display: Flame & Close Proximity Pyrotechnics

Attach effects list or schedule.

Name of Display Operator/Responsible Shooter: Kelm Brueschke
(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: 515.321.2761 Cell Phone (for day of display): 515.321.2761

Name of Insurance Company: Britton Gallagher - Everest Indemnity Ins. Co.

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: 10/5/2017

Signature of Display Operator: [Signature] Date: 10/1/2017

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.

ISU Fireworks Permit Application

Fireworks, Pyrotechnics or Flame Effects Application
Iowa State University of Science and Technology

Applicant Information

Name of Event: ISU Marching Band Celebration
 Name of Organization Sponsoring Event: ISU Marching Band
 Address of Organization: 107 Music, 2427 Union Drive, Ames, IA 50011-2018
 Name of Applicant: Christian Carichner
 Phone: 515.294.1520 Fax: _____ E-Mail: cbc@iastate.edu

Event Information

Event Location: Jack Trice Stadium - See Attached Aerial View Estimated attendance: 61,500
 Event Date: 10/28/2017 Time: Halftime a.m./p.m. Alternate Date (rain date) for event: N/A
 Organization's on-site manager or contact for day of Display: Christian Carichner
 Phone: _____ Fax: _____ E-Mail: cbc@iastate.edu

Firework Display Information: 480.686.7885
 Attach a copy of the Display Operator credentials and applicable U.S. DOT requirement information for transportation with this application

Display Operator (company name): Kelm Brueschke
 Address: 4104 83rd Street
 City: Urbandale State: IA Zip Code: 50322
 Work-week Phone: 515.321.2761 Fax: _____ E-Mail: kelmbrueschke@gmail.com
 Operator Name for day of Display: Kelm Brueschke Cell Phone: 515.321.2761
 Other Contact for day of Display: Jon Sinner Cell Phone: 515.229.6502

NOTE: Electronic firing ONLY

Type of Fireworks: Flame & Close Proximity Pyrotechnics Attach Display Program
 Length of Display: 30 Seconds
 Fireworks Supplier: J & M Displays
 Exact Location of Display: North End Zone & On Both Scoreboards Attach Diagram of Display/Shoot Location

Insurance Requirements: Insurance coverage and certificate requirements are on the back of this form.
 Student Organizations Only: Submit an Event Authorization and Notification Form with other event documents (including this application) at least 6 weeks prior to the event.

The display operator, EH&S and ISU Police will monitor weather conditions prior to and during the display event. EH&S, ISU Police or the Ames Fire Department have the authority to cancel or postpone any display if they determine there is not strict adherence to the approved application; or there is lightning, wind gusts or inclement weather that will cause risks to the crowd or surrounding property.

10/5/2017
Date

[Signature]
Sponsoring Organization Representative Signature

I have read and agree to the responsibilities stated in the ISU Fireworks, Pyrotechnics and Flame Effects Procedures and also agree that I will meet all insurance requirements listed on this application and that this insurance will be primary.

10/11/2017
Date

[Signature]
Display Operator Representative Signature

APPROVAL SIGNATURES:
10/16/17
Date

[Signature]
Environmental Health and Safety

10/16/17
Date

[Signature]
ISU Police

10/17/2017
Date

[Signature]
Richard Higgins
City of Ames Fire Inspector

10/17/17
Date

[Signature]
Office of Risk Management

Show Details:

Event Name: ISU Marching Band Award Celebration

Organization: ISU Marching Band

Contact: Christian Carichner

Address: 107 Music, 2427 Union Drive
Ames, IA 50011-2018

Phone: 515.294.1520

Fax:

Email: cbc@iastate.edu

Venue: Jack Trice Stadium

Responding Fire Department: Ames Fire Department - Ames, IA

Show Date: Saturday October 28th, 2017

Shoot Time: Halftime of Game – Game time - TBD

Duration of Show: 30 Seconds

Lead Display Operator:

Kelm Brueschke – Credentials

- PGI Certified Shooter
- Minnesota Fireworks License & Indoor Close Proximity License
- Missouri Fireworks License & Indoor Close Proximity License
- Cell Phone: 515.321.2761

Back-up Display Operator:

Jon Sinner – Credentials

- PGI Certified Shooter
- Cell Phone: 515.229.6520

Pyrotechnic Products Proposed:

Quantity	Type/Class	Description
4	Butane Canister System	Flame System
40	Class C (1.4g)	100mm Mines
40	Class C (1.4g)	48mm Mines
40	Class C (1.4g)	48mm Comets
40	Class C (1.4g)	65' Gerb Mines

COUNCIL ACTION FORM

**SUBJECT: PARKING REQUEST RESIDENTS IN RINGGENBERG PARK
SUBDIVISION**

BACKGROUND:

The residents of the Rigggenberg Park Subdivision who live west of Cedar Lane and south of Suncrest Drive have contacted staff regarding safety issues they are experiencing from periods of heavy parking along Suncrest Drive. The recently built multi-family housing north of Suncrest Drive attracts a high density of visitors beginning on Friday afternoon through Sunday. During these weekend time periods, the south side of Suncrest Drive can be parked at or near capacity making it difficult to see at intersections and along the curves of Suncrest Drive (see map – Attachment 1). **Therefore, the residents are requesting to establish parking restrictions along the south side of Suncrest Drive. Currently, the *Municipal Code* for Suncrest Drive states that there is No Parking at all times along the North side of the street.**

Though there is not a formally established neighborhood association, the residents in this area of Rigggenberg Park Subdivision have an active communication process using email amongst the residents. Staff was able to reach out to the residents using their extensive email list to disseminate an on-line parking poll that asked for feedback on the following alternatives:

- 1) No Parking on both sides of Suncrest,
- 2) No Parking on one side of Suncrest, if so indicate your preferred side,
- 3) No Parking within the intersections along Suncrest, or
- 4) Do nothing.

Staff received 90 responses to the on-line poll, which there were **68 (78%) of respondents that chose Alternative 1 “No Parking” on both sides** of Suncrest Drive. Alternative 2 saw 17 (19%) of respondents with a subset that had six wanting no parking on the Northside and 11 wanting it to be on the Southside. The remaining five respondents (5%) choose Alternative 3; no respondents opted for the do-nothing alternative.

Staff also conducted a site visit to drive the streets during these high parking periods along Suncrest Drive. It was found that the curvilinear geometry of the intersections of Suncrest Drive at Red Fox Road, Whitetail Lane, and Cottontail Lane, along with the heavy **current parking on the south side of the street reduces the sight distance below acceptable limits making it difficult to see oncoming vehicles.**

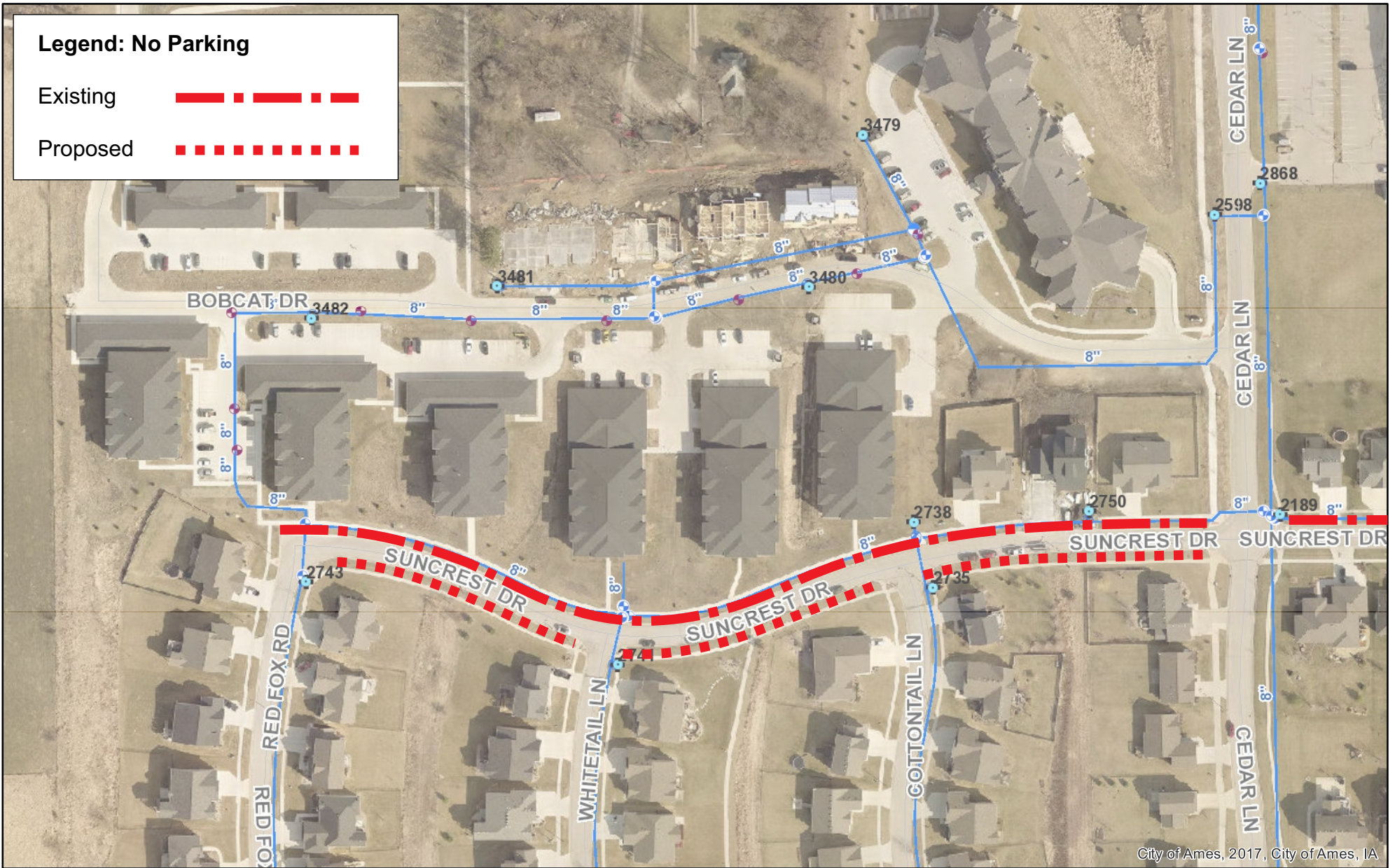
ALTERNATIVES:

1. Direct the City Attorney to draft an ordinance that changes the parking restrictions along the segment of Suncrest Drive from Cedar Lane to Red Fox Road to No Parking at all times on both sides of the street.
2. Direct staff to work with residents to develop other potential solutions to the parking issue.

CITY MANAGER'S RECOMMENDATION:

The proposed parking restriction should help to improve sight distance along Suncrest Drive, especially at its respective intersections. It appears the additional parking restriction along the south side of Suncrest Drive in the area of the Multi-Family development will be well received by the majority of the residents in the neighborhood.

Therefore, the City Manager recommends that the City Council adopt Alternative No. 1, as noted above. **However, the City Council should remember that this change does not have unanimous support and, therefore, it can be expected that some of the residents will be critical of this additional parking restriction.**



Suncrest Drive Parking Map





MEMO

To: Mayor and City Council

From: Roger Wisecup, CPA
City Treasurer

Date: October 5, 2017

Subject: Investment Report for Quarter Ending September 30, 2017

Introduction

The purpose of this memorandum is to present a report summarizing the performance of the City of Ames investment portfolio for the quarter ending September 30, 2017.

Discussion

This report covers the period ending September 30, 2017 and presents a summary of the investments on hand at the end of September 2017. The investments are valued at amortized cost; this reflects the same basis that the assets are carried on the financial records of the City. All investments are in compliance with the current Investment Policy.

Comments

The Federal Reserve has continued to maintain its target rate for federal funds at 1.00 - 1.25 percent. While rates are trending upwards, future investments can be made at slightly higher interest rates and future interest income should increase. The current outlook has the Federal Reserve raising the target rate by the end of 2017. We will continue to evaluate our current investment strategy, remaining flexible to future investments should the Federal Reserve continue to raise the target rate.

CITY OF AMES, IOWA

**CASH AND INVESTMENTS SUMMARY
AND SUMMARY OF INVESTMENT EARNINGS**

**FOR THE QUARTER ENDED SEPTEMBER 30, 2017
AND THE ACCUMULATED YEAR-TO-DATE**

DESCRIPTION	BOOK VALUE	MARKET VALUE	UN-REALIZED GAIN/(LOSS)
CERTIFICATES OF DEPOSIT	10,000,000	10,000,000	0
FEDERAL AGENCY DISCOUNTS	1,488,199	1,486,778	(1,421)
FEDERAL AGENCY SECURITIES	81,900,402	81,389,914	(510,488)
INVESTMENT POOLS			0
COMMERCIAL PAPER	11,947,992	11,946,675	(1,317)
PASS THRU SECURITIES PAC/CMO	132,583	132,583	0
MONEY FUND SAVINGS ACCOUNTS	5,271,967	5,271,967	0
CORPORATE BONDS			0
US TREASURY SECURITIES	13,714,211	13,698,164	(16,047)
INVESTMENTS	<u>124,455,354</u>	<u>123,926,081</u>	<u>(529,273)</u>
CASH ACCOUNTS	<u>24,360,142</u>	<u>24,360,142</u>	
TOTAL FUNDS AVAILABLE	<u><u>148,815,496</u></u>	<u><u>148,286,223</u></u>	<u><u>(529,273)</u></u>

ACCRUAL BASIS INVESTMENT EARNINGS

YR-TO-DATE

GROSS EARNINGS ON INVESTMENTS:

333,225

INTEREST EARNED ON CASH:

72,150

TOTAL INTEREST EARNED:

405,375



**Investments FY 2017-2018
Portfolio Management
Portfolio Summary
September 30, 2017**

Investments	Par Value	Market Value	Book Value	% of Portfolio	Term	Days to Maturity	YTM 360 Equiv.	YTM 365 Equiv.
Certificates of Deposit	10,000,000.00	10,000,000.00	10,000,000.00	8.04	410	392	1.449	1.469
Money Market	5,271,966.77	5,271,966.77	5,271,966.77	4.24	1	1	0.296	0.300
Passbook/Checking Accounts	132,582.90	132,582.90	132,582.90	0.11	1	1	0.148	0.150
Commercial Paper Disc. -Amortizing	12,000,000.00	11,946,675.00	11,947,991.85	9.60	243	111	1.307	1.325
Federal Agency Coupon Securities	81,825,000.00	81,389,914.33	81,900,401.82	65.81	1,039	562	1.185	1.202
Federal Agency Disc. -Amortizing	1,500,000.00	1,486,777.50	1,488,199.02	1.20	279	249	1.159	1.175
Treasury Coupon Securities	13,750,000.00	13,698,164.49	13,714,210.89	11.02	1,007	463	1.241	1.258
Investments	124,479,549.67	123,926,080.99	124,455,353.25	100.00%	854	466	1.185	1.202

Total Earnings	September 30 Month Ending	Fiscal Year To Date
Current Year	115,306.47	333,224.78
Average Daily Balance	121,532,717.27	
Effective Rate of Return	1.15%	

**US TREASURY CONSTANT MATURITY RATES
PERIOD ENDING SEPTEMBER 30, 2017
3 YEAR COMPARISON**

I certify that these reports are in conformance with the Iowa Public Investment Act.

Roger J. Wisecup II CPA 10-5-17
Roger J. Wisecup II, City Treasurer

	September 30, 2017	September 30, 2016	September 30, 2015
3 Months	1.06%	0.29%	0.00%
6 Months	1.20%	0.45%	0.08%
1 Year	1.31%	0.59%	0.33%
2 Years	1.47%	0.77%	0.64%
3 Years	1.62%	0.88%	0.92%
5 Years	1.92%	1.14%	1.37%

Reporting period 09/01/2017-09/30/2017

Run Date: 10/05/2017 - 11:16

Portfolio 2018
AC
PM (PRF_PM1) 7.3.0
Report Ver. 7.3.5

Investments FY 2017-2018
Portfolio Management
Portfolio Details - Investments
September 30, 2017

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	YTM 360	YTM 365	Days to Maturity	Maturity Date
Certificates of Deposit												
144277960	144277960	Great Western Bank		09/13/2017	1,000,000.00	1,000,000.00	1,000,000.00	1.450	1.430	1.450	180	03/30/2018
144277962	144277962	Great Western Bank		09/13/2017	1,500,000.00	1,500,000.00	1,500,000.00	1.450	1.430	1.450	271	06/29/2018
144277963	144277963	Great Western Bank		09/13/2017	1,000,000.00	1,000,000.00	1,000,000.00	1.450	1.430	1.450	334	08/31/2018
144277964	144277964	Great Western Bank		09/13/2017	1,500,000.00	1,500,000.00	1,500,000.00	1.450	1.430	1.450	362	09/28/2018
144277965	144277965	Great Western Bank		09/13/2017	1,000,000.00	1,000,000.00	1,000,000.00	1.480	1.460	1.480	395	10/31/2018
144277966	144277966	Great Western Bank		09/13/2017	1,000,000.00	1,000,000.00	1,000,000.00	1.480	1.460	1.480	425	11/30/2018
144277968	144277968	Great Western Bank		09/13/2017	1,000,000.00	1,000,000.00	1,000,000.00	1.480	1.460	1.480	453	12/28/2018
144277970	144277970	Great Western Bank		09/13/2017	1,000,000.00	1,000,000.00	1,000,000.00	1.500	1.479	1.500	544	03/29/2019
144277971	144277971	Great Western Bank		09/13/2017	1,000,000.00	1,000,000.00	1,000,000.00	1.500	1.479	1.500	635	06/28/2019
Subtotal and Average			6,000,000.00		10,000,000.00	10,000,000.00	10,000,000.00		1.449	1.469	392	
Money Market												
SYS4531558874A	4531558874A	Great Western Bank			0.00	0.00	0.00	0.550	0.542	0.550	1	
SYS4531558874B	4531558874B	Great Western Bank			5,271,966.77	5,271,966.77	5,271,966.77	0.300	0.296	0.300	1	
Subtotal and Average			5,270,982.21		5,271,966.77	5,271,966.77	5,271,966.77		0.296	0.300	1	
Passbook/Checking Accounts												
SYS6952311634B	6952311634B	Wells Fargo			132,582.90	132,582.90	132,582.90	0.150	0.148	0.150	1	
Subtotal and Average			132,576.71		132,582.90	132,582.90	132,582.90		0.148	0.150	1	
Commercial Paper Disc. -Amortizing												
0347M2XD3	0763-17	Angelsea		03/21/2017	1,000,000.00	999,560.00	999,560.19	1.319	1.356	1.375	12	10/13/2017
13607EYL7	0755-17	Canada Holding Company		02/27/2017	2,000,000.00	1,996,600.00	1,996,774.44	1.161	1.182	1.199	50	11/20/2017
2254EBFF3	0782-17	Credit Suisse		09/28/2017	1,000,000.00	988,180.00	988,791.94	1.570	1.602	1.624	257	06/15/2018
46640QFN6	0781-17	JP Morgan Commercial Paper		09/28/2017	1,000,000.00	988,930.00	988,486.66	1.570	1.603	1.625	264	06/22/2018
19121AXJ5	0756-17	Coca-Cola		03/01/2017	2,500,000.00	2,498,625.00	2,498,794.91	1.021	1.046	1.061	17	10/18/2017
59157UBU3	0772-17	Met Life Commercial Paper		08/31/2017	1,000,000.00	994,510.00	994,582.60	1.300	1.309	1.327	150	02/28/2018
7443M3DW1	0773-17	Prudential PLC		08/31/2017	1,000,000.00	991,870.00	992,497.29	1.280	1.302	1.320	211	04/30/2018
82124MAV2	0771-17A	Sheffield Receivables		05/12/2017	1,500,000.00	1,493,040.00	1,493,102.29	1.380	1.415	1.435	120	01/29/2018
82124MAV2	0771-17B	Sheffield Receivables		05/12/2017	1,000,000.00	995,360.00	995,401.53	1.380	1.415	1.435	120	01/29/2018
Subtotal and Average			10,630,068.15		12,000,000.00	11,946,675.00	11,947,991.85		1.307	1.325	111	
Federal Agency Coupon Securities												
3133EGQM0	0732-16	Federal Farm Credit		08/15/2016	940,000.00	916,885.40	939,402.59	1.620	1.613	1.635	1,593	02/10/2022
3133EGUW3	0740-16A	Federal Farm Credit		09/29/2016	1,000,000.00	998,080.00	1,000,000.00	0.880	0.868	0.880	170	03/20/2018

Investments FY 2017-2018
Portfolio Management
Portfolio Details - Investments
September 30, 2017

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	YTM 360	YTM 365	Days to Maturity	Maturity Date
Federal Agency Coupon Securities												
3133EGUW3	0740-16B	Federal Farm Credit		09/29/2016	500,000.00	499,040.00	500,000.00	0.880	0.868	0.880	170	03/20/2018
3133EGQQ1	0743-16	Federal Farm Credit		10/14/2016	8,000,000.00	7,888,880.00	7,996,490.16	1.300	1.299	1.317	957	05/15/2020
3133EGD69	0746-16	Federal Farm Credit		11/07/2016	5,000,000.00	4,937,400.00	4,997,400.00	1.320	1.322	1.341	949	05/07/2020
3133ECL44	0760-17	Federal Farm Credit		03/10/2017	1,000,000.00	998,040.00	999,052.43	1.000	1.165	1.181	192	04/11/2018
3130A87B3	0722-16	Federal Home Loan Bank		05/27/2016	2,000,000.00	1,996,480.00	2,000,000.00	1.000	0.986	1.000	241	05/30/2018
3130A8UU5	0734-16	Federal Home Loan Bank		08/25/2016	4,000,000.00	3,989,360.00	4,000,443.31	1.000	0.969	0.983	234	05/23/2018
3130A8Z30	0735-16	Federal Home Loan Bank		08/25/2016	2,000,000.00	1,994,760.00	1,999,554.29	0.875	0.897	0.910	236	05/25/2018
3130A97F2	0747-16	Federal Home Loan Bank		11/09/2016	1,000,000.00	998,250.00	1,000,930.80	0.875	0.689	0.698	193	04/12/2018
3130A6LZ8	0754-16	Federal Home Loan Bank		12/02/2016	1,000,000.00	999,730.00	999,864.97	0.625	0.809	0.820	25	10/26/2017
313378A43	0759-17	Federal Home Loan Bank		03/10/2017	1,000,000.00	1,000,890.00	1,001,109.81	1.375	1.105	1.120	159	03/09/2018
3130A8BD4	0766-17A	Federal Home Loan Bank		04/20/2017	1,415,000.00	1,411,137.05	1,412,569.10	0.875	1.093	1.108	271	06/29/2018
3130A8BD4	0766-17B	Federal Home Loan Bank		04/20/2017	1,000,000.00	997,270.00	998,282.05	0.875	1.093	1.108	271	06/29/2018
3132X0QQ7	0767-17A	Federal Home Loan Bank		04/20/2017	1,500,000.00	1,497,645.00	1,502,190.95	1.375	1.236	1.253	442	12/17/2018
3132X0QQ7	0767-17B	Federal Home Loan Bank		04/20/2017	1,000,000.00	998,430.00	1,001,460.64	1.375	1.236	1.253	442	12/17/2018
3130ABHF6	0778-17	Federal Home Loan Bank		09/15/2017	3,250,000.00	3,246,154.17	3,266,961.95	1.875	1.855	1.880	1,339	06/01/2021
3137EADG1	0674-14	Federal Home Loan Mortgage Co.		10/21/2014	1,000,000.00	1,004,240.00	1,004,693.79	1.750	1.437	1.457	606	05/30/2019
3137EADG1	0679-15	Federal Home Loan Mortgage Co.		04/27/2015	3,000,000.00	3,012,720.00	3,024,155.19	1.750	1.235	1.252	606	05/30/2019
3134G45W4	0703-15	Federal Home Loan Mortgage Co.		10/15/2015	4,200,000.00	4,192,356.00	4,204,479.14	1.000	0.825	0.836	240	05/29/2018
3134G6Y31	0704-15	Federal Home Loan Mortgage Co.		10/15/2015	1,270,000.00	1,268,818.90	1,271,580.74	1.150	0.942	0.956	236	05/25/2018
3137EADG1	0705-15	Federal Home Loan Mortgage Co.		10/15/2015	5,000,000.00	5,021,200.00	5,050,834.67	1.750	1.109	1.125	606	05/30/2019
3134G9KU0	0719-16	Federal Home Loan Mortgage Co.		05/25/2016	3,500,000.00	3,493,420.00	3,499,886.25	1.000	0.991	1.005	236	05/25/2018
3134G9MN4	0720-16	Federal Home Loan Mortgage Co.		05/26/2016	1,000,000.00	985,880.00	1,000,000.00	1.500	1.479	1.500	968	05/26/2020
3134G9KW6	0723-16	Federal Home Loan Mortgage Co.		06/10/2016	1,000,000.00	993,060.00	999,844.50	1.350	1.339	1.357	786	11/26/2019
3134G9JK4	0725-16	Federal Home Loan Mortgage Co.		06/10/2016	2,000,000.00	1,990,620.00	2,000,140.52	1.125	1.103	1.119	421	11/26/2018
3134G9UF2	0726-16	Federal Home Loan Mortgage Co.		06/28/2016	1,000,000.00	996,800.00	1,000,110.19	1.050	1.025	1.039	362	09/28/2018
3134G9WU7	0727-16	Federal Home Loan Mortgage Co.		06/28/2016	1,000,000.00	999,060.00	1,000,000.00	0.800	0.789	0.800	88	12/28/2017
3134GAPQ1	0741-16	Federal Home Loan Mortgage Co.		09/30/2016	500,000.00	497,810.00	500,000.00	1.020	1.006	1.020	362	09/28/2018
3134GAPQ1	0742-16A	Federal Home Loan Mortgage Co.		09/30/2016	500,000.00	497,810.00	500,000.00	1.020	1.006	1.020	362	09/28/2018
3134GAPQ1	0742-16B	Federal Home Loan Mortgage Co.		09/30/2016	1,000,000.00	995,620.00	1,000,000.00	1.020	1.006	1.020	362	09/28/2018
3137EADN6	0757-17	Federal Home Loan Mortgage Co.		03/10/2017	1,000,000.00	998,840.00	999,145.42	0.750	1.042	1.057	103	01/12/2018
3134GAGF5	0776-17	Federal Home Loan Mortgage Co.		09/07/2017	750,000.00	747,660.00	748,563.32	1.100	1.286	1.304	347	09/13/2018
3137EAD7	0777-17	Federal Home Loan Mortgage Co.		09/07/2017	1,000,000.00	998,644.31	999,936.41	0.875	1.210	1.226	376	10/12/2018
3135G0WJ8	0663-14	Federal Nat'l Mtg. Assoc.		04/17/2014	5,000,000.00	4,987,500.00	4,982,898.58	0.875	1.559	1.581	232	05/21/2018
3136G3AU9	0714-16	Federal Nat'l Mtg. Assoc.		02/26/2016	3,000,000.00	2,968,680.00	3,000,000.00	1.250	1.233	1.250	600	05/24/2019
3136G33W3	0733-16	Federal Nat'l Mtg. Assoc.		08/30/2016	4,000,000.00	3,919,760.00	4,000,000.00	1.500	1.480	1.500	1,335	05/28/2021
3136G4FL2	0744-16	Federal Nat'l Mtg. Assoc.		10/14/2016	1,550,000.00	1,513,637.00	1,549,391.21	1.500	1.491	1.512	1,289	04/12/2021

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CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	YTM 360	YTM 365	Days to Maturity	Maturity Date
Federal Agency Coupon Securities												
3136G3MW2	0745-16	Federal Nat'l Mtg. Assoc.		10/14/2016	450,000.00	440,581.50	450,000.00	1.500	1.479	1.500	1,332	05/25/2021
3135G0TG8	0758-17	Federal Nat'l Mtg. Assoc.		03/10/2017	1,000,000.00	998,690.00	999,213.99	0.875	1.084	1.099	130	02/08/2018
912828UA6	0730-16	U.S. Treasury		08/15/2016	1,500,000.00	1,498,845.00	1,499,927.54	0.625	0.646	0.654	60	11/30/2017
912828UA6	0748-16	U.S. Treasury		11/09/2016	1,000,000.00	999,230.00	999,887.31	0.625	0.684	0.694	60	11/30/2017
Subtotal and Average			85,530,702.13		81,825,000.00	81,389,914.33	81,900,401.82		1.185	1.202	562	
Federal Agency Disc. -Amortizing												
313313XM5	0774-17	Federal Farm Credit		09/01/2017	750,000.00	743,595.00	744,302.77	1.130	1.153	1.169	242	05/31/2018
313397YC9	0775-17	Federal Home Loan Mortgage Co.		09/01/2017	750,000.00	743,182.50	743,896.25	1.140	1.164	1.180	257	06/15/2018
Subtotal and Average			1,487,513.28		1,500,000.00	1,486,777.50	1,488,199.02		1.159	1.175	249	
Treasury Coupon Securities												
912828VE7	0662-14	U.S. Treasury		03/21/2014	2,000,000.00	1,996,480.00	1,994,344.91	1.000	1.421	1.441	242	05/31/2018
912828SX9	0673-14	U.S. Treasury		10/21/2014	3,000,000.00	2,984,520.00	2,989,010.97	1.125	1.334	1.353	607	05/31/2019
912828M72	0724-16	U.S. Treasury		06/10/2016	2,000,000.00	1,999,260.00	2,000,557.62	0.875	0.694	0.704	60	11/30/2017
912828XA3	0761-17	U.S. Treasury		03/10/2017	1,000,000.00	998,590.00	999,045.66	1.000	1.139	1.155	226	05/15/2018
912828R77	0769-17	U.S. Treasury		04/20/2017	2,000,000.00	1,972,340.00	1,982,183.75	1.375	1.605	1.627	1,338	05/31/2021
912828G79	0770-17	U.S. Treasury		05/11/2017	1,250,000.00	1,249,637.50	1,249,918.29	1.000	1.018	1.032	75	12/15/2017
912828VK3	0779-17	U.S. Treasury		09/27/2017	500,000.00	501,952.70	502,125.89	1.375	1.232	1.249	272	06/30/2018
912828L40	0780-17	U.S. Treasury		09/27/2017	1,000,000.00	996,811.49	997,612.65	1.000	1.269	1.287	349	09/15/2018
912828N63	0783-17	U.S. Treasury		09/28/2017	1,000,000.00	998,572.80	999,411.15	1.125	1.333	1.351	471	01/15/2019
Subtotal and Average			12,480,874.79		13,750,000.00	13,698,164.49	13,714,210.89		1.241	1.258	463	
Total and Average			121,532,717.27		124,479,549.67	123,926,080.99	124,455,353.25		1.185	1.202	466	

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Certificates of Deposit												
144277960	144277960	GWB	1,000,000.00	1.450	03/30/2018	09/13/2017	1.430	1.450	03/30 - At Maturity		1,000,000.00	1,000,000.00
144277962	144277962	GWB	1,500,000.00	1.450	06/29/2018	09/13/2017	1.430	1.450	06/29 - At Maturity		1,500,000.00	1,500,000.00
144277963	144277963	GWB	1,000,000.00	1.450	08/31/2018	09/13/2017	1.430	1.450	08/31 - At Maturity		1,000,000.00	1,000,000.00
144277964	144277964	GWB	1,500,000.00	1.450	09/28/2018	09/13/2017	1.430	1.450	09/28 - At Maturity		1,500,000.00	1,500,000.00
144277965	144277965	GWB	1,000,000.00	1.480	10/31/2018	09/13/2017	1.460	1.480	10/31 - At Maturity		1,000,000.00	1,000,000.00
144277966	144277966	GWB	1,000,000.00	1.480	11/30/2018	09/13/2017	1.460	1.480	11/30 - At Maturity		1,000,000.00	1,000,000.00
144277968	144277968	GWB	1,000,000.00	1.480	12/28/2018	09/13/2017	1.460	1.480	12/28 - At Maturity		1,000,000.00	1,000,000.00
144277970	144277970	GWB	1,000,000.00	1.500	03/29/2019	09/13/2017	1.479	1.500	03/29 - At Maturity		1,000,000.00	1,000,000.00
144277971	144277971	GWB	1,000,000.00	1.500	06/28/2019	09/13/2017	1.479	1.500	06/28 - At Maturity		1,000,000.00	1,000,000.00
Certificates of Deposit Totals			10,000,000.00				1.449	1.469		0.00	10,000,000.00	10,000,000.00
Money Market												
SYS4531558874A	4531558874A	GWB	0.00	0.550			0.542	0.550	07/01 - Monthly		0.00	0.00
SYS4531558874B	4531558874B	GWB	5,271,966.77	0.300			0.296	0.300	07/01 - Monthly		5,271,966.77	5,271,966.77
Money Market Totals			5,271,966.77				0.296	0.300		0.00	5,271,966.77	5,271,966.77
Passbook/Checking Accounts												
SYS6952311634B	6952311634B	WF	132,582.90	0.150			0.148	0.150	07/01 - Monthly		132,582.90	132,582.90
Passbook/Checking Accounts Totals			132,582.90				0.148	0.150		0.00	132,582.90	132,582.90
Commercial Paper Disc. -Amortizing												
0347M2XD3	0763-17	ANGLES	1,000,000.00	1.319	10/13/2017	03/21/2017	1.356	1.375	10/13 - At Maturity		992,450.00	999,560.19
13607EYL7	0755-17	CANHLD	2,000,000.00	1.161	11/20/2017	02/27/2017	1.182	1.199	11/20 - At Maturity		1,982,840.00	1,996,774.44
2254EBFF3	0782-17	CSFBNY	1,000,000.00	1.570	06/15/2018	09/28/2017	1.602	1.624	06/15 - At Maturity		988,661.11	988,791.94
46640QFN6	0781-17	JPM	1,000,000.00	1.570	06/22/2018	09/28/2017	1.603	1.625	06/22 - At Maturity		988,355.83	988,486.66
19121AXJ5	0756-17	KOPP	2,500,000.00	1.021	10/18/2017	03/01/2017	1.046	1.061	10/18 - At Maturity		2,483,625.00	2,498,794.91
59157UBU3	0772-17	METSHR	1,000,000.00	1.300	02/28/2018	08/31/2017	1.309	1.327	02/28 - At Maturity		993,463.00	994,582.60
7443M3DW1	0773-17	PRUDEN	1,000,000.00	1.280	04/30/2018	08/31/2017	1.302	1.320	04/30 - At Maturity		991,395.00	992,497.29
82124MAV2	0771-17A	SRCPP	1,500,000.00	1.380	01/29/2018	05/12/2017	1.415	1.435	01/29 - At Maturity		1,484,940.00	1,493,102.29
82124MAV2	0771-17B	SRCPP	1,000,000.00	1.380	01/29/2018	05/12/2017	1.415	1.435	01/29 - At Maturity		989,960.00	995,401.53
Commercial Paper Disc. -Amortizing Totals			12,000,000.00				1.307	1.325		0.00	11,895,689.94	11,947,991.85
Federal Agency Coupon Securities												
3133EGQM0	0732-16	FFCB	940,000.00	1.620	02/10/2022	08/15/2016	1.613	1.635	02/10 - 08/10	Received	939,248.00	939,402.59

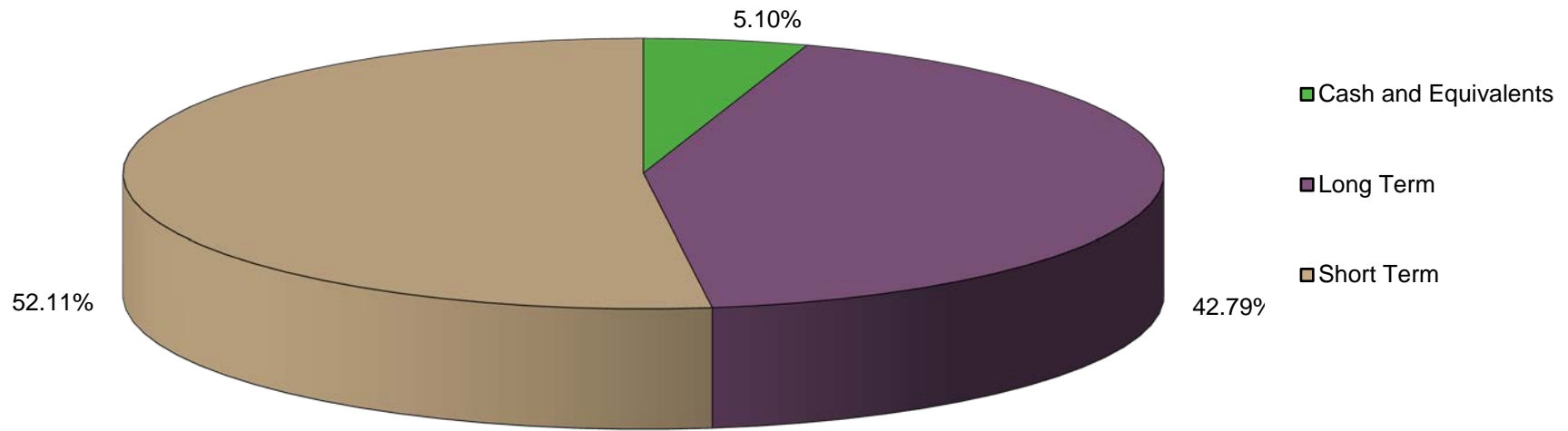
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Federal Agency Coupon Securities												
3133EGUW3	0740-16A	FFCB	1,000,000.00	0.880	03/20/2018	09/29/2016	0.868	0.880	03/20 - 09/20	Received	1,000,000.00	1,000,000.00
3133EGUW3	0740-16B	FFCB	500,000.00	0.880	03/20/2018	09/29/2016	0.868	0.880	03/20 - 09/20	Received	500,000.00	500,000.00
3133EGQQ1	0743-16	FFCB	8,000,000.00	1.300	05/15/2020	10/14/2016	1.299	1.317	11/15 - 05/15	Received	7,995,200.00	7,996,490.16
3133EGD69	0746-16	FFCB	5,000,000.00	1.320	05/07/2020	11/07/2016	1.322	1.341	05/07 - 11/07		4,996,500.00	4,997,400.00
3133ECL44	0760-17	FFCB	1,000,000.00	1.000	04/11/2018	03/10/2017	1.165	1.181	04/11 - 10/11	Received	998,050.00	999,052.43
3130A87B3	0722-16	FHLB	2,000,000.00	1.000	05/30/2018	05/27/2016	0.986	1.000	11/30 - 05/30		2,000,000.00	2,000,000.00
3130A8UU5	0734-16	FHLB	4,000,000.00	1.000	05/23/2018	08/25/2016	0.969	0.983	11/23 - 05/23	Received	4,001,200.00	4,000,443.31
3130A8Z30	0735-16	FHLB	2,000,000.00	0.875	05/25/2018	08/25/2016	0.897	0.910	11/25 - 05/25		1,998,800.00	1,999,554.29
3130A97F2	0747-16	FHLB	1,000,000.00	0.875	04/12/2018	11/09/2016	0.689	0.698	04/12 - 10/12	Received	1,002,500.00	1,000,930.80
3130A6LZ8	0754-16	FHLB	1,000,000.00	0.625	10/26/2017	12/02/2016	0.809	0.820	04/26 - 10/26	Received	998,250.00	999,864.97
313378A43	0759-17	FHLB	1,000,000.00	1.375	03/09/2018	03/10/2017	1.105	1.120	09/09 - 03/09	Received	1,002,521.65	1,001,109.81
3130A8BD4	0766-17A	FHLB	1,415,000.00	0.875	06/29/2018	04/20/2017	1.093	1.108	06/29 - 12/29	Received	1,411,108.75	1,412,569.10
3130A8BD4	0766-17B	FHLB	1,000,000.00	0.875	06/29/2018	04/20/2017	1.093	1.108	06/29 - 12/29	Received	997,250.00	998,282.05
3132X0QQ7	0767-17A	FHLB	1,500,000.00	1.375	12/17/2018	04/20/2017	1.236	1.253	06/17 - 12/17	Received	1,503,000.00	1,502,190.95
3132X0QQ7	0767-17B	FHLB	1,000,000.00	1.375	12/17/2018	04/20/2017	1.236	1.253	06/17 - 12/17	Received	1,002,000.00	1,001,460.64
3130ABHF6	0778-17	FHLB	3,250,000.00	1.875	06/01/2021	09/15/2017	1.855	1.880	12/01 - 06/01	17,604.17	3,249,350.00	3,266,961.95
3137EADG1	0674-14	FHLMC	1,000,000.00	1.750	05/30/2019	10/21/2014	1.437	1.457	11/30 - 05/30	Received	1,013,000.00	1,004,693.79
3137EADG1	0679-15	FHLMC	3,000,000.00	1.750	05/30/2019	04/27/2015	1.235	1.252	05/30 - 11/30	Received	3,059,400.00	3,024,155.19
3134G45W4	0703-15	FHLMC	4,200,000.00	1.000	05/29/2018	10/15/2015	0.825	0.836	11/29 - 05/29	Received	4,217,766.00	4,204,479.14
3134G6Y31	0704-15	FHLMC	1,270,000.00	1.150	05/25/2018	10/15/2015	0.942	0.956	11/25 - 05/25	Received	1,276,350.00	1,271,580.74
3137EADG1	0705-15	FHLMC	5,000,000.00	1.750	05/30/2019	10/15/2015	1.109	1.125	11/30 - 05/30	Received	5,110,750.00	5,050,834.67
3134G9KU0	0719-16	FHLMC	3,500,000.00	1.000	05/25/2018	05/25/2016	0.991	1.005	11/25 - 05/25		3,499,650.00	3,499,886.25
3134G9MN4	0720-16	FHLMC	1,000,000.00	1.500	05/26/2020	05/26/2016	1.479	1.500	11/26 - 05/26		1,000,000.00	1,000,000.00
3134G9KW6	0723-16	FHLMC	1,000,000.00	1.350	11/26/2019	06/10/2016	1.339	1.357	11/26 - 05/26	Received	999,750.00	999,844.50
3134G9JK4	0725-16	FHLMC	2,000,000.00	1.125	11/26/2018	06/10/2016	1.103	1.119	11/26 - 05/26	Received	2,000,300.00	2,000,140.52
3134G9UF2	0726-16	FHLMC	1,000,000.00	1.050	09/28/2018	06/28/2016	1.025	1.039	09/28 - 03/28		1,000,250.00	1,000,110.19
3134G9WU7	0727-16	FHLMC	1,000,000.00	0.800	12/28/2017	06/28/2016	0.789	0.800	12/28 - 06/28		1,000,000.00	1,000,000.00
3134GAPQ1	0741-16	FHLMC	500,000.00	1.020	09/28/2018	09/30/2016	1.006	1.020	03/28 - 09/28		500,000.00	500,000.00
3134GAPQ1	0742-16A	FHLMC	500,000.00	1.020	09/28/2018	09/30/2016	1.006	1.020	03/28 - 09/28		500,000.00	500,000.00
3134GAPQ1	0742-16B	FHLMC	1,000,000.00	1.020	09/28/2018	09/30/2016	1.006	1.020	03/28 - 09/28		1,000,000.00	1,000,000.00
3137EADN6	0757-17	FHLMC	1,000,000.00	0.750	01/12/2018	03/10/2017	1.042	1.057	07/12 - 01/12	Received	997,444.72	999,145.42
3134GAGF5	0776-17	FHLMC	750,000.00	1.100	09/13/2018	09/07/2017	1.286	1.304	09/13 - 03/13	Received	748,462.50	748,563.32
3137EAED7	0777-17	FHLMC	1,000,000.00	0.875	10/12/2018	09/07/2017	1.210	1.226	10/12 - 04/12	3,524.31	996,180.00	999,936.41
3135G0WJ8	0663-14	FNMA	5,000,000.00	0.875	05/21/2018	04/17/2014	1.559	1.581	05/21 - 11/21	Received	4,890,402.20	4,982,898.58
3136G3AU9	0714-16	FNMA	3,000,000.00	1.250	05/24/2019	02/26/2016	1.233	1.250	05/24 - 11/24	Received	3,000,000.00	3,000,000.00

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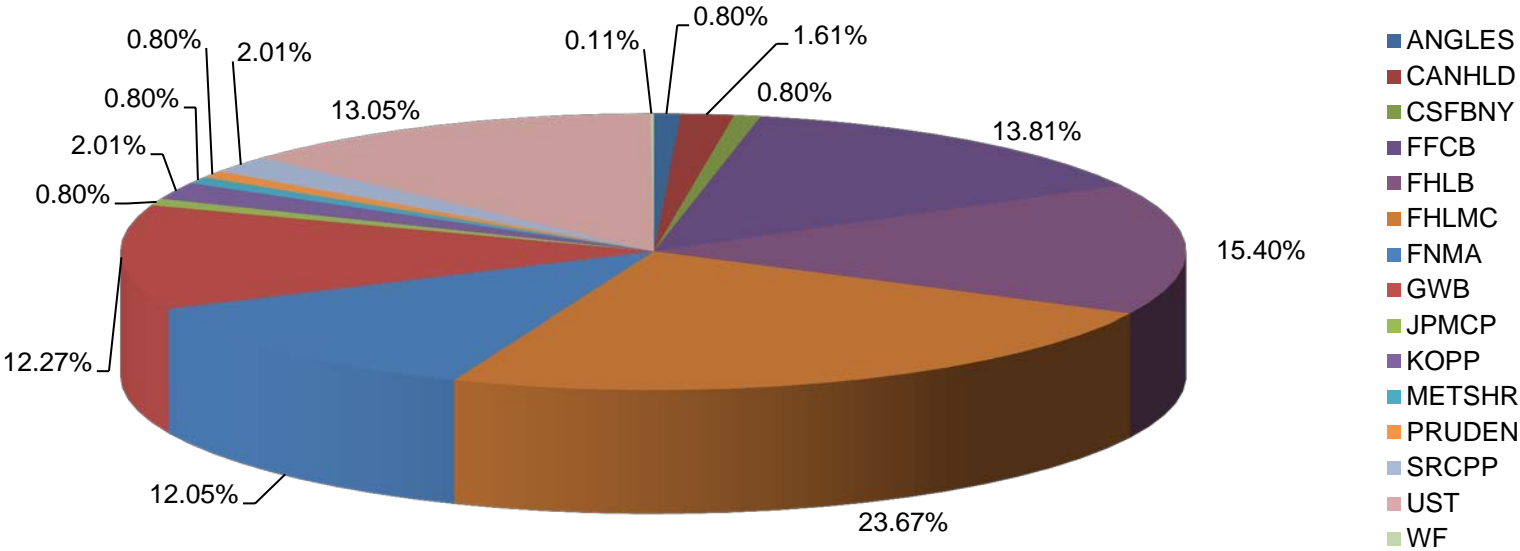
CUSIP	Investment #	Issuer	Par Value	Stated Rate	Maturity Date	Purchase Date	YTM 360	YTM 365	Payment Dates	Accrued Interest At Purchase	Current Principal	Book Value
Federal Agency Coupon Securities												
3136G33W3	0733-16	FNMA	4,000,000.00	1.500	05/28/2021	08/30/2016	1.480	1.500	11/28 - 05/28		4,000,000.00	4,000,000.00
3136G4FL2	0744-16	FNMA	1,550,000.00	1.500	04/12/2021	10/14/2016	1.491	1.512	04/12 - 10/12	Received	1,549,225.00	1,549,391.21
3136G3MW2	0745-16	FNMA	450,000.00	1.500	05/25/2021	10/14/2016	1.479	1.500	11/25 - 05/25	Received	450,000.00	450,000.00
3135G0TG8	0758-17	FNMA	1,000,000.00	0.875	02/08/2018	03/10/2017	1.084	1.099	08/08 - 02/08	Received	997,970.00	999,213.99
912828UA6	0730-16	US TRE	1,500,000.00	0.625	11/30/2017	08/15/2016	0.646	0.654	11/30 - 05/31	Received	1,499,430.00	1,499,927.54
912828UA6	0748-16	US TRE	1,000,000.00	0.625	11/30/2017	11/09/2016	0.684	0.694	11/30 - 05/31	Received	999,275.00	999,887.31
Federal Agency Coupon Securities Totals			81,825,000.00				1.185	1.202		21,128.48	81,900,583.82	81,900,401.82
Federal Agency Disc. -Amortizing												
313313XM5	0774-17	FFCB	750,000.00	1.130	05/31/2018	09/01/2017	1.153	1.169	05/31 - At Maturity		743,596.50	744,302.77
313397YC9	0775-17	FHLMC	750,000.00	1.140	06/15/2018	09/01/2017	1.164	1.180	06/15 - At Maturity		743,183.75	743,896.25
Federal Agency Disc. -Amortizing Totals			1,500,000.00				1.159	1.175		0.00	1,486,780.25	1,488,199.02
Treasury Coupon Securities												
912828VE7	0662-14	US TRE	2,000,000.00	1.000	05/31/2018	03/21/2014	1.421	1.441	05/31 - 11/30	Received	1,964,200.00	1,994,344.91
912828SX9	0673-14	US TRE	3,000,000.00	1.125	05/31/2019	10/21/2014	1.334	1.353	11/30 - 05/31	Received	2,969,531.25	2,989,010.97
912828M72	0724-16	US TRE	2,000,000.00	0.875	11/30/2017	06/10/2016	0.694	0.704	11/30 - 05/31	Received	2,005,000.00	2,000,557.62
912828XA3	0761-17	US TRE	1,000,000.00	1.000	05/15/2018	03/10/2017	1.139	1.155	05/15 - 11/15	Received	998,180.00	999,045.66
912828R77	0769-17	US TRE	2,000,000.00	1.375	05/31/2021	04/20/2017	1.605	1.627	05/31 - 11/30	Received	1,980,000.00	1,982,183.75
912828G79	0770-17	US TRE	1,250,000.00	1.000	12/15/2017	05/11/2017	1.018	1.032	06/15 - 12/15	Received	1,249,762.50	1,249,918.29
912828VK3	0779-17	US TRE	500,000.00	1.375	06/30/2018	09/27/2017	1.232	1.249	12/31 - 06/30	1,662.70	500,470.00	502,125.89
912828L40	0780-17	US TRE	1,000,000.00	1.000	09/15/2018	09/27/2017	1.269	1.287	03/15 - 09/15	331.49	997,250.00	997,612.65
912828N63	0783-17	US TRE	1,000,000.00	1.125	01/15/2019	09/28/2017	1.333	1.351	01/15 - 07/15	2,292.80	997,100.00	999,411.15
Treasury Coupon Securities Totals			13,750,000.00				1.241	1.258		4,286.99	13,661,493.75	13,714,210.89
Investment Totals			124,479,549.67				1.185	1.202		25,415.47	124,349,097.43	124,455,353.25

Portfolio by Asset Class



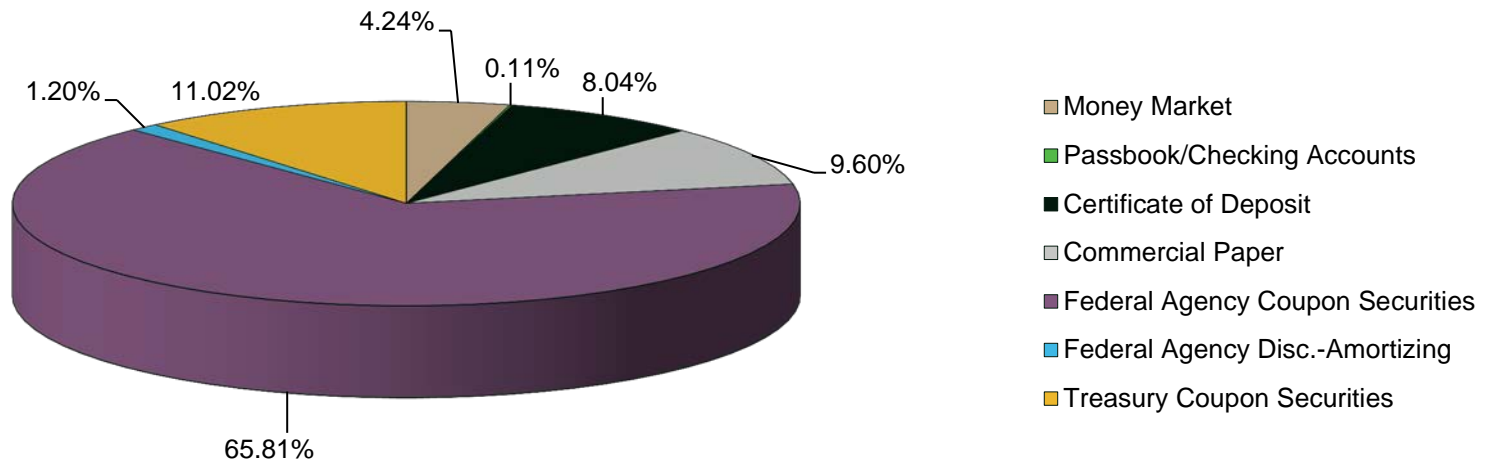
For Quarter Ending September 30, 2017

Par Value by Issuer Graph



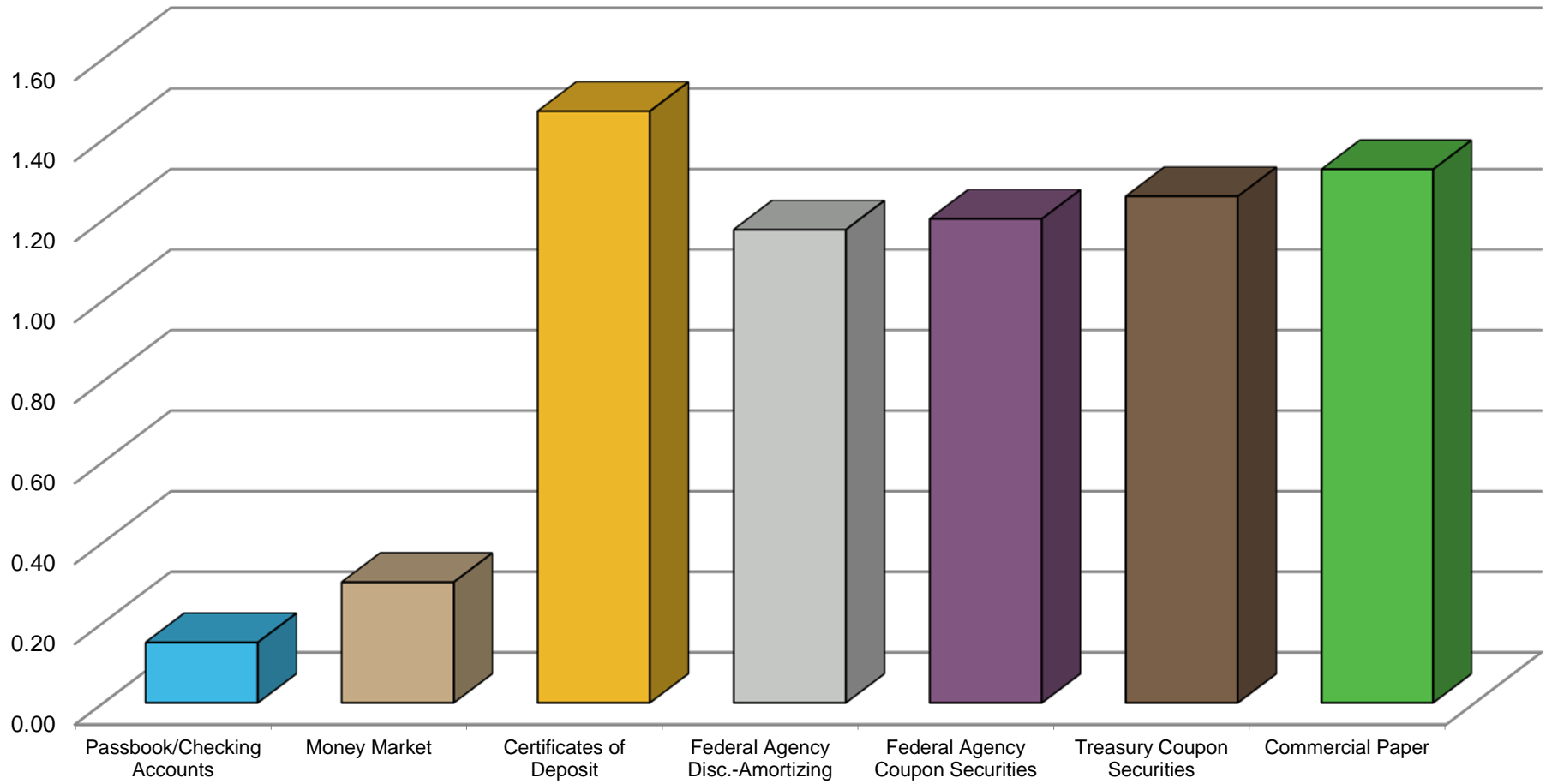
For Quarter Ending September 30, 2017

Book Value By Investment Type



For Quarter Ending September 30, 2017

Investment Yield by Type



For Quarter Ending September 30, 2017

COUNCIL ACTION FORM

SUBJECT: **REQUEST FOR THE PUBLIC ART COMMISSION TO
CARRYOVER FUNDS FROM FY2016/17 TO FY2017/18**

BACKGROUND:

The unspent ending balance from the Public Arts Commission (PAC) approved FY2016/17 budget is \$34,257. Of that amount, the Commission is requesting Council approval to carry over a total amount of **\$28,000** for Art in the Parks and Neighborhood Art. The carryover funds will be used for the following two projects.

Neighborhood Sculpture (\$13,000)

For its Neighborhood Sculpture program, the Public Art Commission would like to carry forward an unspent balance of **\$13,000**.

With the increasing cost of purchasing sculptures, it isn't always possible to purchase three each year as has been done for the past few years. Looking at the current exhibition, it appears that the costs of those pieces are again significant. By carrying this balance over, the PAC would hope to be able to purchase up to four sculptures during the 2017-18 fiscal year.

From the FY 2016/17 funding of \$18,100, PAC was able to purchase and install three sculptures. These include *Windswept* at the Ames Municipal Airport, *The Peculiar Family* at Roxboro Drive and Stange Road, and *The Other Extreme* at Harrison Road and Harrison Circle. From the FY 2015/16 funding of \$13,500, they were able to purchase, install, and obtain signage for two sculptures – one located at 30th and Hoover and the other located on Park Avenue by Brookridge. Since its inception in 2004, the Neighborhood Sculpture program has acquired and placed 33 sculptures valued at over \$100,000 in the Ames community.

Art in the Parks (\$15,000)

The Art in the Parks program traditionally has its unspent balance carried forward over several years to get accumulate enough to fund the expense of a larger Art in the Parks project. These projects involve bringing in an artist to work with the community creating art in the parks. They are quite expensive, and typically involve accruing several years' budget allocations.

In summer 2016 *Resonance* was installed in Tom Evans Park as a part of this ongoing project. The Commission is asking to carry over the **\$15,000** balance for this program. The next projected Art in the Parks project is anticipated in Spring/Summer 2019.

ALTERNATIVES:

- 1) The City Council can approve the request from the Public Arts Commission to carryover \$28,000 from FY 2016/17 to fund the Neighborhood Sculpture and Art in the Parks projects.
- 2) The City Council can deny the request from the Public Arts Commission to carryover \$28,000 from FY 2016/17 to fund the Neighborhood Sculpture and Art in the Parks projects.
- 3) The City Council can ask the Public Arts Commission to use the \$28,000 of carryover funds for some other project.

MANAGER'S RECOMMENDED ACTION:

Satisfying the request from the PAC to carryover funds will assure that their quality programs continue at no additional cost to the City this year. Therefore, it is the recommendation of the City Manager that the City Council support Alternative #1 and approve the request from the Public Arts Commission to carryover \$28,000 from FY 2016/17 to fund the Neighborhood Sculpture and Art in the Parks projects.

COUNCIL ACTION FORM

SUBJECT: REALLOCATION OF REMAINING 2016/17 FIRE DEPARTMENT CAPITAL IMPROVEMENT FUNDS

BACKGROUND:

All three Fire Stations were constructed without common signage. Though most current residents may be familiar with Fire Station locations, often new citizens and those passing through the City find it difficult to identify the stations, nor recognize them as part of Ames. The Fire Department is requesting signage for all three stations.

Signage for the Fire Stations identifying each facility as a part of the City of Ames, similar to what can be found at most other City owned facilities and parks, is what is being proposed. Staff from Parks and Recreation has agreed to erect and install a sign at each Station (including delivery and stone work), if the Fire Department purchases the supplies. The cost for each Station is approximately \$4,000 for a total of \$12,000.

In early 2015 City Council authorized \$145,175 in the Capital Improvements Plan to purchase self-contained breathing apparatus (SCBA) replacements. This project came in under budget, with more than \$16,000 remaining. **Therefore, staff is recommending that the remaining \$16,245 from the 2016/17 CIP be reallocated to cover the cost of adding new signs to all three Fire Stations.**

ALTERNATIVES:

1. Approve reallocation of remaining 2015/16 Capital Improvement Funds for new Fire Station signs.
2. Approve funding for these repairs from the General Fund Contingency Account.
2. Deny the reallocation of remaining 2015/16 Capital Improvement Funds for new Fire Station signs.

MANAGER'S RECOMMENDED ACTION:

The approved 2015/16 Capital Improvement Plan included funds for SCBA replacements. The remaining \$16,245 in this project, if reallocated, could cover the necessary costs to purchase and install three Fire Station signs to match the other signage located at City-owned properties throughout Ames.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving reallocation of the remaining 2015/16 Capital Improvement Program funds for new Fire Station signs.

COUNCIL ACTION FORM

**SUBJECT: REQUEST TO WAIVE PARKING ENFORCEMENT AND METER FEES
AT POLLING LOCATIONS WITH METERED PARKING**

BACKGROUND:

The Story County Auditor supervises the election process including all 20 polling places within the City of Ames. Two of these city polling locations (Ames Public Library and Collegiate United Methodist Church) have metered parking that serves as the primary public parking resource for these locations. A third, Collegiate Presbyterian, has three meter spaces along with additional private parking. Citizens who use these locations have frequently requested that metered spaces be available to accommodate voters and that the associated meter fees be waived on election day. The other 17 locations in the city have private parking associated with the facility or, in the case of Iowa State University, already allocate parking for poll workers and voters.

While there is no statutory requirement to provide parking, some citizens who have raised the issue have noted that meter fees may serve as a potential barrier to voting. Others have referred to the principle of removing barriers to voting in their comments, noting that the City has waived parking fees for commercial events in the downtown area.

After a review of parking options at each site, it appears that 20 spaces on Douglas Avenue would provide a great deal of convenient, short-term parking. Additionally, there are spaces on Fifth Street (11 spaces) and in Lot Q (62 spaces) for a total of 93 spaces available in the area. For the purpose of accommodating the election, 20 of these spaces will be identified for waiver. At Collegiate United Methodist, there are nine spaces on Lincoln Way that are adjacent to the church. At Collegiate Presbyterian, there are three spaces on West Street.

It should be noted that City Council has approved this approach in the past. To date there have not been any major issues or any negative feedback from utilizing metered parking for voting.

ALTERNATIVES:

1. Approve election day-related parking waiver of up to 20 meter spaces near the Ames Public Library, up to nine spaces at Collegiate United Methodist Church, and up to three spaces at Collegiate Presbyterian. In addition, this alternative authorizes the Traffic Engineer to determine the final number of parking spaces allocated to these three election polling locations through the City Council approval of the meter fee waiver for the spaces.

2. Authorize a lesser number of meter spaces for one or all of the three locations.
3. Do not approve the allocation of election-related parking spaces.

CITY MANAGER RECOMMENDATION:

The allocation of parking spaces and the waiver of meter fees will assist the Story County Auditor in making polling places accessible within the City of Ames. In those areas where parking is limited, allocating parking to the polling place will allow poll workers to ensure turnover, and as a result, improve access to polls for Ames residents.

Therefore, the City Manager recommends that the City Council adopt Alternative No. 1, as noted above.

ITEM# 12
DATE: 10/24/17

COUNCIL ACTION FORM

**SUBJECT: PARKING REQUEST FROM UNITED STATES POSTAL SERVICE AT
NEW OFFICE (119 STANTON AVENUE)**

BACKGROUND:

The Ames Post Master, Todd Oxley, contacted staff requesting a change to the metered parking stalls located in front of their new United States Post Office at 119 Stanton Avenue. The United States Post Service (USPS) recently sold their property at 210 Welch Avenue to Kum & Go. **The new location at Stanton Avenue does not have any designated customer parking. Therefore, Mr. Oxley is requesting to change the three metered stalls to two “15-Minute” parking stalls and one “Loading Zone” stall.**

The Campustown Action Association (CAA) was contacted to make sure that this change did not adversely affect other Campustown businesses. In the attached letter, the CAA has expressed their support of the proposed changes. Citing the importance of having a USPS branch located in Campustown will likely outweigh any concerns related to the loss of three metered stalls. **It should be noted that these three metered stalls have some of the lowest utilization of any meters in Campustown.**

ALTERNATIVES:

1. Direct Staff to make the appropriate revisions to the Official Parking Meter Map, thereby changing the stalls along Stanton Avenue two “15-Minute” parking stalls and one “Loading Zone” stall.
2. Direct staff to work with the USPS to find other solutions to their parking issue.

CITY MANAGER’S RECOMMENDATION:

The USPS provides a vital service for residents and businesses alike in the Campustown area. The requested change will create more efficient and effective use of parking for customers of the Post Office.

Therefore, the City Manager recommends that the City Council adopt Alternative No. 1, as noted above.

Attachment 1

Todd D. Oxley
POSTMASTER
AMES POST OFFICE



September 18, 2017

Damion Pregitzer
Traffic Engineer, City of Ames
515 Clark AVE
Ames, IA 50010-6122

This letter is a follow up to an earlier email question and our conversation regarding the parking on the 100 block of Stanton AVE. I am requesting to change the three metered, parallel parking spaces in front of 119 Stanton AVE (west side of street), from their paid parking to a "15 minute only parking" status.

As you know, our current retail Postal Station on Welch AVE will be moving to this new location in mid-October. After a lengthy search, this location was the best fit for our needs, and our desire to maintain a presence in the campus town area. After announcing this change, several current customers of the Welch AVE Station have expressed concern with the lack of parking on Stanton AVE. I have to agree.

Current parking meters allow customers to get up to 2 hours of parking at these spaces, and with only three spaces available, this makes it very difficult for our customers to stop in and retrieve their PO Box mail, or mail packages. We also will have to get mail into and out of this building, multiple times each day. The building has no loading dock or any off-street loading area for this purpose. There seems to already be an issue with delivery trucks having to unload while actually in the southbound traffic lane of Stanton AVE. Just since our renovations began at this location I have seen numerous freight and delivery trucks parked on the street, with hazard lights on, unloading freight and packages to the residents and business in the area. I don't want our trucks to contribute to this current problem.

In fact, the best solution for this would be to designate the northern most parking space as a "Loading Zone" while have the two south spaces as "15 minute parking only." This should keep our drivers safe, while also not contributing to an already congested area. It would also prevent ISU students from parking in these spaces while going to class on campus.

Please consider this request to improve the parking convenience and safety on Stanton AVE once the "Cyclone Station" Post Office opens there in Mid-October.

Thank you for your consideration.

Sincerely,


Todd Oxley



Attachment 2



campustown
action
association

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

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

We are writing to you today in regards to the United States Post Office parking request at their new location on Stanton Avenue. The CAA board feels this is a very reasonable request. There are only 3 parking spots affected, and while there may be a few who will always complain about the removal of any parking in Campustown, we feel it will be short-lived, as well as vastly outweighed by the convenience of having a local USPS branch. Those of us who live and work in the Campustown district are thrilled that they have found a location and will be able to stay in the neighborhood. We are in support of granting their request to have the 3 metered parking spots in front of 119 Stanton changed to 15 minutes.

As always thank you for your time,

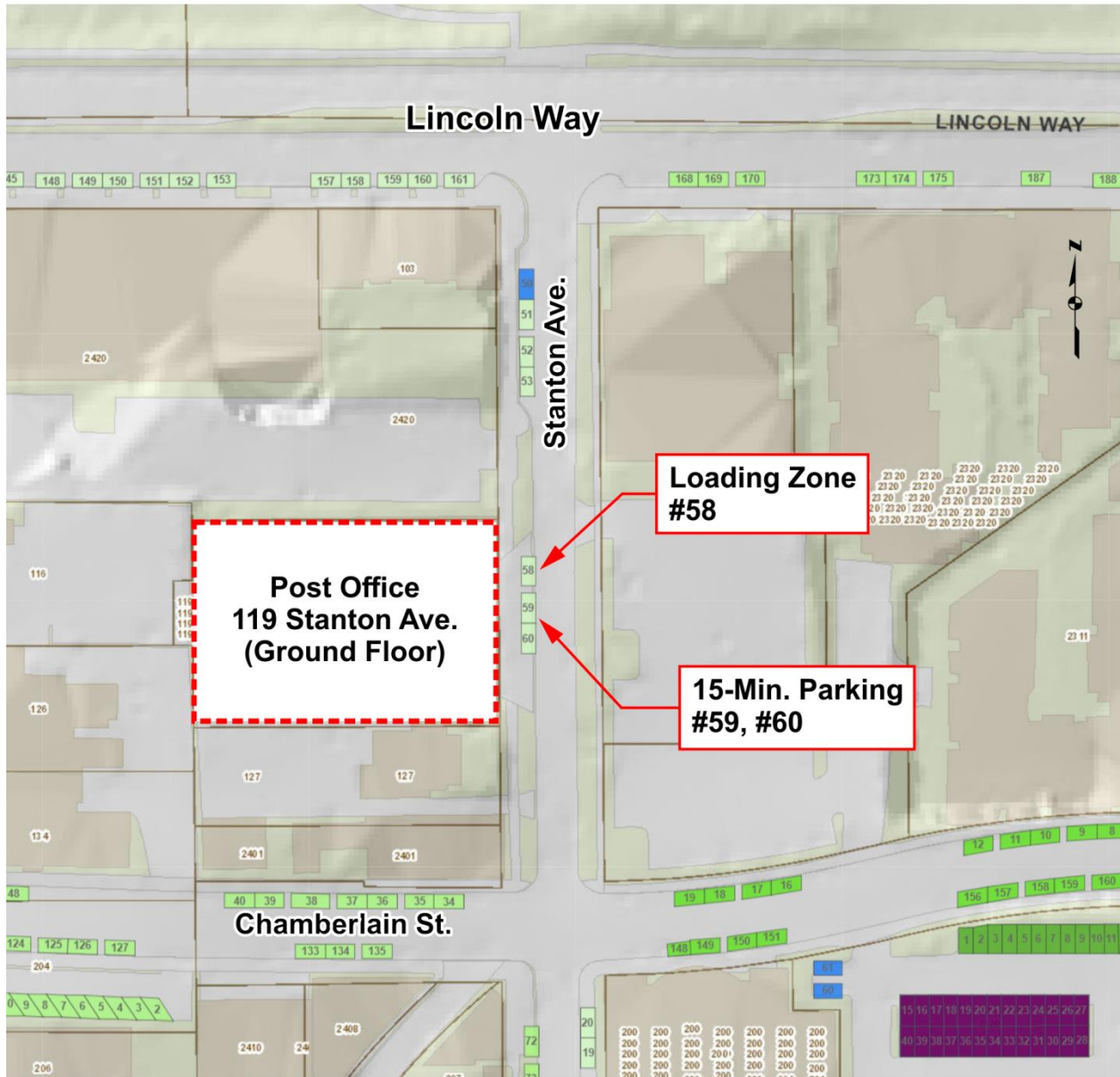
Kathy Dubansky

Kathy Dubansky
President

Karin Chitty

Karin Chitty
Executive Director

Attachment 3: Map of Stanton Avenue Parking Stalls



COUNCIL ACTION FORM

**SUBJECT: ENCROACHMENT PERMIT FOR FAMILY VIDEO/DOCTORS NOW
(2015/16 WEST LINCOLN WAY INTERSECTION IMPROVEMENTS –
FRANKLIN AVENUE)**

BACKGROUND:

As part of the 2015/16 West Lincoln Way Intersection Improvements (Franklin Avenue), Lincoln Way is being widened from a 4-lane arterial to a 5-lane cross-section with a two-way center left-turn lane. The widening required the purchase of right-of-way from several of the properties that front Lincoln Way between South Wilmoth Avenue west through the Franklin Avenue Intersection. With the additional pavement width came the requirement to relocate several private business signs so that they were outside of the public way. **However, the one exception was the sign for 3407 Lincoln Way, the Family Video and Doctors Now site, which could not be moved due to the impact it would have on their site. Because the sign will remain in its current location, it will over-hang the right-of-way and require an Encroachment Permit.**

During the land acquisition negotiations between the property owner and the City's consultant (V&K) it was determined the benefit-cost did not justify the expense to move the sign and pay the owner for the lost parking. This will result in the existing sign encroaching into the right-of-way by approximately two feet five inches. Keeping the sign in its current location does not have a negative impact on traffic operations or right-of-way management. The fee associated with an encroachment permit is \$1 per square foot of encroachment or a minimum fee of \$25, which is usually borne by the private property owner. In the case of the Family Video sign, it will be \$25 considering the encroachment totals 5.9 square-feet. Because the City's work caused this encroachment, the fee will be billed as a cost to the project.

In addition, the applicant is required to sign the Hold Harmless Encroachment Agreement and provide the necessary Certificate of Insurance, which will be valid for the duration of the encroachment.

ALTERNATIVES:

1. Approve the Encroachment Permit for the Family Video/Doctors Now sign located at 3407 Lincoln Way as part of the 2015/16 West Lincoln Way Intersection Improvements (Franklin Avenue), contingent upon applicant signing the Hold Harmless Encroachment Agreement and providing the necessary Certificate of Insurance.

2. Direct staff to renegotiate the terms of the right-of-way acquisition such that the sign is moved entirely out of the right-of-way.

CITY MANAGER'S RECOMMENDATION:

Approving the encroachment permit for the sign at 3407 Lincoln Way is mutually beneficial to both the property owner and the City. If the sign was to be moved further into the site it would not only require more parking to be removed, but potentially would have made the circulation on-site infeasible. The encroachment is two feet over the sidewalk, which also has approximately 22 feet of vertical clearance and will not cause safety issues to anyone traveling on the north side of Lincoln Way.

Therefore, the City Manager recommends that the City Council adopt Alternative No. 1, as noted above.



APPLICATION FOR ENCROACHMENT PERMIT

An Encroachment Permit approved by the Ames City Council is required for anything of a "fixed character" which is "upon, over or under" the surface of any "street, alley, or sidewalk."

Address of Encroachment: 3407 Lincoln Way

Type of Encroachment: Sign - From Public Imp. Street Widening
(If the encroachment is a sign, please apply for a sign permit through the Inspections Division.)

Total Square Feet of the Area to Encroach: ~4 ft^2 (See attached submittal guidelines.)

Applicant is: Property Owner Tenant Contractor

Name of Applicant: City of Ames Phone: 515-239-5160

Mailing Address: 515 Clark Ave., Ames, IA 50010 Email: dpregitzer@city.ames.ia.us

Property Owner's Name: KAH 1, LLC Phone: _____

Mailing Address: 1022 E. Adams St. Email: _____
Springfield, IL 62703

These items must be submitted with your application prior to approval of the permit:

1. An Encroachment Permit Agreement approved as to form by the City Attorney and signed by the owner of the building where the encroachment will occur (obtained from the City Clerk's Office).
2. A sketch of the encroaching item (i.e., sign, canopy, awning, etc.) drawn to scale.
3. A sketch showing the placement of the encroaching item on the property.
4. An insurance certificate with comprehensive general liability coverage in an amount of not less than \$500,000 combined single limit naming the City of Ames as an additional insured on the policy. Said certificate must be accompanied with a copy of Endorsement CG 2013.
5. A fee to be determined by the City's Building Official. The fee is \$1.00 per square foot of the encroachment or a minimum of \$25.00.

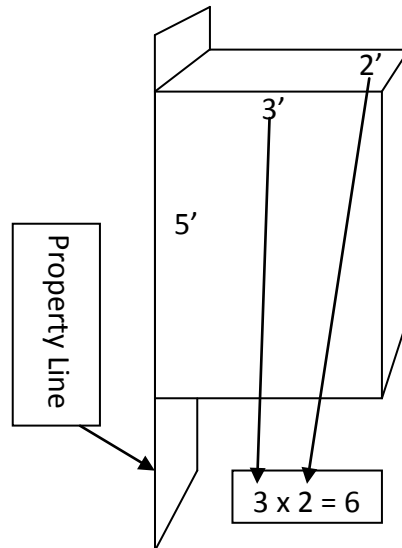
Applicant's Signature:  Date 10-14-17

Property Owner's Signature (If different): _____ Date _____

ENCROACHMENT PERMIT SUBMITTAL GUIDELINES

The following documents are needed upon application:

1. Encroachment Permit Application/Agreement, including property owner's signature
2. Dimensioned sketch/drawing of proposed encroachment and location of encroachment
-The total square feet of area to encroach as referenced on the application should be calculated by multiplying the length (3) x width (2) = 6 square feet. This will determine the area that is in the public way. It is not necessary to calculate height (5' - the vertical dimension). Please see the diagram below:

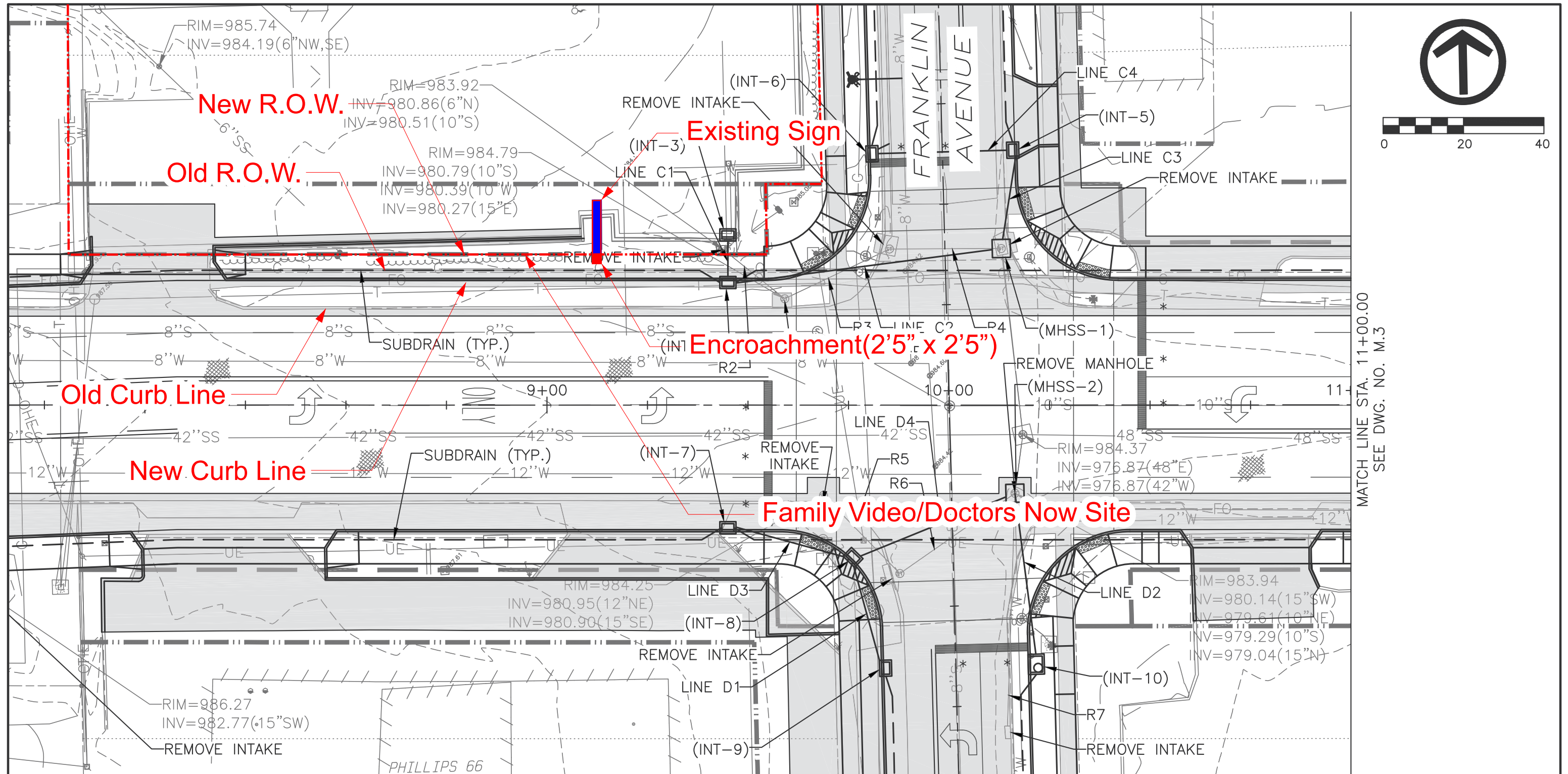


The following documents are needed before final approval of the application:

1. Application fee of \$25 or \$1 for every square foot that encroaches, whichever is larger
2. Comprehensive general liability insurance coverage in the amount of not less than \$500,000 combined single limit and a current copy of Endorsement CG 2013, naming the City of Ames and its employees and assigns, as an additional insured on the policy.

ADDITIONAL INFORMATION

1. If the encroachment is a sign or a structure, it may require additional permits.
2. City Council approval is needed in order to approve the application. This application will be placed on the next City Council consent agenda.
3. Proof of insurance may be submitted at any time before final approval. The applicant may want to confirm City Council approval before adding additional insurance to their policy.
4. Once all documents have been received and approved, a permit will be issued and sent to the property owner.
5. The property owner is required to send an updated copy of their insurance to the City Clerk's Office annually. Failure to do so may result in revocation of the encroachment permit.



Cut out from Sheet M.2 of 2015/16 West Lincoln Way Intersection Improvements (Franklin Avenue)

PERMIT

CITY OF AMES PERMIT
 INSPECTION DIVISION
 515 CLARK AVE
 AMES, IOWA 50010
 (515) 239-5153 FAX (515) 239-5261

PERMIT

Application Number 03-00000960 Date 4/11/03
 Property Address 3407 LINCOLN WAY
 Application description SIGN PERMIT
 Property Zoning HIGHWAY-ORIENTED COMM

Contractor

Owner

NESPER SIGN ADVERTISING INC
 4620 J STREET SW
 CEDAR RAPIDS IA 52404
 (319) 366-5312

K AND E LIMITED PARTNERSHIP
 1022 E ADAMS ST
 SPRINGVILLE IL 627031028

Structure Information

Sign Type GROUND SIGN
 Other struct info S GROUND SIGN TWO
 S HT OF SIGN/GRADE SEE COMMENTS
 S ILLUMINATED SIGN FOUR
 S PERMANENT YES
 S SETBACK PROPERTY LINE SEE PLANS
 S SIZE OF SIGN SEE COMMENTS
 S TEMPORARY NA
 S WALL SIGN TWO

Permit SIGN PERMIT
 Additional desc
 Permit Fee 280.00
 Issue Date 4/11/03 Valuation 0

Qty	Unit Charge	Per	Extension
4.00	70.0000	EA S ILLUMINATED	280.00

Special Notes and Comments
 THIS IS YOUR PERMIT. THIS IS NOT A BILL
 NO PART OF THE SIGN MAY EXTEND OVER THE
 PUBLIC RIGHT-OF-WAY. GROUND SIGNS - 116
 SF & 39 SF, ONE 30' ABOVE GRADE, ONE
 10' ABOVE GRADE. WALL SIGNS - 42.62 SF,
 12' ABOVE GRADE.

Fee summary	Charged	Paid	Credited	Due
Permit Fee Total	280.00	.00	.00	280.00
Grand Total	280.00	.00	.00	280.00

SIGNS MUST SATISFY ALL LOCAL ORDINANCES.

APPROVED BY: Jeff Pearson

Family video phone sign

Y4



CITY OF AMES
SIGN PERMIT APPLICATION

DATE 2-17-03

JOB ADDRESS 3407 LINCOLN WAY TENANT FAMILY VIDEO

ZONING HOC VALUE OF SIGN \$10,000 PERMANENT TEMPORARY

SIGN COMPANY NESPER SIGN BY Phil GARLAND

ADDRESS 4670 J. St. S.W. CITY LEONAR RAPIDS, IA PHONE 800-332-8403
52404-7928 319-306-0499

TYPE OF SIGN:
 Ground Sign Wall Sign Awning and Canopy Sign
 Temporary and/or Portable Sign Other (specify) _____

SIZE OF SIGN IN SQUARE FEET PER FACE 7'2" x 16' = 116 SQ'

HEIGHT OF SIGN ABOVE GRADE 30' to Top SETBACK FROM PROPERTY LINE 1 FT.

WILL SIGN HAVE MOTION NO ILLUMINATION YES FLASHING SIGNS PROHIBITED

SKETCH OF SIGN: Show exact wording & all copy, also sign dimensions & height.

MAIN PANEL

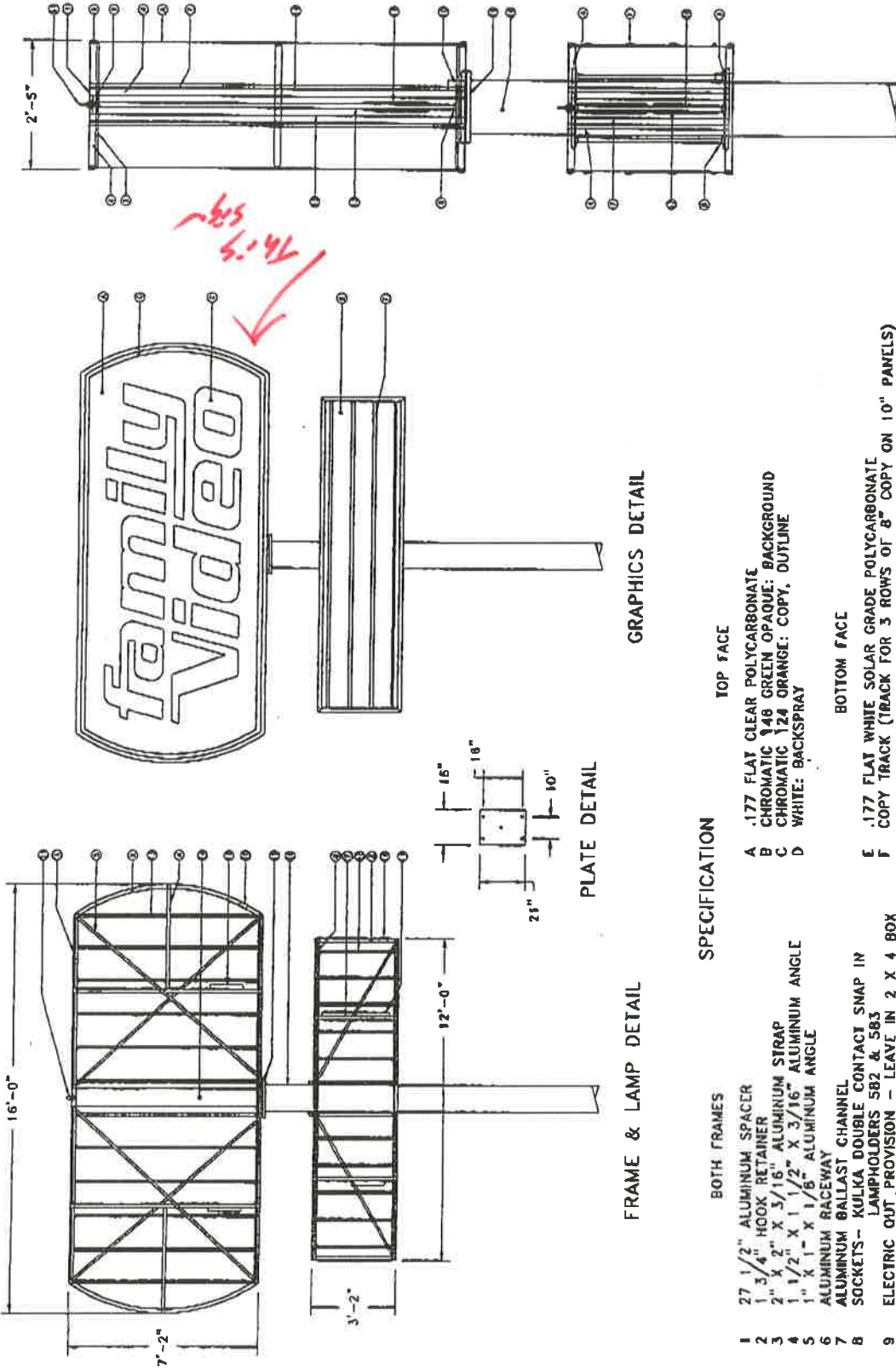
See attached

PLOT PLAN: Show exact location & measurements to all property lines.

NOTE: NO PART OF THE SIGN
MAY EXTEND OVER THE
PUBLIC RIGHT OF WAY.

FOR OFFICE USE ONLY

PERMIT NO. _____ FEE \$70.- APPROVED BY [Signature] 4/2/03



GRAPHICS DETAIL

PLATE DETAIL

FRAME & LAMP DETAIL

CROSS SECTION

SPECIFICATION

TOP FACE

- A .177 FLAT CLEAR POLYCARBONATE
- B CHROMATIC 148 GREEN OPAQUE; BACKGROUND
- C CHROMATIC 124 ORANGE; COPY, OUTLINE
- D WHITE; BACKSPRAY

BOTTOM FACE

- E .177 FLAT WHITE SOLAR GRADE POLYCARBONATE
- F COPY TRACK (TRACK FOR 3 ROWS OF 8" COPY ON 10" PANELS)

NOTES

DESIGN FACTOR- 35 PSF
 FINISH: EXTERIOR- LACRYL SERIES 95 CHROMATIC 148 GREEN OPAQUE
 LAMPS INCLUDED
 U.L. APPROVED
 ELECTRICAL- 15.2 AMPS, 120 VOLTS

BOTH FRAMES

- 1 27 1/2" ALUMINUM SPACER
- 2 3/4" HOOK RETAINER
- 3 2" X 2" X 3/16" ALUMINUM STRAP
- 4 1 1/2" X 1 1/2" X 3/16" ALUMINUM ANGLE
- 5 1" X 1" X 1/8" ALUMINUM ANGLE
- 6 ALUMINUM RACEWAY
- 7 ALUMINUM BALLAST CHANNEL
- 8 SOCKETS- KULKA DOUBLE CONTACT SNAP IN LAMP HOLDERS 582 & 583
- 9 ELECTRIC OUT PROVISION - LEAVE IN 2 X 4 BOX
- 10 EXTERNAL ON/OFF SWITCH
- 11 3/4" EYEBOLTS

TOP FRAME

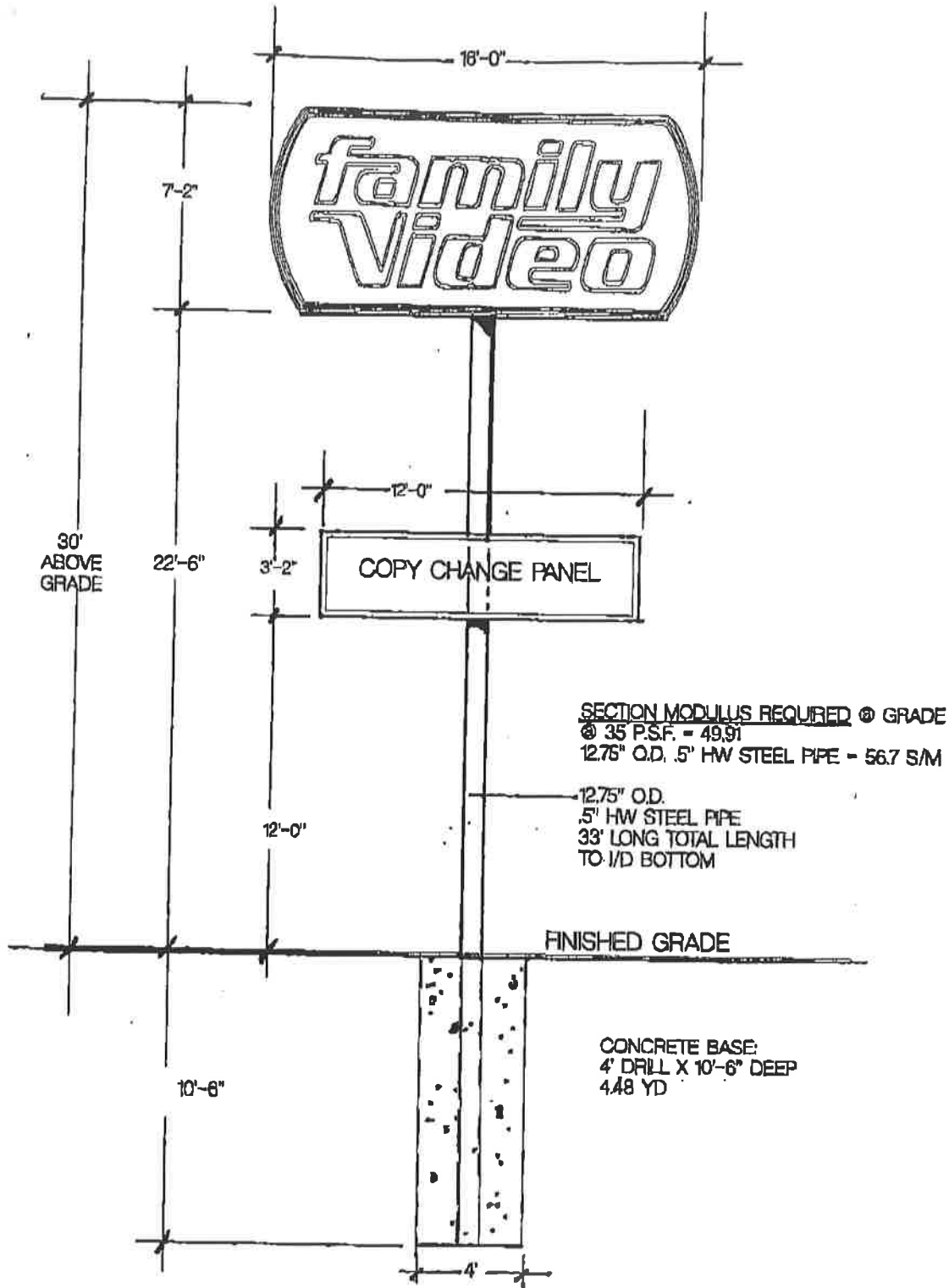
- 12 BALLAST: ALLANSON 696-AT 2-REQUIRED
- 13 LAMPS F84T12 CW/HO 12-REQUIRED
- 14 8" X 8" X 1/4" SQ. TUBE
- 15 16" X 21" X 1" PLATE

BOTTOM FRAME

- 16 BALLAST: ALLANSON 648-AT 2-REQUIRED
- 17 LAMPS F36T12 CW/HO 12-REQUIRED
- 18 12" DIA. TUBE

AME S.I.A

<p>PERSONA 10000 W. 100th Ave. #100 Denver, CO 80231 TEL: 303.470.1000 FAX: 303.470.1001</p>	PROJECT NO. 99-01/104	SHEET NO. 1	DATE 03/19/01	DRAWN BY MIP
	TITLE ALLANSON 6175V/LAMP HOLDER 648 & 696 LAMP HOLDER 582/583/HOP TRANS 1871	SCALE 1" = 5" X 16'-0" O/T	CHECKED BY MIP	APPROVED BY MIP
REVISIONS NO. DESCRIPTION DATE BY				
APPROVED BY DATE				

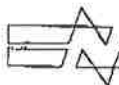


DOUBLE FACE, INTERIOR ILLUMINATED DISPLAY

SIGNS BY OTHERS
INSTALLED BY NESPER

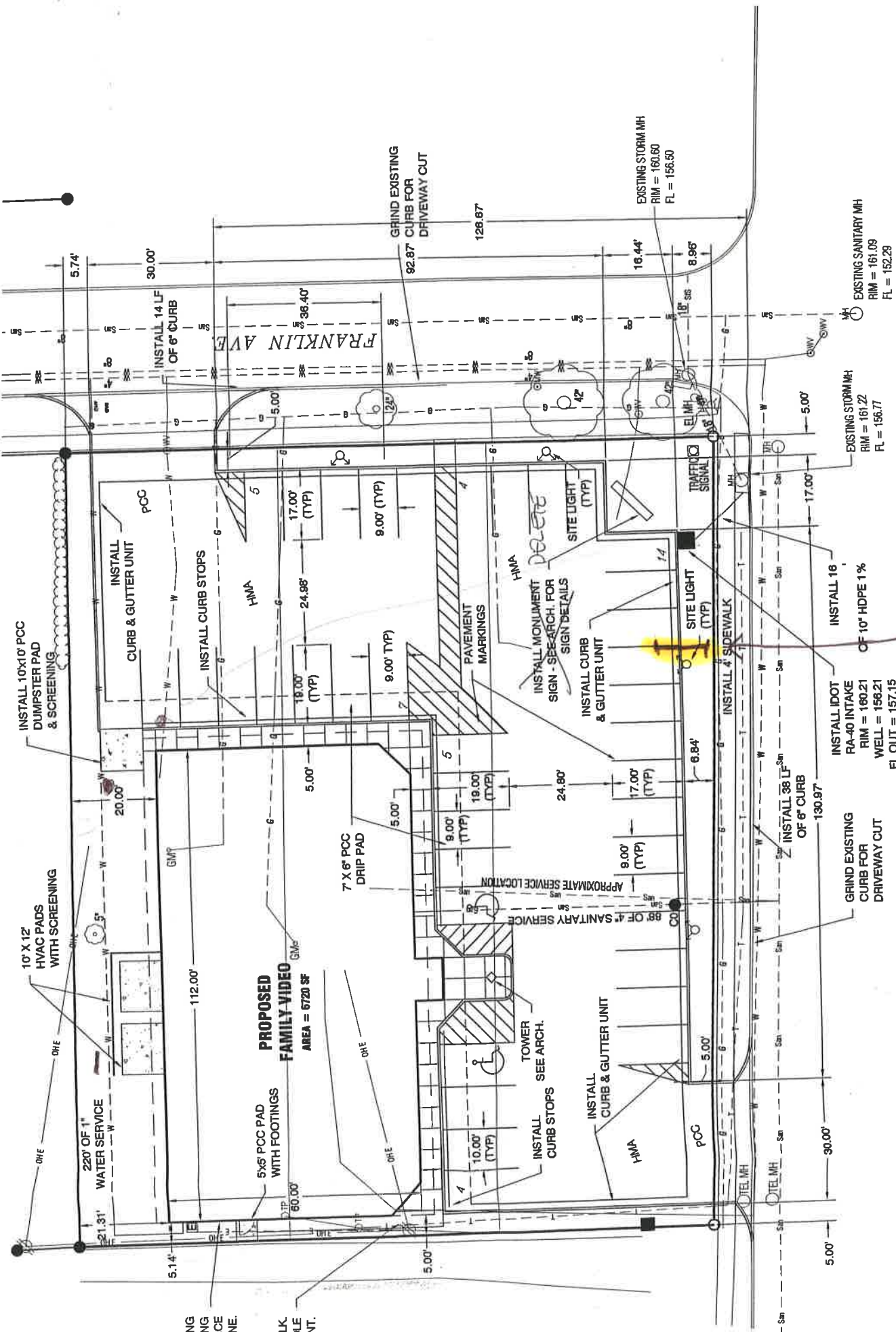
FAMILY VIDEO
AMES, IOWA
#26398 PHIL GARLAND
4/3/2003

NESPER SIGN ADVERTISING



GRAPHIC COMMUNICATIONS

CEDAR RAPIDS BURLINGTON NATIONAL



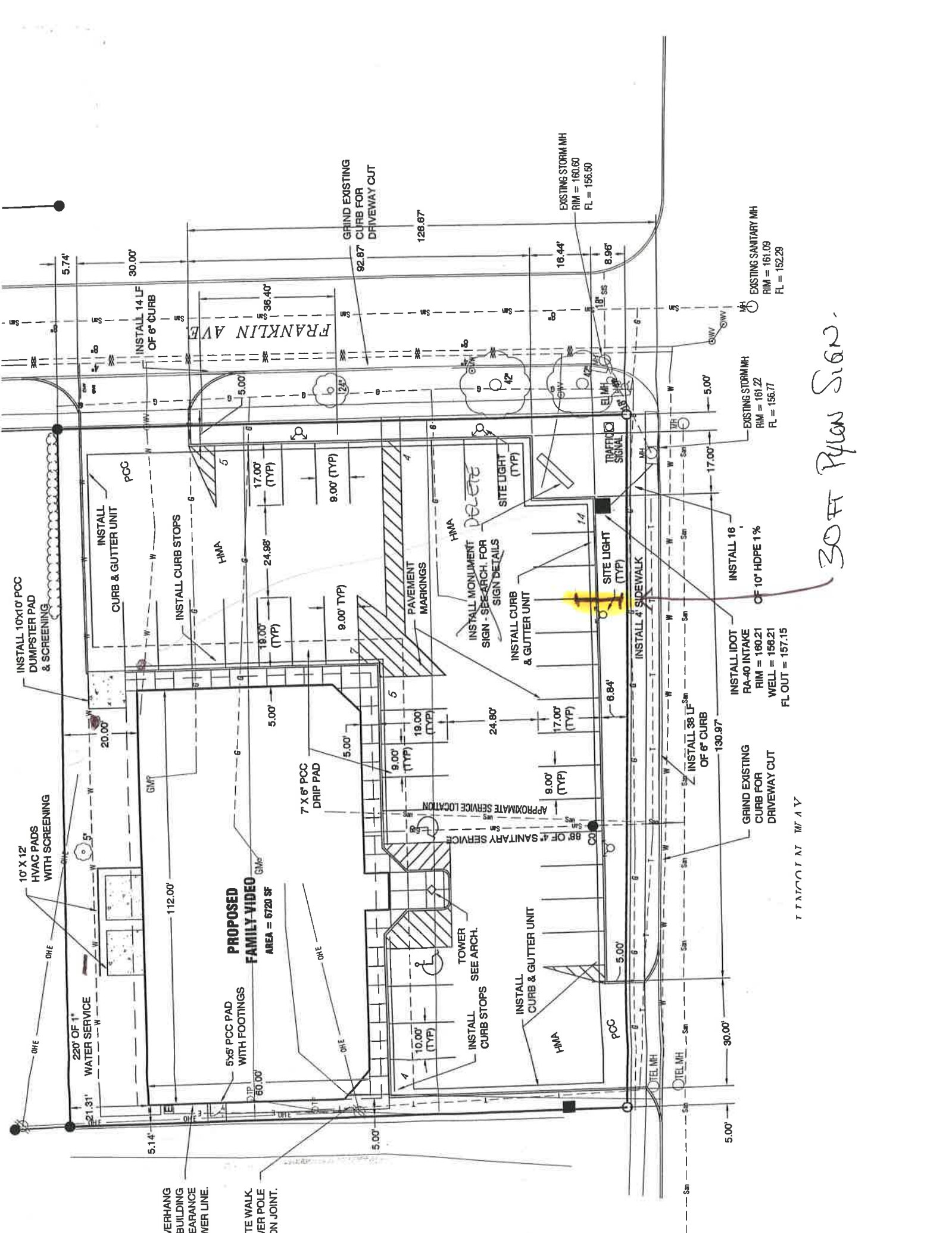
**PROPOSED
FAMILY VIDEO**
AREA = 6720 SF

30 FT Pylon Sign

TERRAIN MAP

OVERHANG
OF BUILDING
CLEARANCE
OVER LINE.

RETE WALK
OWER POLE
SIGN JOINT.



INSTALL 10'x10' PCC
DUMPSTER PAD
& SCREENING

INSTALL 14 LF
OF 6\"/>

EXISTING STORM MH
RIM = 160.60
FL = 156.60

EXISTING SANITARY MH
RIM = 161.09
FL = 152.29

EXISTING STORM MH
RIM = 161.22
FL = 156.77

EXISTING STORM MH
RIM = 160.21
WELL = 156.21
FL OUT = 157.15

INSTALL 16
OF 10\"/>

INSTALL IDOT
RA-40 INTAKE
RIM = 160.21
WELL = 156.21
FL OUT = 157.15

INSTALL 4 SIDEWALK

INSTALL CURB
& GUTTER UNIT

INSTALL MONUMENT
SIGN - SEE ARCH.
FOR SIGN DETAILS

INSTALL 10'x10' PCC
DUMPSTER PAD
& SCREENING

INSTALL 10'x12' HVAC PADS
WITH SCREENING

INSTALL 5x5' PCC PAD
WITH FOOTINGS

INSTALL 14 LF
OF 6\"/>

COUNCIL ACTION FORM

SUBJECT: 2017/18 ARTERIAL STREET PAVEMENT IMPROVEMENTS (13TH STREET FROM RIDGEWOOD AVENUE TO HARDING AVENUE)

BACKGROUND:

This annual program utilizes current repair and reconstruction techniques to improve arterial streets with asphalt or concrete. These pavement improvements are needed to restore structural integrity, serviceability, and rideability. Targeted streets are reaching a point of accelerated deterioration. By improving these streets prior to excessive problems, the service life will be extended. **The location for this project is 13th Street from Ridgewood Avenue to Harding Avenue. This project will also include the shared use path extension along 13th Street from Ridgewood Avenue to Northwestern Avenue** (as included in the 2016-2021 Capital Improvements Plan).

This project is shown in the 2017-2022 Capital Improvements Plan with funding in the amount of \$620,000 from General Obligation bonds and **\$1,060,000 from MPO/STP funds**. This brings the total project budget for administration, engineering and construction to \$1,680,000. Additionally, funding for the shared use path extension includes funding in the amount of \$50,000 from Local Option Sales Tax is shown in the 2016-2021 CIP as part of the Shared Use Path System Expansion program. It is anticipated that the project will have a February 2018 letting, which will be through the Iowa Department of Transportation (Iowa DOT), with construction in 2018.

ALTERNATIVES:

1. Approve the Iowa DOT Agreement for up to \$1,060,000 (80%) for the 2017/18 Arterial Street Pavement Improvements (13th Street from Ridgewood Avenue to Harding Avenue).
2. Reject the Agreement.

MANAGER'S RECOMMENDED ACTION:

Approval of this agreement with the Iowa DOT must happen before moving forward with construction of this project in the 2018 construction season. Delay or rejection of this agreement could delay this street reconstruction project by at least one year and would require additional local funding.

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

ITEM # 15
DATE: 10-24-17

COUNCIL ACTION FORM

SUBJECT: GRAND AVENUE EXTENSION (SOUTH GRAND AVENUE--SOUTH 5TH STREET TO SQUAW CREEK DRIVE) AND (SOUTH 5TH STREET--SOUTH GRAND AVENUE TO 600 FEET WEST OF SOUTH DUFF AVENUE)

BACKGROUND:

This agreement is for Federal funding through Surface Transportation Block Grant Program (STBG, f.k.a. STP) as part of the Grand Avenue Extension project. The funding would include S. Grand Avenue (from S. 5th Street to Squaw Creek Drive) and S. 5th Street (from S. Grand Ave to 600 feet west of S. Duff Ave).

As part of the agreement, the portion of project costs reimbursed by STBG funds shall be limited to a maximum of either 80 percent of eligible costs or the amount stipulated in the Ames Area Metropolitan Planning Organization (AAMPO) current Transportation Improvement Program (TIP) and approved in the current Statewide Transportation Improvement Program (STIP), whichever is less. The City shall pay all project costs not reimbursed with STBG funds. This agreement has been reviewed and approved by the City of Ames Legal Department.

The Grand Avenue Extension continues to be included in the Capital Improvements Plan (CIP) with funding identified since 2013/14 and continuing through 2018/19. Funding shown in the CIP for 2017/18 and 2018/19 includes \$7,700,000 in G.O. Bonds, \$4,300,000 in MPO/STP Funds, and \$3,450,000 in Federal/State Grant Funds. In general, construction is anticipated to commence in 2018.

ALTERNATIVES:

1. Approve the Iowa DOT Agreement for \$4,300,000 funding for the South Grand Avenue Extension.
2. Reject the Agreement.

CITY MANAGER'S RECOMMENDED ACTION:

Approval of this agreement with the Iowa DOT must happen before moving forward with initial construction stages of this project in the 2018 construction season. Delay or rejection of this agreement could delay this street reconstruction project by at least one year and could require additional funding.

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

COUNCIL ACTION FORM

SUBJECT: GRAND AVENUE EXTENSION – PROFESSIONAL SERVICES AGREEMENT AMENDMENT

BACKGROUND:

This project is the extension of South Grand Avenue from Squaw Creek Drive to South 16th Street. Included is an extension of South 5th Street (South Grand Avenue to South Duff Avenue) as well as intersection improvements to the South Duff Avenue (US Hwy 69)/South 16th Street and South Grand Avenue/S 16th Street.

Extending South Grand Avenue to South 16th Street will divert traffic from the US Hwy 69 corridor (Grand Avenue to Lincoln Way to South Duff Avenue) to the new extension. It will help alleviate existing vehicular congestion, reduce accidents, and improve accessibility to area businesses along a portion of Lincoln Way and South Duff Avenue. In addition, through-traffic on the proposed South Grand Avenue extension will also encounter less traffic congestion.

On January 10, 2017, City Council approved the engineering services agreement with Shive Hattery from West Des Moines, Iowa, in an amount not to exceed \$1,045,000. As design has continued since January, a few services have been identified that were not completely covered under the original contract. These include:

- Right-of-Way Acquisition Services (by Sub-Consultant) – 9 parcels were included in the original scope, including 6 appraisals. Amendment increases this to 21 parcels, including 7 appraisals, which includes both land acquisition, plus permanent and temporary easements.
- S. 16th Street Sidewalk design – No sidewalk exists today between S. Duff Avenue and S Grand Avenue along the south side of S. 16th Street, this would infill this section during this construction project.
- S 5th Street Shared Use Path – This would extend the shared use path along the south side of S. 5th Street (from approx. Boys and Girls Club to S. Duff Avenue).
- Environmental Assessment (EA) – Amend the EA to include the necessary channel grading for the bridge over Squaw Creek.
- Deduction of Phase I Archeological Study for the (Potential) Borrow site near S. 5th Street – This was previously anticipated in the original scope but is no longer necessary.
- Hazardous Material Investigations (by Sub-Consultant) – Limited information is known for some of the anticipated impacted areas, so further testing is being required.
- Soil and Groundwater Management Plan (by Sub-Consultant) – This plan will include discussion of site conditions and assessment of residual water/exposure.

- Geophysical Survey Services (by Sub-Consultant) – This would involve ground penetrating radar (GPR) to identify the former landfill boundary, including changes in the subsurface areas. Electromagnetic induction (EMI) will also be utilized to identify changes in soil conductivity and anomalous soil features too deep for GPR.

The Grand Avenue Extension project includes land acquisition, engineering design, construction, and construction administration. This proposed amendment provides for necessary services in order to complete the plan design. The amount of the amendment fits within the already issued local funds. The overall project funding is programmed as follows:

	2016/17	2017/18	2018/19	Total
Funding Source:				
G. O. Bonds	\$1,300,000	\$4,000,000	\$3,700,000	\$9,000,000
Federal/State Grants	\$700,000	\$1,725,000	\$1,725,000	\$4,150,000
MPO/STP Funds		\$2,000,000	\$2,300,000	\$4,300,000
			Total Funding	\$17,450,000

Land acquisition negotiations are currently in process utilizing a sub-consultant and conversations about value are continuing with land owners. Grant applications have also been submitted from various sources and it is anticipated that staff will hear an update in December about the status of award/not award for this project. If external grants are not received, City Council may need to consider additional G.O. Bonds in order to complete this project on the same schedule.

Below is a summary of estimated expenses; however the estimated construction costs will be fine-tuned with more detailed design. Ultimately, construction bids will be obtained for the three projects noted below.

Expenditures:	
Engineering (Est.)	\$2,150,000
Land Acquisition (Est.)	\$1,000,000
S 5th St / S Grand Ave Construction (Pre-Bid Design Est.)	\$4,000,000
S 16th St / S Duff Ave Construction (Preliminary Design Est.)	\$1,300,000
S Grand Ave Extension Construction (Conceptual Design Est.)	\$9,000,000
Total Expenses	\$17,450,000

ALTERNATIVES:

1. Approve the engineering services agreement amendment for the Grand Avenue Extension - Design with Shive Hattery from West Des Moines, Iowa, for an additional amount not to exceed \$102,891 (total contract not to exceed \$1,147,891).
2. Direct staff to re-negotiate engineering services contract amendment.
3. Direct staff to achieve these services in a different contractual manner.

MANAGER'S RECOMMENDED ACTION:

The Grand Avenue Extension project will be completed in several bid packages over the next few fiscal years. The first bid package is S. 5th Street from the Boys and Girls Club to S. Grand Avenue. Second will be S. 16th Street/S. Duff Avenue intersection improvements. Finally will be the extension of S. Grand Avenue over Squaw Creek to S. 16th Street.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the engineering services agreement amendment for the Grand Avenue Extension - Design with Shive Hattery from West Des Moines, Iowa, for an additional amount not to exceed \$102,891 (total contract not to exceed \$1,147,891).

COUNCIL ACTION FORM

SUBJECT: FLEET ACQUISITION PROGRAM – PARKS & RECREATION AND PUBLIC WORKS – COMPACT EXCAVATOR PURCHASE

BACKGROUND:

Parks Maintenance and Public Works have identified a need for a compact excavator, and will share the use of a machine. A compact excavator is a unit with tracks and a smaller footprint that can be used in tighter spaces and have less impact than a traditional backhoe-loader. Funding was identified in the operating budget for this purchase in FY 2017/18.

Bids were received from dealers as follows (selected attachments are listed below):

Bidder	Make	Model	Year	Base Bid	Selected Attachments (Frost Ripper & Rear View Mirrors)	Net Low Bid
Titan Machine of Des Moines	Case	CX57C	2017	\$60,118.00	N/A	\$60,118.00
Titan Machine of Des Moines	Case	CX57C	2017	\$64,076.00	N/A	\$64,076.00
United Rentals Of Des Moines	Takeuchi	TB260	2017	\$66,450.00	\$950.00	\$67,400.00
Bobcat of Ames	Bobcat	E50	2017	\$66,910.78	\$1,099.88	\$68,010.66
Van Wall Equipment	John Deere	T595	2018	\$71,115.00	\$870.00	\$71,985.00
Titan Machine of Des Moines	Case	CX57C	2017	\$74,492.00	N/A	\$74,492.00
Star Equipment	Takeuchi	TB260	2017	\$75,300.00	\$975.00	\$76,275.00
Murphy Tractor Of Des Moines	Hitachi	2X60-USB-5	2017	\$79,090.00	\$1,000.00	\$80,090.00
Midwest Underground	Takeuchi	TB260	2017	\$83,620.00	\$1,190.00	\$84,810.00

The three lowest base bids did not meet the specifications and are not acceptable. All three of the lowest bids did not provide digging depth control in the cab. This is to help the operator from under or over digging with the machine, which will eliminate unnecessary work.

The bid from Bobcat of Ames meets the City of Ames specifications and is an acceptable machine. Therefore, the acceptable net low evaluated bid for the compact excavator is the Bobcat E50 with selected Frost Ripper attachment, and rearview mirrors, in the amount of \$68,010.66.

Currently the City of Ames does not have a trailer rated heavy enough to safely transport equipment as heavy and long as a compact excavator of this size. A request for bids was sent out for an acceptable trailer to haul equipment of this size.

Bids were also received for the new trailer needed. The low bid is from Central Iowa Featherlite of Bondurant, Iowa. The trailer is acceptable and meets the minimum specifications for the total of \$14,340. Because the estimated cost for the trailer is less than \$50,000, staff will be able to approve this bid.

TOTAL COST WITH TRIALER:

Compact excavator from Bobcat	\$68,010.66
Trailer from Central IA Featherlite	14,340.00
<hr/> Total Cost	<hr/> \$82,350.66

FUNDING:

Funding available from FY 2017/18 budget	\$ 80,000
Escrow of existing trailer #870	2,994
<u>Estimated salvage value of trailer #870</u>	<u>1,000</u>
Total available funds	\$ 83,994

ALTERNATIVES:

1. Approve and award this contract to Bobcat of Ames, Iowa, for a Bobcat E50 with selected attachments in the amount of \$68,010.66.
2. Reject award of bid.

MANAGER'S RECOMMENDED ACTION:

The Director of Fleet Services, Public Works and Parks Staff agree the Bobcat E50 Compact Excavator from Bobcat of Ames, Iowa, meets the City's needs as specified, at the lowest price. Therefore, purchasing the compact excavator from Bobcat of Ames will provide the best and most economical equipment.

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

COUNCIL ACTION FORM

SUBJECT: **UNIT 8 CIRCULATING WATER INLET SCREENS**

BACKGROUND:

The Steam Electric Plant needs to purchase eight stainless steel circulating water inlet screens for the Unit 8 Cooling Tower basin. These screens are used for filtering foreign material out of the cooling tower water before it goes through the pumps and condenser.

On October 2, 2017, bid documents were issued to twenty-one companies. The bid was advertised on the Current Bid Opportunities section of the Purchasing webpage, and was also sent to two planrooms.

On October 17, 2017, three bids were received as shown on below:

Bidder	Bid Price	Sales and/or Use Taxes Included	Evaluated Bid Price
Technical Services, Inc. Ames, IA	\$61,931.60	\$4,051.60	\$61,931.60
Pro-Line Water Screen Services, Inc. Pearland, TX	\$61,176.00	\$4,109.28 *	\$65,285.28
Pinnacle APC, Inc. Valencia, PA	\$82,600.00	\$5,712.00 *	\$88,312.00
* Two bidders are not licensed to collect Iowa sales tax. The sales tax amount shown is what the City would pay directly to the state of Iowa. This ensures a fair evaluation of all bids.			

Staff has reviewed the bids and concluded that the apparent low bid in the amount of \$61,931.60 (inclusive of Iowa sales tax) submitted by Technical Services, Inc., Ames, IA, is acceptable.

The approved FY 2017/18 operating budget includes \$85,000 which will be utilized to purchase these screens.

ALTERNATIVES:

1. Award a contract to Technical Services, Inc., Ames IA, for the purchase of circulating inlet water screens for Unit 8 in the amount of \$61,931.60 (inclusive of Iowa sales tax).
2. Reject all bids and delay the purchase of these screens.

MANAGER'S RECOMMENDED ACTION:

The purchase of these screens is necessary because with the design of the cooling towers, the water is exposed to any kind of debris such as leaves, plastic bags, or other pieces of litter that may blow in from the surrounding areas. These screens help ensure the operating efficiency of the pumps and condenser and also prevent damage from occurring.

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



CITY OF
Ames™

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MEMO

To: Mayor and Members of the City Council

From: City Clerk's Office

Date: February 10, 2017

Subject: Contract and Bond Approval

There are no Council Action Forms for Item Nos. 19 and 20 . Council approval of the contract and bond for these projects is simply fulfilling a *State Code* requirement.

/jr

COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY FOR 502 AND 512 DOUGLAS 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 combines two tax parcels (three platted lots) into a single parcel. One tax parcel, 502 Douglas Avenue, is two lots that were informally combined when the existing building was built (in 1900 according to the City Assessor files). The residence on the other platted lot, 512 Douglas Avenue, was demolished recently. **Adams Funeral Home seeks to combine the two tracts in order to construct an off-street parking lot to the north of their building. The Zoning Board of Adjustment approved the Special Use Permit and site plan at their meeting on September 27. In order to maintain consistency with zoning standards in the Downtown Service Center zoning district, the Board placed a condition that the two tracts need to be combined into a single parcel.**

The plat of survey does not trigger any new infrastructure or frontage improvements.

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 satisfies all Code requirements for the consolidation of the properties for the boundary line adjustment and has made a

preliminary decision of approval. Staff has also determined that the proposed plat of survey for a boundary line adjustment does not trigger City infrastructure requirements as defined within the Subdivision Code.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby adopting the resolution approving the proposed plat of survey.

**ADDENDUM
PLAT OF SURVEY FOR 502 AND 512 DOUGLAS 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)

The site is located at: 502 and 512 Douglas Avenue

Owner: Soderstrum-Reimers, Inc.
Parcel ID: 09-02-377-080 and 09-02-377-090

New Legal Descriptions: Parcel G of Lots 6, 7, and 8, Block 7, Original Town of Ames, Story County, Iowa.

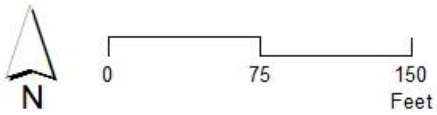
Public Improvements:

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.

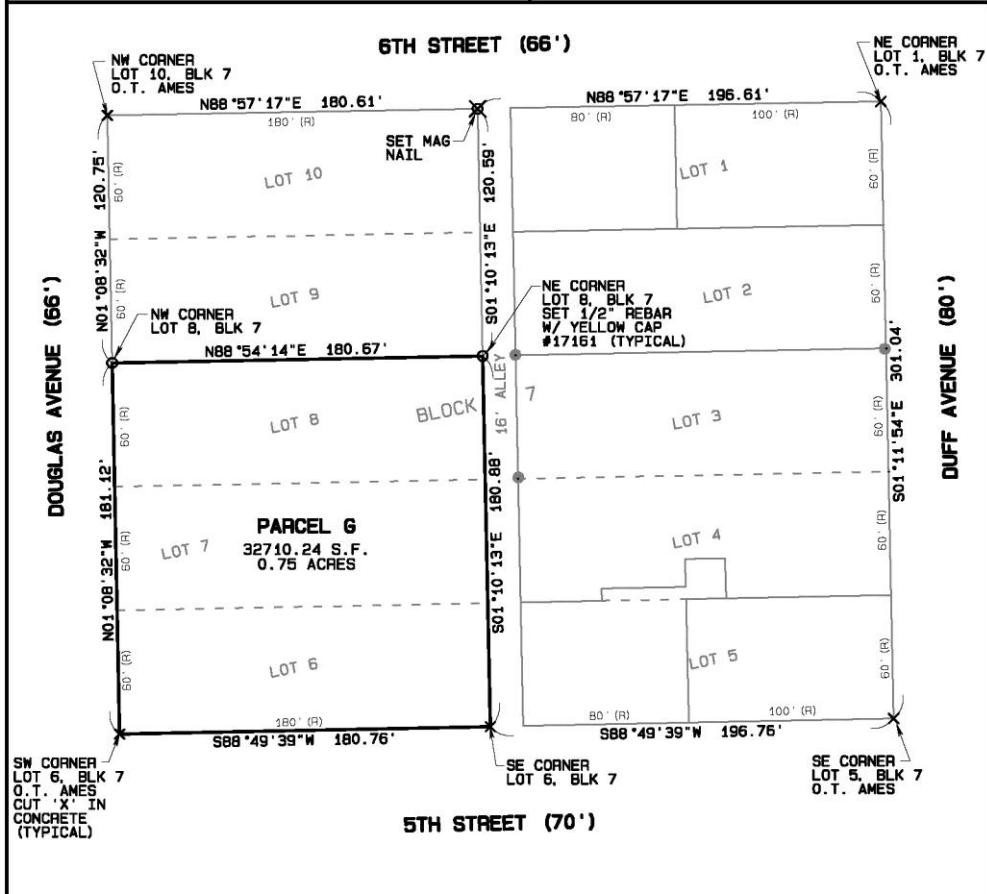
Note: The official plat of survey is not recognized as a binding plat of survey for permitting purposes until a copy of the signed and recorded plat of survey is filed with the Ames City Clerk's office and a digital image in Adobe PDF format has been submitted to the Planning & Housing Department.

ATTACHMENT A: LOCATION MAP



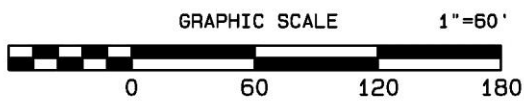
ATTACHMENT B: PLAT OF SURVEY

PLAT OF SURVEY	
SURVEY DESCRIPTION:	LOTS 6, 7 & 8, BLOCK 7, ORIGINAL TOWN OF AMES, STORY COUNTY, IOWA, CONTAINING 0.75 ACRES.
PROPRIETOR:	SODERSTRUM REIMERS, INC.
REQUESTED BY:	JOSEPH REIMERS
SURVEYOR:	R. BRADLEY STUMBO, PLS #17161 STUMBO & ASSOCIATES LAND SURVEYING P. O. BOX 1864 AMES, IA 50010 515-233-3689



The Ames City Council approved this Plat of Survey on _____, 2017, with Resolution No. _____. I certify that it conforms to all conditions for approval.

Planning and Housing Director



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

Date: _____

R. Bradley Stumbo License #17161
My license renewal date is December 31, 2017
Job #16910 Date: 9/29/17 Fieldwork Completed: 3/31/16 Page 1 of 1



STUMBO & ASSOCIATES LAND SURVEYING

COUNCIL ACTION FORM

SUBJECT: 2013/14 SHARED USE PATH SYSTEM EXPANSION (SKUNK RIVER TRAIL EXTENSION, PHASE 2 – E LINCOLN WAY TO SOUTH RIVER VALLEY PARK)

BACKGROUND:

This program provides for construction of shared use paths on street right-of-way, adjacent to streets and through greenbelts. The Transportation Plan identifies those paths that separate bicycle traffic from higher-speed automobile traffic. **The location for construction of a shared use path with this project was the Skunk River Trail Extension (East Lincoln Way to South River Valley Park).**

This project included the construction of a shared use path along with various storm water drainage improvements along the corridor.

City Council awarded this project to Peterson Contractors, Inc. of Reinbeck, Iowa in the amount of \$673,442.95. Two change orders were administratively approved by staff. Change Order No. 1 was a change to the start date of the project in order to get the project contracts signed prior to beginning construction. Change Order No. 2 (Balancing) was administratively approved by staff in the amount of \$20,159.64 and included installation of additional storm sewer in an area that experienced a pipe failure and erosion prior to the start of construction. **Construction was completed in the amount of \$693,602.59.**

Revenue and expenses for the project are summarized below:

	<u>Revenue</u>	<u>Expenses</u>
2013/14 Shared Use Path System Expansion		
Local Options Sales Tax (LOST)	\$ 430,000	
MPO/TAP Funds	\$ 360,000	
2011/12 Shared Use Path System Expansion		
Project Savings (LOST)	\$ 175,000	
Construction		\$ 693,602.59
Engineering and Administration		\$ 270,000.00
	\$ 965,000	\$ 963,602.59

ALTERNATIVES:

1. Accept the 2013/14 Shared Use Path System Expansion (Skunk River Trail Extension, Phase 2 – E Lincoln Way to South River Valley Park) project as completed by Peterson Contractors, Inc. of Reinbeck, Iowa, in the amount of \$693,602.59.

2. Direct staff to pursue modifications to the project.

MANAGER'S RECOMMENDED ACTION:

This project was completed in accordance with the approved plans and specifications. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as described above.

Staff Report

OPTIONS FOR LIMITING OCCUPANCY IN RENTAL UNITS

October 24, 2017

BACKGROUND:

With the recent change in the state law which prohibits cities from limiting occupancy in rental units based on non-familial status, the City Council has begun an exploration into what other alternative criteria might be utilized.

The following are a list of actions directed by the City Council that relate to the issue of limiting occupancy in single-family and two family dwellings:

- 1) July 18, 2017, requested a proposal for increasing enforcement and inspection efforts in the following neighborhoods: SCAN, Oak to Riverside, CCOAMS, and west of Campus.
- 2) On September 12, 2017, asked for a modification to the Rental Code that restricts occupancy to a maximum of three students in a single-family home.
- 3) September 12, 2017, sought possible options for rental concentration overlays and maps of potential neighborhoods defined by reasonable boundaries.
- 4) September 12, 2017, inquired about ideas for adding to the Rental Code the possibility for the City to revoke a property owner's Letter of Compliance when there have been a specified number of violations within a certain timeframe at rental property.
- 5) September 19, 2017, requested a memo regarding options to incentivize the transition of rentals to single-family dwellings.
- 6) September 26, 2017, requested options for limiting rental occupancy based on building size, number of bedrooms, and /or number of off-street parking spaces.

Based on the information provided regarding increased enforcement (Request 1), the City Council authorized the addition of one Rental Housing Inspector position to be hired in FY 2017-18. The extra position will allow us to engage in proactive enforcement and perform annual inspections for the single-family dwelling units in the four neighborhoods that abut the campus. In addition, it was agreed that the memo regarding methods to incentivize the transition of rentals to single-family dwellings (Request 5) could come later. **Therefore, the intent of this staff report is to respond to the remaining four issues highlighted above.**

LIMIT OCCUPANCY TO NO MORE THAN THREE STUDENTS:

The September 12th Staff report provided examples of communities that regulate the occupancy of a dwelling by the number of students that live in the dwelling. Examples included St. Paul, MN; State College, PA; Newark, DE; Philadelphia, PA, and Boston, MA. All were in other states, and none in Iowa. None of these ordinances appear to have been overturned by a court. Each definition varies in wording. Some definitions include the wording “unrelated” which can no longer be used given the new state law. As evidenced in Attachment I, defining students is done differently in these cities.

One possible definition of a student could be, *“an individual enrolled or accepted for enrollment on a full time or part time basis for post-secondary education with a school, college, or university in the current, prior, or upcoming semester.”*

Under this alternative you restrict the number of students, but not the total number of adults in a one and two family dwelling. This restriction would need to be combined with other occupancy information and disclosure requirements to assist in compliance at the time a lease is signed. Rental Code would need to require landlords to maintain records of all occupants of a dwelling and their enrollment status and for this information to be available for review by City staff upon request.

LIMIT OCCUPANCY BY BUILDING SIZE:

- Limit occupancy to the number of adult tenants by a specified amount of square feet of finished area in one and two family dwellings.

For example, Prince William County, Virginia has established the following maximum occupancy requirements for adult occupants.

Livable floor area of a dwelling unit (in square feet):	Maximum number of adult occupants*:
Up to 1,000 square feet	3
From 1,001 to 1,500 square feet	4
From 1,501 to 2,000 square feet	5
From 2001 to 2,500 square feet	6
From 2,501 to 3,000 square feet	7
From 3.001 to 3,500 square feet	8
From 3,501 to 4,000 square feet	9
Over 4,000 square feet	10

*Adult occupant means any individual 18 years of age or older, living or sleeping in a building, or having possession of space within a building.

Another example, Cobb County, Georgia requires at least 390 square feet of living space per adult in a single family rental dwelling.

LIMIT OCCUPANCY BY BEDROOM SIZE:

- Limit occupancy to the number of adult tenants by a specified amount of square feet in each bedroom.

For example, the International Property Maintenance Code requires 70 square feet for the first occupant of a bedroom, and an extra 50 square feet for each additional person in the room.

LIMIT OCCUPANCY BY NUMBER OF BEDROOMS:

- Limit occupancy of adult tenants in one and two family dwellings to 1 per bedroom. Or
- Limit occupancy of adult tenants in one and two family dwellings to 1 per bedroom, up to a specified maximum number of tenants. Or
- Limit occupancy of adult tenants in one and two family dwellings to 1 more than the number of bedrooms. Or
- Limit occupancy of adult tenants of one and two family dwellings to one more than the number of bedrooms, up to a specified maximum number of tenants.

Under any of the options listed above, it will be very important to agree on the definition for *bedroom*. Currently, the Zoning Ordinance requires that any room exceeding 70 square feet and meeting the Building Code definition of a sleeping room must be counted as a bedroom. Bedrooms cannot be rooms that lead to other living spaces and they cannot be kitchens, living rooms, bathrooms, or foyers.

LIMIT OCCUPANCY BY THE NUMBER OF OFF-STREET PARKING SPACES:

- Limit occupancy of adult tenants in one and two family dwellings by requiring 1 off-street parking space per tenant. Or
- Limit occupancy of adult tenants in one and two family dwellings by requiring 1 off-street parking space per tenant, with a minimum of two parking spaces. Or
- Limit occupancy of adult tenants in one and two family dwellings by requiring a minimum of 2 off-street parking spaces and 1 additional parking space for every tenant over 3. (*This option is the most similar to current requirements of two parking spaces for rental of a single-family home to no more than 3 unrelated people*)

Note: the Staff is not proposing to change parking requirements for apartments or dwelling houses that are typically 1 parking space per bedroom.

Under this approach, the City Council will have to decide how to apply requirements for parking spaces. The Zoning Ordinance currently requires for single-family homes to provide two off-street parking spaces per home. Single-family homes may count up to two stacked parking spaces to meet this minimum parking requirement. For example, a home with a one car garage would be able to count the garage space and one space in the driveway to meet minimum parking requirements. Due to the stacked parking restriction, many homes would be restricted to two or three parking spaces to meet the occupancy standard. The Zoning Ordinance also requires paved surfaces, dimensional requirements, and a prohibition on front yard parking except when leading to the side or rear yard of a home. Some property owners could develop more parking areas in the side or rear yards to meet the standards.

Therefore, if any of the options listed above are pursued, the City Council will have to address two primary issues regarding parking requirements related to occupancy. The first is whether or not the City Council would be more flexible on stacked parking for rental purposes and allow for additional stacked spaces to count towards occupancy limits. Secondly, the City Council would need to clarify if all parking on site must conform to zoning standards for location, paving, access, and dimensions.

LIMIT CONCENTRATION OF RENTAL UNITS TO A SPECIFIED GEOGRAPHIC AREA:

City staff has reviewed registered rental properties in neighborhoods in close proximity to campus. Staff has calculated total rental properties within defined areas based upon zoning districts primarily established for single-family home purposes. Staff excluded high density zoned or commercially zoned areas from the calculations. Staff used neighborhood association boundaries where applicable, but for areas that had no defined association staff based the areas upon the street network to formulate logical boundaries.

Attachment II includes the boundaries analyzed by staff with the percentage of properties with low and medium density zoning that are registered rental properties with the City. The percentage of rental properties is between 3% and 90% for these sample areas. Prior analysis in September's staff report stated the city-wide average for rental percentages in RL areas was approximately 19% based upon 2014 data.

If the City Council chooses to establish a rental concentration restriction, it would need to provide direction on what are acceptable boundaries and what percentage of rental concentration would be acceptable with these areas. It

should be emphasized that changing boundaries can have a significant effect on either reducing or increasing the percentage of rental properties in a given area.

Based upon review of other communities' rental limitations and the percentage of rental within the areas near campus, staff believes a 20% threshold would be appropriate for supporting a diverse mix of housing choices in an area with a preference for maintaining primarily ownership home choices. Staff recommends defining the area boundaries with a map and the calculated percentages for those areas at the time a rental concentration overlay is adopted by the City.

When creating the overlay, City Council will also need to provide direction on allowing for previously registered to renew their registration when an area exceeds the limitation. **Staff assumes the City Council would permit existing licensed properties to be renewed, but properties with transitional licenses would not be eligible, because they would need a new license. Any property owner that failed to maintain their licensing would also not be allowed to reestablish a rental property if the area is over the concentration limit.**

In addition, staff assumes that if a registered rental dwelling is torn down, the newly built structure would be required to register as a new rental. In this case, occupancy concentration limits may prohibit this dwelling from becoming a rental. City Council could provide alternative direction on how to accommodate existing rentals in areas that would be over concentrated.

PENALTIES FOR MULTIPLE CODE VIOLATIONS:

One of the options that Council directed staff to investigate was the possibility of revoking a Letter of Compliance after a certain number of multiple violations. In response to this request, staff has developed a plan that divides violations into two types: 1) Simple Misdemeanors; and 2) Municipal Infractions.

Staff is proposing the following point system:

- Simple Misdemeanors will be given two points per instance. Note: this means a nuisance party in which three tenants are issued citations will result in two points, not two points per citation.
- Municipal Infractions will be given one point per instance.
- An accumulation of five points between 8/1 and 7/31 of each year will result in a one year suspension of the LOC

Suspension of an LOC allows the property to remain registered, but not be rented for the specified amount of time. Staff believes that the proposed point system could be enough incentive to maintain a property so annual inspections in the Council established neighborhoods would not be warranted.

FEEDBACK FROM THE PROPERTY MAINTENANCE APPEALS BOARD:

Staff proposed a similar plan to enforce the suspension of letters of compliance on properties with multiple violations to the Property Maintenance Appeals Board. The Board was not supportive of this approach and felt the consequences were “quite severe and did not match the severity of the violation.”

In addition to the Board’s opinions on the enforcement plan, members also expressed their concern for annual inspections of rental properties. Members of the Board felt that the inspections “would not be effective” and would prefer that the City spend that time making sure that the *exterior* of the properties were maintained. The Board felt that we were penalizing all property owners with annual inspections. Instead, we should “be rewarding those owners that have no violations.” The Board would like to see more of a reward system than a penalty system. For example, all properties start with a one year LOC. If at the next inspection, there have been no violations a two, three, or four year LOC could be issued.

The Board’s recommendation is consistent with the philosophy reflected in the current Rental Code which rewards routinely compliant property owners with less frequent inspections. Currently, a rental property can receive only a one year LOC if they have had an over-occupancy violation, and a two year LOC with more than two property maintenance violations in the past year.

CITY COUNCIL ACTION REQUESTED:

As the January 1, 2018 deadline approaches it is critical that the City Council decides how to limit the number of adults in single and two-family dwelling units. Due to the impending deadline, Council must choose immediately to focus their attention on how to limit occupancy and address other issues raised in this report prior to the end of the moratorium (April 30, 2018).

Attachment I

Examples of ordinances limiting number of students in a dwelling unit:

State College, PA:

“Student Home. Any living arrangement within a 1-family dwelling, 1-family dwelling with an apartment, or 2-family dwelling by persons who are unrelated by blood, marriage or legal adoption and are attending undergraduate or graduate programs offered by colleges or universities or are on semester break or summer break from studies at colleges or universities, or any combination of such persons. The residents of a student home share living expenses and may live and cook as a single housekeeping unit. Student homes include living arrangements where the landowner(s) or landowner's family members are residents of the dwelling unit. Student homes do not include fraternities, sororities, rooming houses, townhomes, or multiple-family dwellings.”

Newark, DE:

"Student home: A single-family detached dwelling occupied by three post-secondary students, regardless of age, unrelated by blood or legal adoption, attending or about to attend a college or university, or who are on a semester, winter, or summer break from studies at a college or university, or any combination of such persons. Student homes shall not include RM zoning-permitted boarding houses or rooming houses; nor shall they include the taking of nonstudent, non-transient boarders or roomers in any residence district; nor shall they include single-family detached, semi-detached, or row dwellings located within the following subdivisions or fronting on the following streets:"

Philadelphia, PA:

“Student Home. A living arrangement for two or more students unrelated by blood, marriage or legal adoption attending or planning to attend either undergraduate colleges or universities, or attending or planning to attend graduate programs at colleges or universities, or who are on a semester or summer break from studies at colleges or universities, or any combination of such persons. The residents of a student home share living expenses and may live and cook as a single housekeeping unit but may also only share access to cooking facilities and not live and cook as a single housekeeping unit. A Student Home shall not include any living arrangement within a Student Residence Hall or a fraternity or sorority.”

Boston, MA:

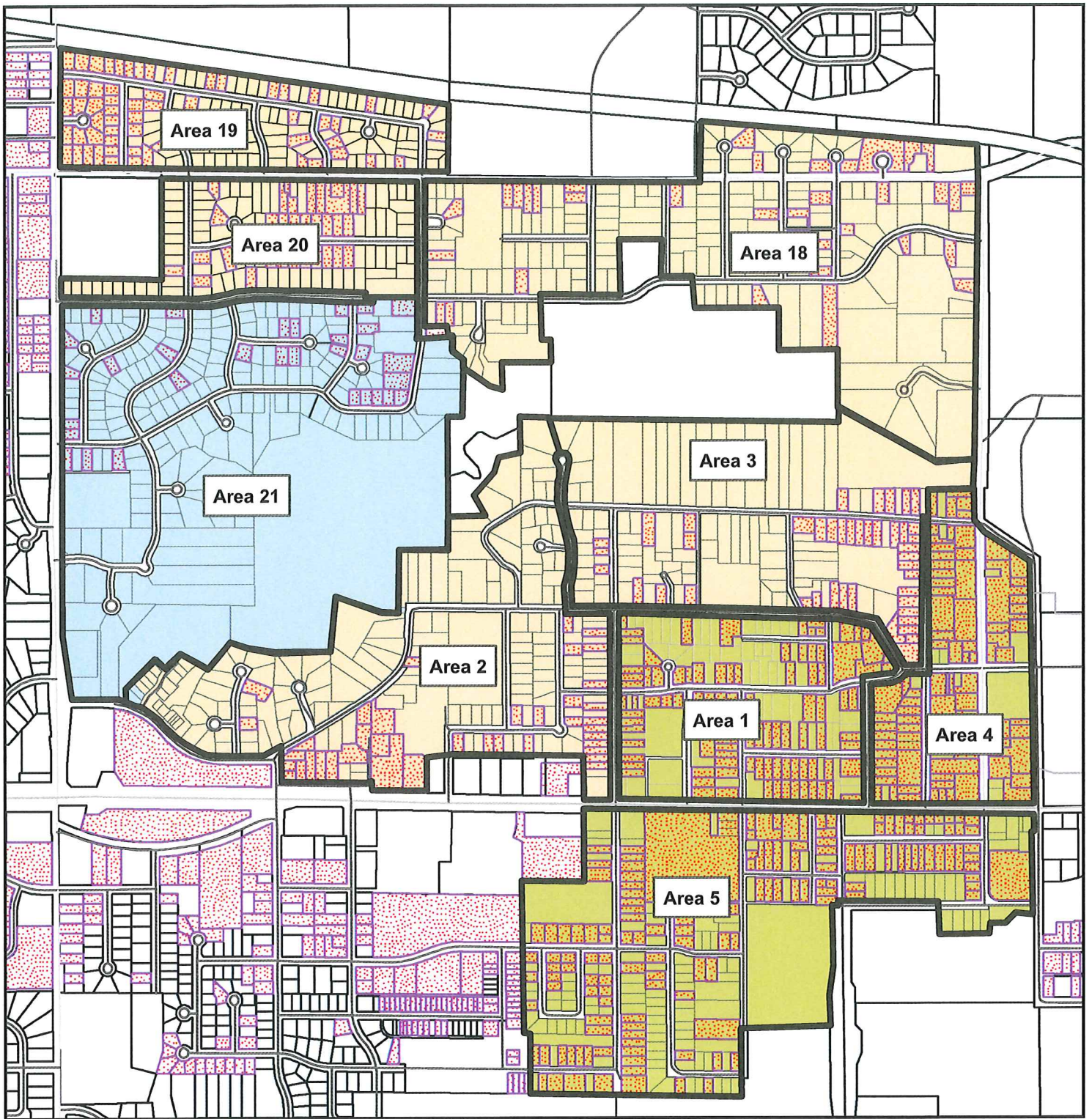
[As part of a definition of the term “family”] ...”provided that a group of five or more persons who are enrolled as full-time, undergraduate students at a post-secondary educational institution shall not be deemed to constitute a family.”

St. Paul, MN:

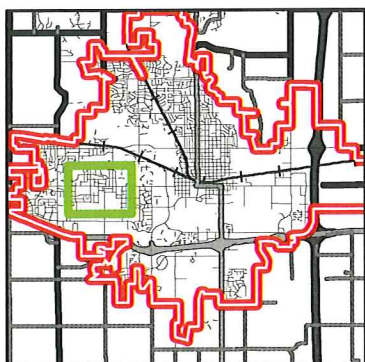
“Within the SH student housing neighborhood impact overlay district, a student dwelling is a one- or two-family dwelling requiring a fire certificate of occupancy in which at least one unit is occupied by three (3) or four (4) students. For the purposes of this article, a student is an individual who is enrolled in or has been accepted to an undergraduate degree program at a university, college, community college, technical college, trade school or similar and is enrolled during the upcoming or current session, or was enrolled in the previous term, or is on a scheduled term break or summer break from the institution.

Attachment 2

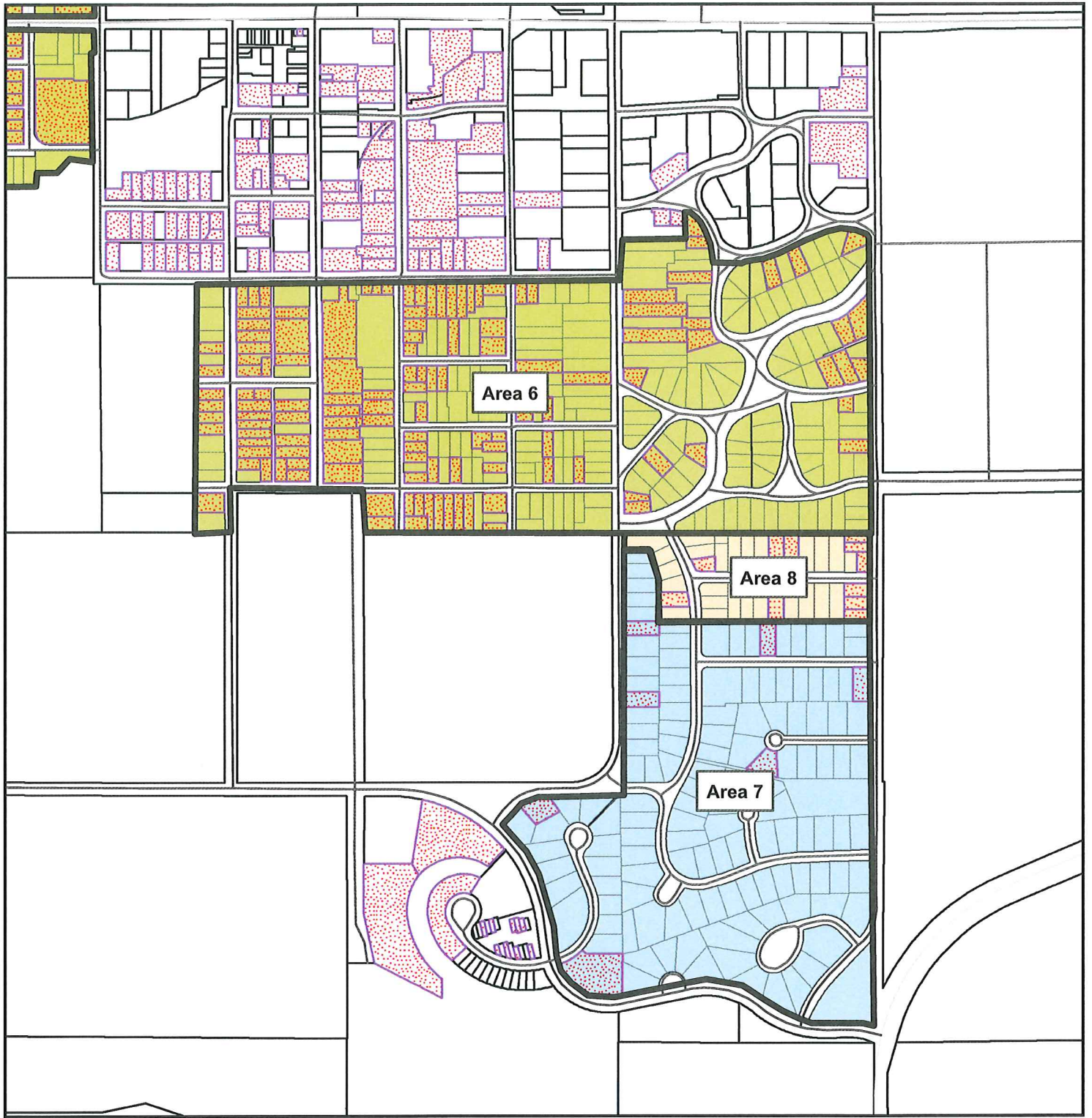
Area	Neighborhood	Total Parcels	RL Parcels	2017 RL Rentals	% RL Rentals	UCRM Parcels	2017 UCRM Rentals	% UCRM Rentals	RM	2017RM Rentals	% RM Rentals
1	Westside NA	164	156	93	60%						
2	Edwards NA	230	155	36	23%						
3	Oak-Wood-Forest NA	127	122	39	32%						
4	West Street area - Non NA	336	20	18	90%						
5	College Creek NA	283	236	129	55%				9		
6	SCAN - North	413	291	105	36%						
7	SCAN - South	150	99	5	5%						
8	Colonial Village	37	37	11	30%						
9	Oak-Riverside NA	305				288	89	31%			
10	South Brookside	60	60	2	3%						
11	North Brookside	98	97	7	7%						
12	Emanon NA and surrounding	263				262	28	11%			
13	6th/9th/Grand/RR	116				116	25	22%			
14	North Old Town NA	171				123	24	20%	43		
15	Historic Old Town NA	176							175	47	27%
16	Downtown	169							123	51	42%
17	West of Main St	46							31	9	29%
18	Ross Rd	222	216	47	22%						
19	North of Ontario	146	114	30	26%				16		
20	Garfield-Ontario	109	109	31	28%						
21	N Dakota - Ross	217	214	31	14%						



Percentage of Rental Properties in Low and Medium Density Zoning Districts



- Less than 20%
- 21% - 34%
- 35% or More
- Current Rentals All



Area 6

Area 8

Area 7

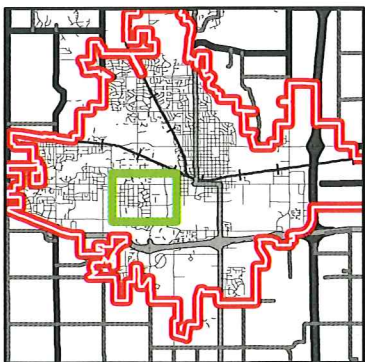
Percentage of Rental Properties in Low and Medium Density Zoning Districts

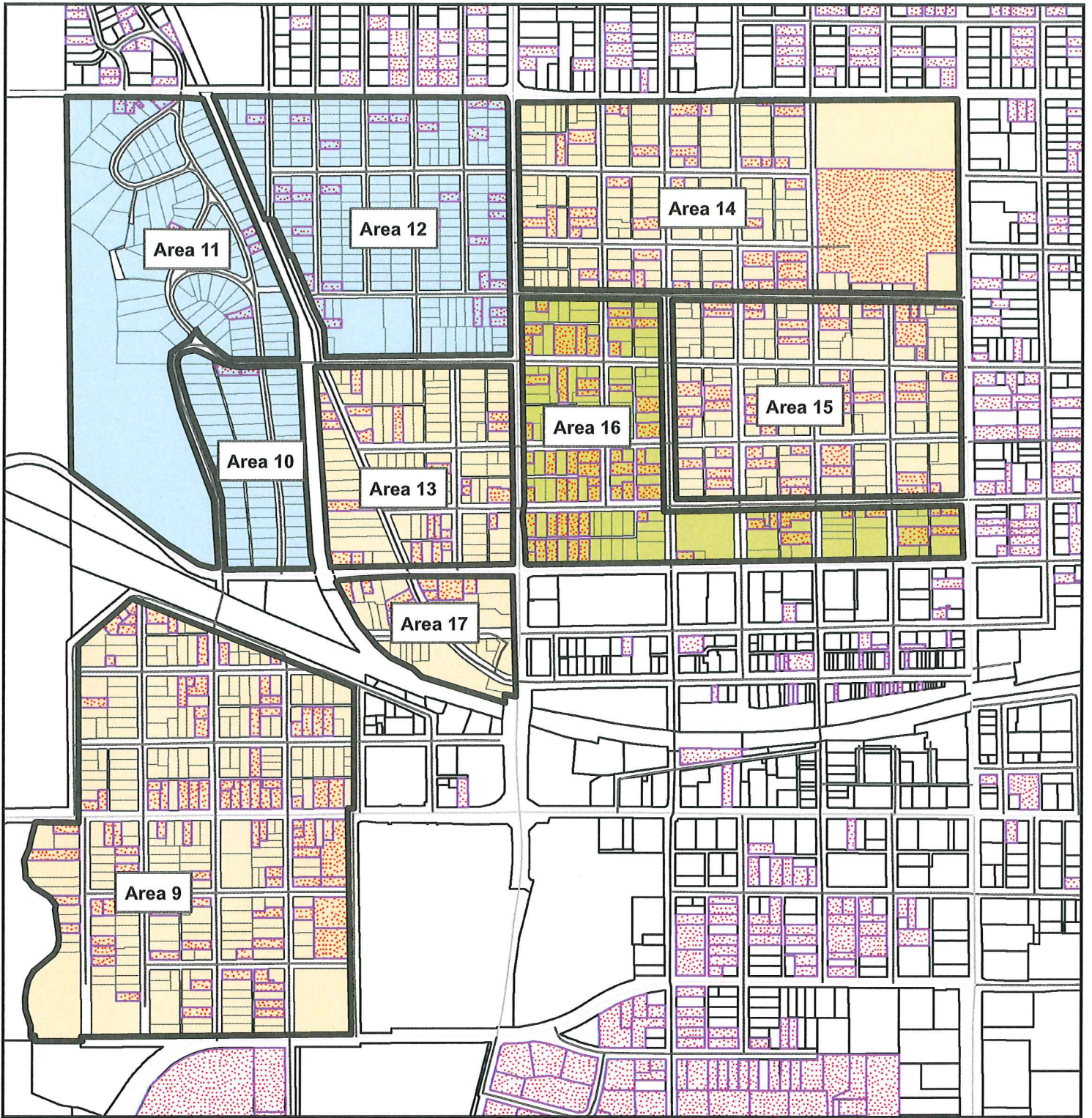
Less than 20%

21% - 34%

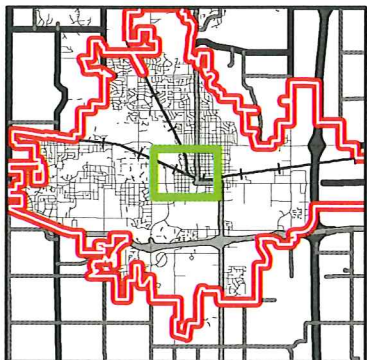
35% or More

Current Rentals All





Percentage of Rental Properties in Low and Medium Density Zoning Districts



- Less than 20%
- 21% - 34%
- 35% or More
- Current Rentals All

Dear Mayor and City Council Members:

Upon further reflection and after speaking with several Council members individually, we have come to the conclusion that, in the near term, the City must focus on its citywide occupancy ordinance before turning to the complicated issue of rental percentage caps in certain neighborhoods. We feel that portions of the proposal we sent on October 14 can be adopted for citywide use by the January 1 deadline and then, during the moratorium, the City can take the time necessary to focus on rental caps in neighborhoods where that would be appropriate. Our revised proposal follows.

Citywide Rental Occupancy Proposal:

1. The number of adults allowed in low-density (R-L) rental housing will be equal to the number of legal bedrooms in a property. The number of bedrooms will be determined as of the most recent rental inspection report filed prior to January 1, 2018. If the property has not previously been registered as rental, then the number of bedrooms will be determined by the listing on the Assessor's webpage, with no bedrooms counted that have received building permits subsequent to January 1, 2018. (Note: We are willing to compromise and allow landlords to have the "number of bedrooms" occupancy limit they have pressed for but only if that number is frozen. Our ultimate goal is to prevent the addition of bedrooms that would in fact circumvent the intent of the rule.)

A) The allowable number of adult renters may be reduced from number of bedrooms listed as described above if a subsequent inspection determines that the number of legal bedrooms is actually lower than originally reported. In such cases, the number of allowable adult tenants will be adjusted to reflect the more recent inspection. Under no circumstances can the number of adult renters be increased. And,

B) The number of allowable adult tenants may also be reduced due to insufficient off-street parking spaces as is outlined in Section 2, below.

2. Off-street parking must accommodate a number of vehicles equal to the number of adult tenants. Such parking must be confined to the garage, driveway, or City-designated alley. Back and side yards are not to be used for parking and will not be counted for purposes of this provision. The number of allowable adult tenants will be the lesser of the number of legal bedrooms or the number of permissible parking spaces.

If the above proposal is adopted citywide, it would then be relatively easy to identify the neighborhoods that need the additional protection of a "Campus-Impacted" zoning overlay.

Additional Requirements for SCAN and CC/OAMS:

1) We have argued in the past that allowing more renters per property will increase the housing stock that is financially attractive to purchase for rental investment. This will further accelerate the continuing conversion of owner-occupied to rental property we are currently experiencing.

That is why it is crucial that if we allow occupancy to be based on number of bedrooms, SCAN and other campus-impacted areas must have a zoning overlay designation that specifies a reasonable rental percentage cap (we request 25%). Developing guidelines for the cap is not a simple task; in part because we are finding that the City's data on rental properties in SCAN and Colonial Village are incomplete. The moratorium allows the City time to make good decisions on which neighborhoods should be considered for an overlay, to precisely articulate neighborhood boundaries, and to determine the appropriate cap for each respective overlay.

2) Also as part of the overlay, SCAN in particular needs a provision that if a rental property is demolished, no rental LOC can be issued for anything built in its place. This will help maintain the historic nature of the SCAN neighborhood and will prevent a small house from being torn down so a mini-dorm can be built in its stead.

Other Comments:

1. In order for violations to be reported, neighbors need easy access to the City's database. We need to be able to see which properties are rental and the number of legal occupants as determined by whatever formula the City adopts.
2. The definition of an "owner-occupied" property must be changed so that it no longer includes properties occupied by a relative of the owner within the first degree of consanguinity. This would be in line with the legislature's prohibition on using family relationships to define occupancy and would reduce the number of homes where a son or daughter is living in a parent-purchased home along with roommates and has failed to register the property as a rental.
3. Penalties and fines for violations of City ordinances must be enforced. Time span over which violations are accumulated must be longer than one year due to frequent turnover of tenants.
4. The definition of a "bedroom" should be revisited to be sure it is clear and appropriate. This can be accomplished during the moratorium period.

Barbara Pleasants, SCAN President
Leslie Kawaler, SCAN Board
Sandra McJimsey, SCAN Board

Staff Report

AQUATIC FACILITY OPTIONS FOR HEALTHY LIFE CENTER

October 24, 2017

BACKGROUND:

One of the tasks assigned to the City staff under the City Council goal to Encourage Healthy Lifestyles is to explore partnering with Mary Greeley Medical Center, Heartland Senior Services, Ames Community School District, and Iowa State University to create the Healthy Life Center (HLC).

Towards this end, the City hired a consulting team comprised of RDG Planning & Design, Ballard*King and Associates, Water's Edge Aquatic Design, and Snyder & Associates to develop initial capital and on-going cost estimates for this facility. **Before the consultants can complete their assignment in accordance with their projected completion date, a final decision must be made regarding the size of the competitive pool basin that may be included with the recreational aquatic components in the Healthy Life Center. As you will recall, the staff emphasized to the City Council that approximately half way through the analysis, the consultants will supply the comparative information regarding the construction and annual operating costs for a 25 yard by 33 meter stretch and 50 meter competitive pool basins.**

Since the consulting team have reached this pivotal point in their work, the requested information is being presented below along with their comments regarding each option (See Attachment I). It should be noted that in order to add more context to these two options, the consultants also were asked by the City staff to provide comparable information regarding two additional options; 1) a recreation aquatic facility without a competitive pool basin (in the event that the School District decides to build their own pool at the High School) and 2) a competitive pool basin similar in size to the one at the DMACC facility that serves both Ankeny High Schools (the recent opening of this new facility was met with great enthusiasm).

COST COMPARISONS - CONSTRUCTION AND ANNUAL OPERATING COSTS:

	<u>Option A.</u>	<u>Option B.</u>	<u>Option C.</u>	<u>Option D.</u>
	1) Recreation Pool -6 lap lanes -Zero Depth Entry -Current Channel -Slides (2)	1) Recreation Pool -4 lap lanes -Zero Depth Entry -Current Channel -Slides (2)	1) Recreation Pool -4 lap lanes -Zero Depth Entry -Current Channel -Slides (2)	1) Recreation Pool -4 lap lanes -Zero Depth Entry -Current Channel -Slides (2)
	2) Therapeutic Pool	2) Therapeutic Pool	2) Therapeutic Pool	2) Therapeutic Pool
	3) <u>No Competition Pool</u>	3) <u>25 yards by 33 meters Competitive Stretch Pool</u> with Diving Boards (2 one meter boards)	3) <u>25 yards by 50 meters Competitive Pool</u> with Diving Boards (2 one meter boards)	3) <u>25 yards by 60 feet Competitive Pool</u> with Diving Boards (2 one meter boards) – <u>Ankeny/DMACC</u>
		<u>Attachment 2</u>	<u>Attachment 3</u>	<u>Attachment 4</u>
		4) Seating for 500	4.) Seating for 500	4.) Seating for 500
	31,001 sq. ft.	59,129 sq. ft.	70,986 sq. ft.	52,700 sq. ft.
<u>Construction Cost</u>				
Construction Cost	\$13,577,140	\$25,732,429	\$30,610,857	\$22,543,143
Difference in Construction Cost Compared to Option A		+\$12,155,289	+\$17,033,717	+\$8,966,003
<u>Annual Operating Cost</u>				
Expenses	\$1,103,376	\$1,488,516	\$1,694,352	\$1,389,936
Revenues	\$696,058	\$831,992	\$868,091	\$800,547
Subsidy	(\$407,319)	(\$656,524)	(\$826,261)	(\$589,389)
% of Cost Recovery	63%	56%	51%	58%
Difference in Subsidy Compared To Option A		+\$249,205	+\$418,942	+\$182,070

NOTE: Included in the above revenue estimates are \$65,208 from ACAC for Option B and \$84,304 for ACAC for Option C which equates to approximately \$8.00 per lane hour.

STAFF COMMENTS:

As you know, the School District is currently still considering two options; either to build their own competitive pool at the High School site or partner with the City in the Healthy Life Center. The sooner the District can make a final decision regarding this issue, the better it will be for the Healthy Life Center project. Whether or not the competitive pool is located at the HLC will have a profound effect on the building footprint, interior space concepts, and site development plans. It is hoped that the information provided by the

consultant’s final report will provide the necessary information in terms of costs, layout, programming, and design to inform our residents prior to a bond referendum and potential private donors to the project. Should the final report include the competitive pool and the District later decides to build their own facility, major rework will be needed on the consultant report to reflect the smaller Healthy Life Center project.

CURRENT ESTIMATES FOR TOTAL PROJECT:

While significant time has been spent in analyzing the various aquatic component options, the consulting team also has invested time in talking to potential users of the HLC to determine their space needs and usage times. **Based on this feedback, the following table reflects the very preliminary building size and total project cost estimates that have been developed to date for the total Healthy Life Center Project, including the aquatic component.**

It must be emphasized that the planning team and consultants have not completed their recommendation regarding the building components and the group will work hard over the next months to lower costs without sacrificing quality. However, while it is possible to refine these costs by reducing room sizes or eliminating rooms, the most significant costs associated with these totals are reflected in the two Gymnasiums (\$2,500,000 each), instructional kitchen (\$1,000,000), cardio/weight area (\$1,700,000), the walking track (\$2,956,000), and the aquatic options (which range from \$13,500,000 to \$30,600,000) as reflected above. In addition, it should be noted that the total project costs include \$930,000 for dedicated space for the Boys and Girls Club.

	<u>Option A.</u>	<u>Option B.</u>	<u>Option C.</u>	<u>Option D.</u>
	1) Recreation Pool -6 lap lanes -Zero Depth Entry -Current Channel -Slides (2)	1)Recreation Pool -4 lap lanes -Zero Depth Entry -Current Channel -Slides (2)	1)Recreation Pool -4 lap lanes -Zero Depth Entry -Current Channel -Slides (2)	1) Recreation Pool -4 lap lanes -Zero Depth Entry -Current Channel -Slides (2)
	2) Therapeutic Pool	2)Therapeutic Pool	2) Therapeutic Pool	2) Therapeutic Pool
	3) <u>No competition pool</u>	3) 25 yards by 33 meters Competitive <u>Stretch</u> Pool with Diving Boards (2 one meter boards)	3) 25 yards by <u>50 meters</u> Competitive Pool with Diving Boards (2 one meter boards)	3) 25 yards by 60 feet Competitive Pool with Diving Boards (2 one meter boards) – <u>Ankeny/DMACC</u>
	4) No spectator seating	4) Seating for 500	4. Seating for 500	4.) Seating for 500
	5) Remaining HLC space	5) Remaining HLC space	5. Remaining HLC space	5.) Remaining HLC space
	131,979 sq. ft.	156,250 sq. ft.	168,107 sq. ft.	149,821 sq. ft.
Estimated Total Project Cost	\$50,661,664	\$63,719,214	\$69,115,642	\$60,329,928
Difference Of Total Cost Compared To Option A		+\$13,057,550	+\$18,453,978	+\$9,668,264

REQUESTED CITY COUNCIL ACTION:

In order for the consulting team to move ahead to complete the HLC planning study as proposed for the end of December, it is important that the Council give direction as to

which competitive pool option is desired. **After reviewing their funding restrictions for both the initial capital and ongoing operational costs, the Ames School Superintendent, School Board President, and School Board Vice President have indicated that they cannot participate financially in the Healthy Life Center project. In a recent meeting, these School District representatives informed the City Manager and the Mayor they intend to recommend to the Ames School Board on October 23rd that they should move ahead to build a competitive pool on their own at the high school site.**

Ames Healthy Life Center Planning Study

Aquatic Center Options

Three different aquatic center options have been developed for the Ames Healthy Life Center. Each of these is evaluated based in part of what aquatic needs and services can be provided.

Option A – Recreation and wellness pools, with 6 lap lanes, wellness pool and no competitive pool

This option provides a warm water recreation pool that can be used as both a program pool (swim lessons, aqua exercise, etc.) as well as a recreation pool for drop-in swimming. The pool can also support low level therapy classes and warm water lap swimming.

A wellness pool will also be provided, separate from the recreation pool, with higher temperature water, focused on therapy and related aqua classes.

This pool option does not support competitive swimming or diving and also is not effective for true lap swimmers or triathlon training due in large part to the warm water. This option can also not host swim meets.

This pool option supports most aquatic community aquatic needs except what has been noted above. With its relatively small size, warm water and recreational appeal, this option has the best cost recovery potential as it will attract the highest overall use.

Option B – Recreation and wellness pools with 4 lap lanes, wellness pool and a 25y x 33M competition pool

This option adds a significant competitive pool in addition to the recreation/wellness pool. The competitive pool provides between 14 and 16 lanes in the yard configuration, allows for 25 yard swimming distance, supports diving, and has a fixed bulkhead. This pool will support lap swimming, competitive swimming on the high school and USA team level as well as masters swimming and competitive diving. This pool also can support a wide range of swim meets from local meets up to some regional events. It can also be utilized for deep water aerobics, scuba and upper level swim instruction.

With both a warm water pool and a significant competition pool, this option meets virtually all the aquatic needs of the greater Ames market with the exception of long course (50 meter) competitive swimming but this is available at the existing Furman Aquatic Center. With up to 16 lanes in the yard configuration, the pool is large enough to support the needs of Ames high school and the ACAC team both now and well into the future.

Since there are two large bodies of water, the costs for operation of this option are considerably higher but the increase in overall revenue is relatively modest.

Option C – Recreation pool with 4 lap lanes, wellness pool and a 25y x 50m competition pool

Option C is very similar to Option B, except for the larger 50 meter competition pool. This option allows for all the same uses as Option B but provides 20 to 22 lanes in the yard configuration and provides 10 lanes of long course swimming. The 50 meter size will also support larger 25 yard meets and also 50 meter long course events.

Most communities develop 50 meter pools when there are 3 to 4 high schools in the market and 2 large USA teams to justify the number of lanes that are present. Even with the increased size of the competitive pool, there is very little increase in overall revenues while expenses increase by a substantial amount.

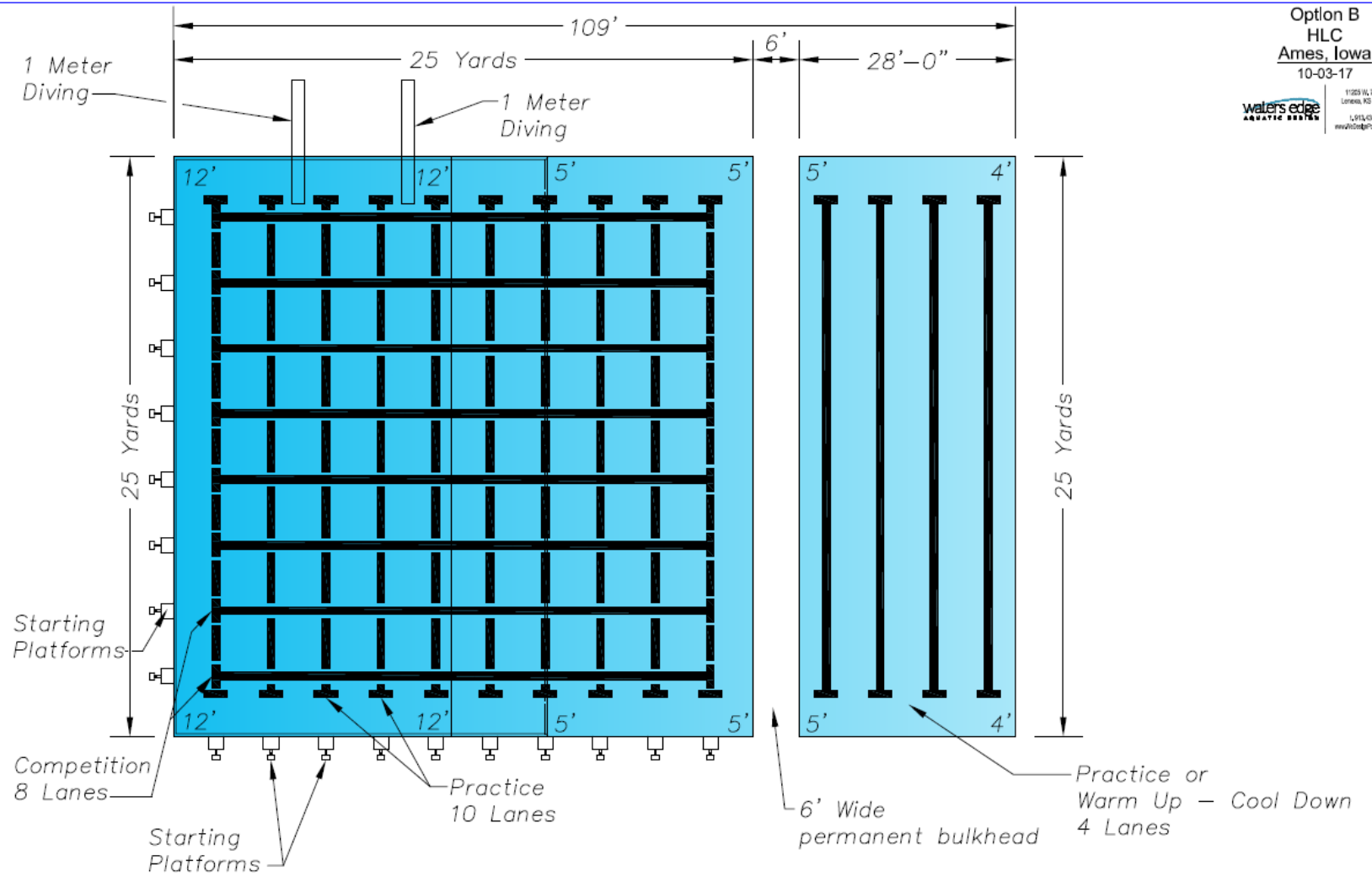
It should be noted that while Options B and C provide the opportunity for a variety of swim meets to occur at the aquatic center, these are generally not strong revenue producers for the facility but do provide income for the host swim club and can provide some economic impact to the community.

Option D – Recreation/wellness pools with 4 lap lanes, wellness pool and a 25y x 60' competition pool

Option D is very similar to Option B. This option adds a significant competitive pool in addition to the recreation/wellness pools. The competitive pool provides 8 lanes across the 60' width, and supports diving. This pool will support lap swimming, competitive swimming on the high school and USA team level as well as masters swimming and competitive diving. This pool is similar to the one that is utilized within the DMACC Ankeny Student & Recreation Center by both Ankeny High School swim teams. It can also be utilized for deep water aerobics, scuba and upper level swim instruction.

Since there are two large bodies of water, the costs for operation of this option are considerably higher but the increase in overall revenue is relatively modest.

ATTACHMENT 2

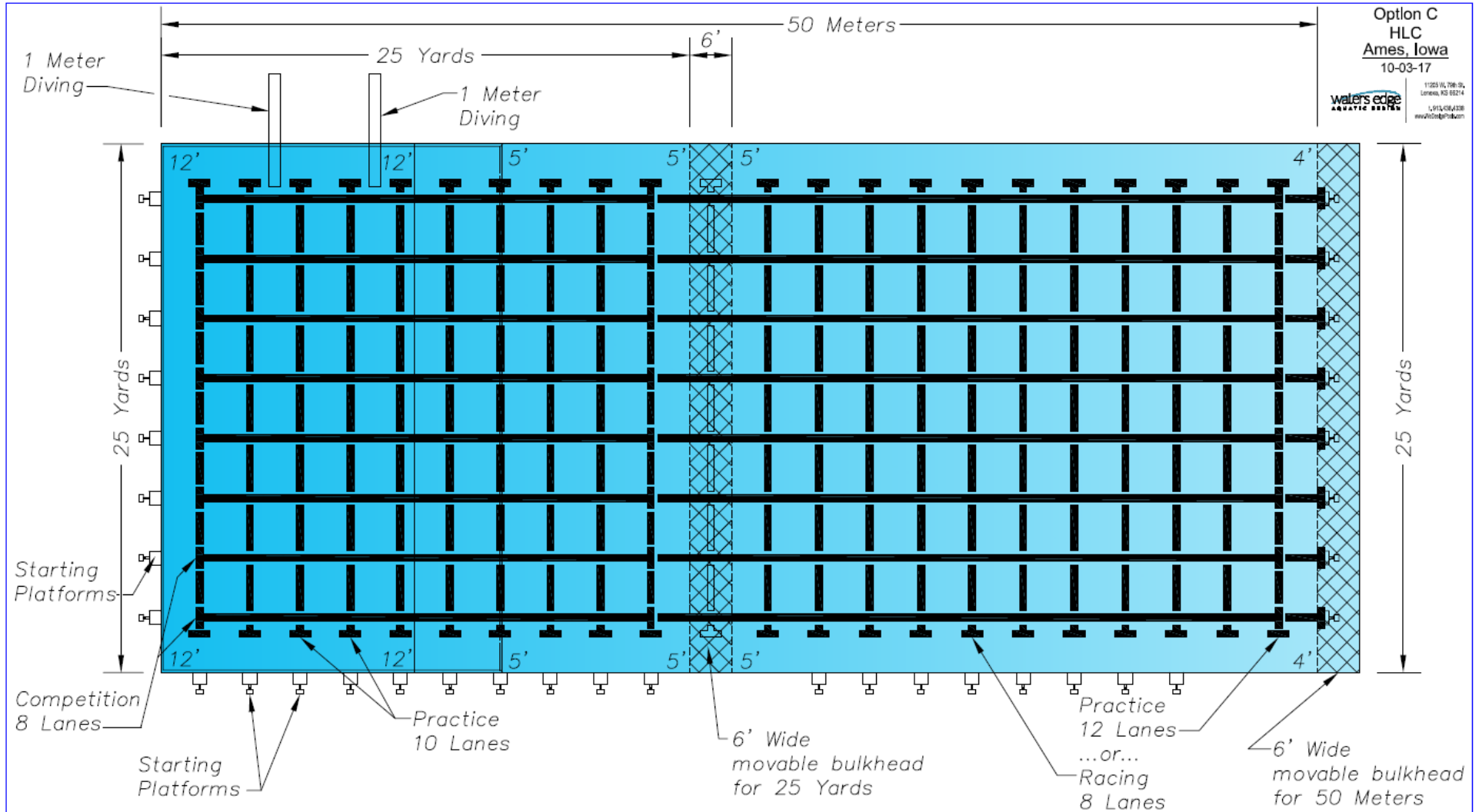


Option B
HLC
Ames, Iowa
10-03-17

waters edge
AQUATIC SYSTEMS

11255 W. 79th St.
Lenexa, KS 66214
1.913.684.4338
www.watersedge.com

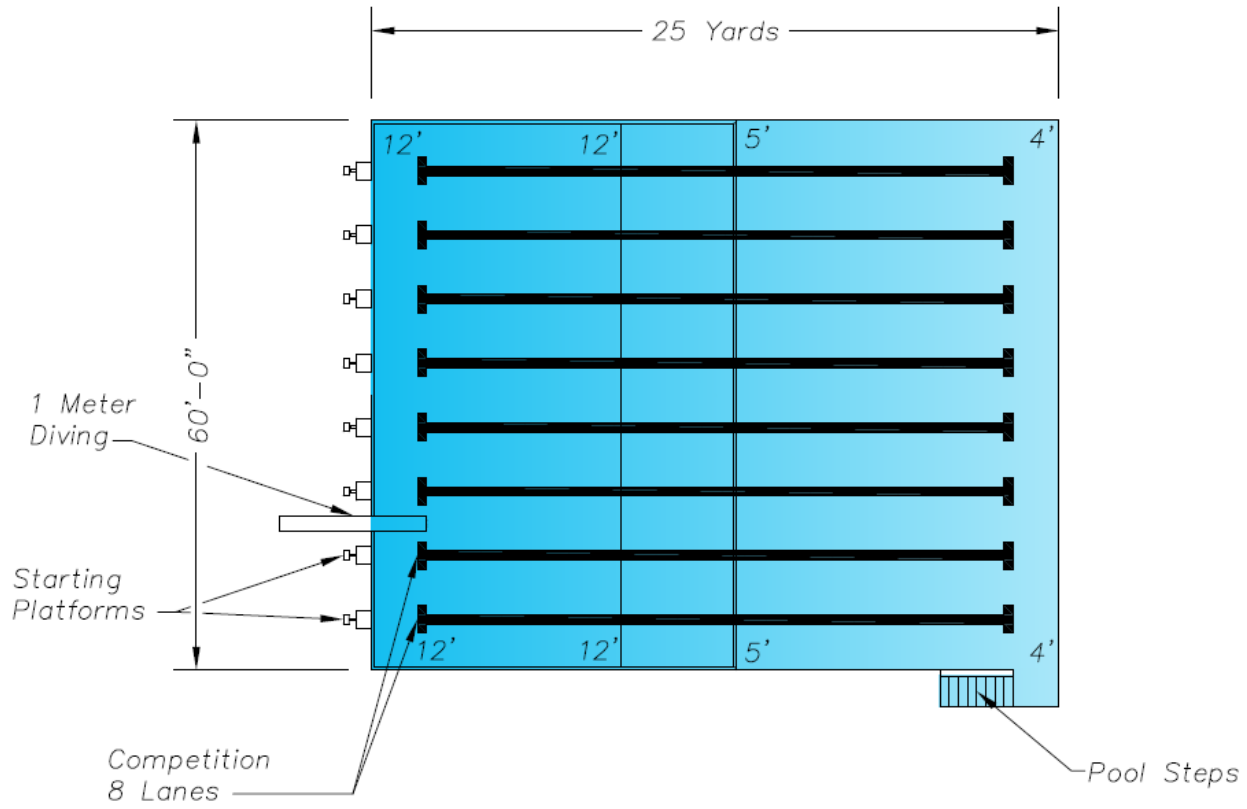
ATTACHMENT 3



ATTACHMENT 4

Option D
HLC
Ames, Iowa
10-03-17

waters edge
AQUATIC SYSTEMS
11255 W. 70th St.
Lenexa, KS 66214
1-913-684-4338
www.watersedge.com



COUNCIL ACTION FORM

SUBJECT: **STATUS OF THE DEPOT DEVELOPMENT
AGREEMENT AMENDMENT**

BACKGROUND:

At the April 25, 2017, meeting, the City Council referred to staff a letter from Brian Torresi, representing a then-potential purchaser of “The Depot” property at 500 Main Street (aerial photo of the site is attached) requesting amendments to the existing development agreement regarding parking. **At the May 23 meeting, the City Council directed staff to work with the property owners and prepare an amendment to the development agreement to retain 127 parking spaces for the general public and to allow the owner to designate the use of 71 parking spaces for private use.** This option also noted that specific spaces would be identified and allocated for the general public, that the terms of the parking allowance would be extended to 2067, that the currently relevant standards of the existing agreement would be clarified, and that the language pertaining to the view of the Depot from Main Street and maintaining the historic façade of the Depot building would be maintained.

The proposed amendment to the agreement by Mr. Torresi is to restate the agreement and include only the relevant provisions going forward. With the restatement of the agreement, the original exhibits for the site layout and building architecture would be deleted because the site has been developed. The proposed amendment would retain language concerning changes to the Depot building and a view corridor from Main Street. However, the proposed changes do not address the other buildings on the site.

Staff strongly recommends that any amendment to the agreement must retain the expectation for building entrances along public streets. This was a core concept to the original agreement that was embodied in the exhibits of the development agreement. The original agreement for the development was intended to support downtown with new street facing commercial space and retain the Depot building and this was included in the design plans that accompanied the agreement. Therefore, staff believes that adding one section to the proposed amendment requiring the property owner to maintain active entrances to tenant spaces along public streets would meet the interest of the City from the original development agreement exhibits. Alternatively, the exhibits to the agreement could be retained and the property owner would need to adhere to details of the original approval.

Since the property owner would prefer the amendment not include the stipulation for entrances facing the street and at the same time delete the exhibits, staff is seeking direction from the City Council regarding the issue of entrances along public streets in order to complete the development agreement amendment negotiations.

Mr. Torresi indicates that the owner believes that this condition would limit options for potential tenants by mandating access requirements. The owner proposes to amend the agreement with no language about buildings other than the Depot.

The Board of the Main Street Cultural District was asked at a recent meeting to offer a recommendation on this requirement. They reiterated the content of their letter of May 23rd to the Mayor and City Council in which they expressed support for the City to convert up to 50% of the parking for private use and that they will have an arrangement with the owners to make that parking available during non-business hours, weekends, and select holidays. **The state coordinator of Main Street Iowa was in attendance and he advocated that pedestrian entrances along the street should remain in order to promote an active streetscape.**

Alternatives:

1. Direct staff to include language in the draft agreement to require tenant spaces that abut public streets to maintain an active pedestrian entrance. The other language about the number of spaces, their locations, the historic façade, and the protected view would remain.
2. Direct staff to address only the number of spaces, their locations, the historic façade, and the protected view of the Depot from Main Street with an amendment to the development agreement.

CITY MANAGER’S RECOMMENDED ACTION:

The option selected by the City Council in May specifically said, “To negotiate this option, specific spaces would be identified and allocated to the general public, terms of the parking allowance would be extended to 2067, clarify the currently relevant standards, and to reconfirm the language pertaining to the view of the Depot from Main Street and maintaining the historic facade.”

The draft agreement:

- Identifies the southeastern 19 spaces and the western 52 spaces to be given up for use by the public and allowed to be designated by the owner for tenant use. (See attached aerial.)
- Reserves those spaces for public use for 50 years (to 2067).
- Retains the prohibition on certain encroachments within the 50-foot wide corridor from Main Street to the main entrance of the Depot.
- Requires the owner to retain the historic qualities of the Depot façade.

Staff’s recommended language is intended to address clarification needed from the original agreement. The language regarding active pedestrian entrances abutting streets was brought up during negotiations to retain the pedestrian walkability of the Clark Avenue and Main Street sidewalks in front of the site. The intent of the language is that any tenant space that has one or more entrances on the street (now or in the future), would need to maintain at least one of those as an active entrance into the

building. This is an arrangement that has been followed since the land was redeveloped by Hubbell in the 1990s based on the approved design of the project.

A basic premise for successful downtown and pedestrian commercial districts is a need for an engaging streetscape. Active entrances are the primary and best means of accomplishing this goal. Closing entrances and windows has the effect of creating an uninviting streetscape that is contrary to that of Main Street and walkable commercial areas. Turning a project inwards to itself is a suburban design approach that is inappropriate to a downtown area.

It should be noted that staff's recommended standard should not affect the use of the eastern building at the corner of Clark Avenue and Main Street now or in the future. The building on the west side of the site has one entrance towards Main Street and other entrances from the sides of the building. **The current design and use of the buildings on the site are consistent with staff's recommended language. As tenants change or the interior is reconfigured, an active entrance into the building would need to be maintained for those spaces that abut the street. Additional entrances could be accommodated, but maintaining entrances along the public street would be necessary.**

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative 1, to negotiate an amendment to the development agreement with language to maintain active entrances to tenant spaces along public streets.



**Retained
Public
Parking**



198 Number of Spaces in Parking Areas



COUNCIL ACTION FORM

SUBJECT: 2017/18 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) HOMEBUYER ASSISTANCE PROGRAM RESALE AND RECAPTURE PROVISIONS IN CONJUNCTION WITH THE 321 STATE AVENUE HOUSING SUBDIVISION DEVELOPMENT

BACKGROUND:

On July 11, the City Council provided direction to staff to proceed with development of a 37-lot subdivision at 321 State Avenue in partnership J-Corp Inc. as the developer of the site. The development concept includes platting of 37 lots as Phase 1 of development of the site with an option for a second phase of development in the future for a total of 43 lots. The planned subdivision will include a minimum of 20 affordable homes to be constructed for low and moderate-income households and 17 market rate homes. J-Corp Inc. will be the developer for both the affordable and the market rate homes and they will be the builder of the all of the affordable low and moderate income homes. Staff is continuing to work with J-Corp on a creating a development agreement to proceed with the project. IN addition to public infrastructure assistance, the City committed to funding a first time homebuyer program for the 321 State Avenue. **Staff requires direction from City Council on preferences for resale/recapture provisions for properties sold to qualified low and moderate-income first-time homebuyers receiving down payment and closing cost assistance in conjunction with the development.**

The City's previous Home Buyer Assistance Programs have included program guidelines for resale/recapture provisions regarding down payment and closing cost assistance. Some of the specific circumstances that would trigger these provisions during the occupancy of the home included: sale, transfer, conveyance, lease of other disposition of the property by the buyer within various timeframes.

Staff has complied in Attachment A some of those recapture provisions that have been imposed as part of the City's home buyer programs since the 1990's. Beginning in the 2000's, the City's down payment assistance has been in the form of a 2% loan repayment that varied over a 7 to 12 year timeframe and the amount of down payment given has varied from \$5,000 to \$13,500. In addition to down payment assistance, City provided closing assistance ranging from \$1,000 to \$2,500. The closing cost assistance has been in the form of a deferred grant if the buyer continues to reside on the property for 5-7 years.

The City Council will need to consider the overriding philosophy for the first time homebuyer program and priorities for the affordable homes constructed at 321 State Avenue. There are two different perspectives on the philosophy for such a program. The first philosophy for the program can be to create housing stability for the first time homebuyer and allow for them to build equity and security through home ownership. A second philosophy for the program can be to maintain affordable housing supply for future homebuyers if the initial buyer is not a long term resident

of the property. Using a resale/recapture provision will address the second philosophy by deterring a short tenure of ownership of the property. There are a wide variety of options to consider resale/recapture provisions that address setting resale price, penalties for early resale, or stating a requirement for a subsequent purchaser to be a qualified low income household. Staff has focused on the resale penalty approach for its clear standard and ease of administration.

Outlined in Attachment B for your review and consideration, staff has proposed two options for the financial assistance and the recapture provisions for the Home Buyer Program for the 321 State Avenue development. **Option 1, is our typical 2% loan rate for the down payment and affordability assistance and a deferred grant for the closing cost assistance.** The recapture provision for this assistance would be a reduced penalty payback over specified timeframe (10% for 1-10 years, 5% for 11-15 years, 2% for 16-20 years).

Option 2, would be a 100% grant all of the forms of assistance (down payment, affordability, and closing cost assistance). The recapture provision for this assistance would be a fixed 25% penalty payback over a 20 year period.

Option 1 which includes a loan allows for program income to be reused for future CDBG programming, while Option B does not. (Assuming no penalties are charged)

The maximum amount of the assistance provided (\$25,500) and the events of default would remain the same in both options.

Once direction is provided, staff will be working with our legal counsel to provide the correct language to the program documents (i.e. subordinate mortgage, loan agreement, promissory note).

Additionally, depending on the outcome of the infrastructure bid plans and specifications, these guidelines may need to be revised. City Council will review the bids for the infrastructure on November 14th along with the draft development agreement.

ALTERNATIVES:

1. The City Council can approve the resale and recapture provisions for the 2017-18 CDBG Homebuyer Assistance Program of Attachment B, Option 1 with a down payment assistance loan and recapture provisions.
2. The City Council can approve the resale and recapture provisions for the 2017-18 CDBG Homebuyer Assistance Program of Attachment B, Option 2 with a down payment assistance loan and recapture provisions.
3. The City Council can modify, and then approve, the resale and recapture provisions for the 2017-18 CDBG Homebuyer Assistance Program in conjunction the development a mixed-income housing subdivision at 321 State Avenue.
4. The City Council can defer action on this item to November 14th.

CITY MANAGER'S RECOMMENDED ACTION:

The developer and staff work will continue to work to finalize a draft development agreement that is consistent with City Council's direction from July 11, 2017. A determination as to which resale/recapture provision to utilize will assist the parties in completing this task.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the resale and recapture provisions for the 2017-18 CDBG Homebuyer Assistance Program as outlined in Attachment B, Option 1 for the development of a mixed-income housing subdivision at 321 State Avenue.

It should be emphasized that for both the affordable and the market rate homes for the development at 321 State Avenue, covenants will be in place on each lot prohibiting the rental of a home in perpetuity.

ATTACHMENT A

Financial Assistance	Resale/Recapture Provisions	Events of Default
<p>1994 (Existing Properties Purchase Program)</p> <p>First-time homebuyers will be able to receive financial assistance up to approximately \$24,000 to help purchase their first home (this includes mortgage buy down assistance, closing cost assistance, and assistance for <i>minor</i> repairs).</p>	<p><u>No Payment Required:</u> Participant shall have no obligation to make any payment to the City under this Agreement until thirty (30) years after the date of this agreement, if the Participant retains ownership of the said Property, without renting any part of it, and complies with the terms of this agreement and the policies of the City of Ames Affordable Housing Program, for a period of thirty (30) years from the date of this agreement.</p> <p><u>Payment Required:</u> Participant shall pay to City a sum equal to the amount of grant funds received, and such payment shall be due and payable to the City immediately upon the occurrence of any of the events as follows:</p> <p>(a) The said property is sold or conveyed to any party other than a surviving spouse of the Participant.</p> <p>(b) Occupancy of the said property by the Participant(s) or the surviving spouse of the Participant ceases, for any reason other than temporary travel or illness, for a period of sixty (60) consecutive days, whether or not Ownership of the property is transferred.</p> <p>(c) Ownership of the said property is sold or transferred by the Participant or Participant's surviving spouse during the aforesaid thirty (30) year period.</p> <p>(d) All or any part of the said property is rented to any person other than the Participant.</p> <p>(e) Any breach of or non-compliance with the promises, terms, and conditions of this Agreement or of the City of Ames Affordable Housing Program policies and procedures.</p> <p>(f) Thirty (30) years have passed after the date of this agreement.</p>	<p>The following, by way of specification but not limitation, shall constitute events of default of this agreement:</p> <p>(a) The applicant/borrower(s) has a principal place of residence at some place other than the property.</p> <p>(b) The applicant/borrower(s) causes or permits the property to be damaged, in disrepair, the site of a public nuisance, or otherwise the site of conditions that unreasonably interfere with the use and enjoyment of other properties in the vicinity, ordinary wear and tear accepted. (c) Any misrepresentation in the applicant/borrower(s) application for the loan.</p> <p>(c) Breach of any provision of the aforesaid promissory note or of the aforesaid mortgage.</p> <p>(d) Sale, transfer, conveyance, lease or other disposition of the Property by the applicant/borrower(s) within seven (7) years of the date of this agreement and before repayment of the loan has been accepted by the Program funders.</p> <p>(f) Any proceedings for the foreclosure of the mortgage instituted by the participating lenders that provided the loan financing.</p>

Financial Assistance	Resale/Recapture Provisions	Events of Default
<p>2005 (Existing Property Purchases)</p> <p>The financial assistance under this program will be in the form of a loan at 2% interest (except for the closing cost assistance program, which will be in the form of a grant). All participating applicant/borrower(s) will be required to sign the contract and lien agreement, subordinate mortgage, and promissory note prior to closing.</p> <p>The following type(s) of assistance will be available:</p> <p>(1) <u>Down Payment Assistance</u> 17% of the purchase price will be made available for down payment assistance under this program.</p> <p>(2) Closing cost assistance given to applicant/borrower(s) will be in the form of a grant and shall not exceed \$2,000 (borrower(s) will be responsible for closing costs that exceed this amount).</p>	<p>In the event that the property is sold, transferred, conveyed, leased or otherwise disposed of by the applicant/borrower(s) the following recapture provision will apply:</p> <ul style="list-style-type: none"> ▪ If property is sold in year's 1-3, recapture payment of 8% of *sales price. ▪ If property is sold in year's 4-6, recapture payment of 4% of *sales price. ▪ If property is sold in year's 7-10, recapture payment is 2% of *sales price. <p>*sales prices = original purchase price under the program.</p> <p>At any time if the property is sold to a first-time homebuyer, whose total household income does not exceed 110% of the Story County median income limits, the recapture payment would be reduced by 50%.</p>	<p>The applicant/borrower(s) has a principle place of residence at some place other than the property;</p> <ul style="list-style-type: none"> (a) The applicant/borrower(s) causes or permits the property to be damaged, in disrepair, the site of a public nuisance or otherwise the site of conditions that unreasonably interfere with the use and enjoyment of other properties in the vicinity, ordinary wear and tear excepted; (b) Any misrepresentation in the applicant/borrower(s) application for the loan; (c) Breach of any provision of the aforesaid promissory note or of the aforesaid mortgage; (d) Sale, transfer, conveyance, lease or other disposition of the Property by the applicant/borrower(s) within seven years of the date of this agreement and before repayment of the loan has been accepted by the City; (e) Any proceedings for the foreclosure of the mortgage instituted by the participating lenders that provided the loan financing. <p>Event of Foreclosure: In the event of a default by the applicant/borrower(s) to the participating lender (first lien holder) and foreclosure procedures are instituted by the participating lender, The Operating Agency on behalf of the City (second lien holder), on a case by case basis may forgive the subordinate mortgage when there is no likelihood that a sufficient amount of money will be available after the first lien holder has received their balance due.</p>

Financial Assistance	Resale/Recapture Provisions	Events of Default
<p>2008 (Ames/Story County) Existing Property Purchases</p> <p>The financial assistance under this program will be in the form of a loan at 2% interest (except for the closing cost assistance program, which will be in the form of a grant). All participating applicant/borrower(s) will be required to sign the contract and lien agreement, subordinate mortgage, and promissory note prior to closing.</p> <p>(1) Down Payment Assistance: Program funds may be used to provide up to 50% of the (product specific) required down payment.</p> <p>(2) Affordability Assistance: Program funds will provide up to an additional \$8,500 for purchase assistant to help reduce the monthly PITI payments.</p> <p>(3) Closing Costs and Pre-paid: Program funds will provide up to \$2,500 towards the closing cost including pre-paid. Total closing costs shall not exceed \$1,500 (under this program the closing cost is limited to \$1,500). Borrower(s) will be responsible for closing costs that exceed this amount.</p> <p>(4) All three (3) forms of the above assistance cannot exceed \$13,500.</p>	<p>In the event that the property is sold, transferred, conveyed, leased or otherwise disposed of by the applicant/borrower(s) the following recapture provision will apply:</p> <p>City of Ames will require full payback of all of the closing cost and pre-paid given as a grant, if the property is sold within seven (7) years from the date of closing.</p> <p>At any time if the property is sold to a first-time homebuyer, whose total household income does not exceed 80% of the Story County median income limits, the recapture payment would be waived.</p>	<p>The following, by way of specification but not limitation, shall constitute events of default of this agreement:</p> <ul style="list-style-type: none"> (a) The applicant/borrower(s) has a principal place of residence at some place other than the property. (b) The applicant/borrower(s) causes or permits the property to be damaged, in disrepair, the site of a public nuisance, or otherwise the site of conditions that unreasonably interfere with the use and enjoyment of other properties in the vicinity, ordinary wear and tear accepted. (c) Any misrepresentation in the applicant/borrower(s) application for the loan. (d) Breach of any provision of the aforesaid promissory note or of the aforesaid mortgage. (e) Sale, transfer, conveyance, lease or other disposition of the Property by the applicant/borrower(s) within seven (7) years of the date of this agreement and before repayment of the loan has been accepted by the Program funders. (f) Any proceedings for the foreclosure of the mortgage instituted by the participating lenders that provided the loan financing.

<p style="text-align: center;">Financial Assistance</p>	<p style="text-align: center;">Recapture/Assessment Upon Sale or Default</p>	<p style="text-align: center;">Events of Default</p>
<p>2013 (Acquisition/Rehabilitation of Homes purchased by the City)</p> <p>a. Down Payment Assistance: Program funds may be used to provide up to 50% of the (product specific) required down payment.</p> <p>b. Affordability Assistance: Program funds will provide up to an additional \$8,500 for purchase assistant to help reduce the monthly PITI payments.</p> <p>c. Closing Costs and Pre-paids: Program funds will provide up to \$2,500 towards the closing cost including pre-paids. Total closing costs shall not exceed \$1,500 (under this program the closing cost is limited to \$1,500). Borrower(s) will be responsible for closing costs that exceed this amount.</p> <p>d. All three (3) forms of the above assistance cannot exceed \$13,500</p>	<p>In the event that the Property is sold, transferred, conveyed, leased, or otherwise disposed of by the Borrower within seven (7) years from the date of this Agreement, before repayment of the loan has been accepted by the Lender, or in the event of default of this Agreement, the total amount of the unpaid balance of the loan made by this Agreement shall then be due and payable in a lump sum to the Lender with 4% interest on the whole amount loaned under this Agreement as aforesaid.</p> <p><u>Equity Gap.</u></p> <p>a. Amount of loan secured by second mortgage. The amount of the loan shall be the sum of (1) the difference between the Buyers’ lender’s appraised value of the Property and \$100,000 (hereafter the Equity Gap), and (2) the amount of \$10,000 for the Mortgage Assistance Loan (hereafter “Mortgage Assistance Loan”).</p> <p>b. No payment required for the Equity Gap. Participant shall have no obligation to make any payments to Seller under this Agreement if the Participant retains ownership of said Property, without renting any part of it, and complies with the terms of this agreement and the policies of the City of Ames CDBG Home Buyer Assistance Program, for a period of sixteen (16) years from the date of this Agreement.</p>	<p>Payment shall be due and payable to the Seller immediately upon the occurrence of any of the events as follows:</p> <ol style="list-style-type: none"> 1. The said property is sold or conveyed to any party other than a surviving spouse of the Participant during the aforesaid sixteen-year period. 2. Occupancy of the said property by the Participant or the surviving spouse of the Participant ceases, for any reason other than temporary travel or illness, for a period of sixty (60) consecutive days, whether or not ownership of the property is transferred. 3. Ownership of the said property is sold or transferred by the Participant or Participant’s surviving spouse during the aforesaid sixteen-year period. 4. All or any part of the said property is rented to any person other than the participant. 5. Any breach of or non-compliance with the promises, terms, and conditions of this Agreement or of the City of Ames CDBG Home Buyer Assistance Program policies and procedures.

ATTACHMENT B-OPTION 1

Financial Assistance	Resale/Recapture Provisions	Events of Default
<p>2017-18 (321 State-New Construction)</p> <p>The financial assistance under this program will be in the in form of a loan at 2% interest over 240 months (20 years) for the down payment and affordability assistance. The closing cost assistance program will be in the form of a grant with no repayment if buyer resides in the property for 8 years.</p> <p>The following type(s) of assistance will be available:</p> <p>(1) Down Payment Assistance: Program funds may be used to provide up to 50% of the (product specific) required down payment.</p> <p>(2) Affordability Assistance: Program funds will provide an addition amount not to exceed \$22,500 for purchase assistant to help reduce the monthly PITI payments.</p> <p>(3) Closing Costs and Pre-paids: Program funds will provide up to \$2,500 towards the closing cost including pre-paids. Borrower(s) will be responsible for closing costs that exceed this amount.</p> <p>(4) All three (3) forms of the above assistance cannot exceed \$25,500.</p>	<p>In the event that the property is sold, transferred, conveyed, leased or otherwise disposed of by the applicant/borrower(s), in addition to repayment of Financial Assistance, the following recapture provision will apply:</p> <ul style="list-style-type: none"> ▪ If property is resold in year’s 1-10, recapture payment of 10% of resale price*. ▪ If property is sold in year’s 11-15, recapture payment of 5% of sales price*. ▪ If property is sold in year’s 16-20, recapture payment is 2% of sales price*. <p>*resale = proposed sales price at the time the applicant/borrower(s) is selling.</p> <p>At any time if the property is resold to a qualified first-time homebuyer approved by the City, whose total household income does not exceed 80% of the Ames Metropolitan Statistical Area (AMSA) income limits, the recapture payment would be <u>waived</u>.</p> <p>NOTE: The resale/recapture provision obligations are in addition to the loan obligations for the down payment and affordability assistance.</p>	<p>The applicant/borrower(s) has a principle place of residence at some place other than the property;</p> <p>(a) The applicant/borrower(s) causes or permits the property to be damaged, in disrepair, the site of a public nuisance or otherwise the site of conditions that unreasonably interfere with the use and enjoyment of other properties in the vicinity, ordinary wear and tear excepted;</p> <p>(b) Any misrepresentation in the applicant/borrower(s) application for the loan;</p> <p>(c) Breach of any provision of the aforesaid promissory note or of the aforesaid mortgage;</p> <p>(d) Sale, transfer, conveyance, lease or other disposition of the Property by the applicant/borrower(s) within seven years of the date of this agreement and before repayment of the loan has been accepted by the City;</p> <p>(e) Any proceedings for the foreclosure of the mortgage instituted by the participating lenders that provided the loan financing.</p> <p>Event of Foreclosure: In the event of a default by the applicant/borrower(s) to the participating lender (first lien holder) and foreclosure procedures are instituted by the participating lender, The Operating Agency on behalf of the City (second lien holder), on a case by case basis may forgive the subordinate mortgage when there is no likelihood that a sufficient amount of money will be available after the first lien holder has received their balance due.</p>

ATTACHMENT B-OPTION 2

Financial Assistance	Resale/Recapture Provisions	Events of Default
<p>2017-18 (321 State-New Construction)</p> <p>The financial assistance under this program will be in the in form of a 100% GRANT all forms of assistance listed below.</p> <p>The following type(s) of assistance will be available:</p> <p>(2) Down Payment Assistance: Program funds may be used to provide up to 50% of the (product specific) required down payment.</p> <p>(2) Affordability Assistance: Program funds will provide an addition amount not to exceed \$22,500 for purchase assistant to help reduce the monthly PITI payments.</p> <p>(3) Closing Costs and Pre-paids: Program funds will provide up to \$2,500 towards the closing cost including pre-paids. Borrower(s) will be responsible for closing costs that exceed this amount.</p> <p>(4) All three (3) forms of the above assistance cannot exceed \$25,500.</p>	<p>In the event that the property is sold, transferred, conveyed, leased or otherwise disposed of by the applicant/borrower(s), in addition to repayment of Financial Assistance, the following recapture provision will apply:</p> <ul style="list-style-type: none"> ▪ If property is resold in year’s 1-20, recapture payment of 25% of resale* price. <p>*resale = proposed sales price at the time the buyer is selling.</p> <p>At any time if the property is resold to a qualified first-time homebuyer approved by the City, whose total household income does not exceed 80% of the Ames Metropolitan Statistical Area (AMSA) income limits, the recapture payment would be <u>waived</u>.</p>	<p>The applicant/borrower(s) has a principle place of residence at some place other than the property;</p> <ul style="list-style-type: none"> (a) The applicant/borrower(s) causes or permits the property to be damaged, in disrepair, the site of a public nuisance or otherwise the site of conditions that unreasonably interfere with the use and enjoyment of other properties in the vicinity, ordinary wear and tear excepted; (b) Any misrepresentation in the applicant/borrower(s) application for the loan; (c) Breach of any provision of the aforesaid promissory note or of the aforesaid mortgage; (d) Sale, transfer, conveyance, lease or other disposition of the Property by the applicant/borrower(s) within seven years of the date of this agreement and before repayment of the loan has been accepted by the City; (e) Any proceedings for the foreclosure of the mortgage instituted by the participating lenders that provided the loan financing. <p>Event of Foreclosure: In the event of a default by the applicant/borrower(s) to the participating lender (first lien holder) and foreclosure procedures are instituted by the participating lender, The Operating Agency on behalf of the City (second lien holder), on a case by case basis may forgive the subordinate mortgage when there is no likelihood that a sufficient amount of money will be available after the first lien holder has received their balance due.</p>

COUNCIL ACTION FORM

SUBJECT: CORRECTING AN ERROR IN TEXT AMENDMENT IN RESIDENTIAL LOW DENSITY AND URBAN CORE RESIDENTIAL MEDIUM ZONES IN THE GROUP LIVING USE CATEGORY.

BACKGROUND:

The City Council approved an amendment to the Zoning Ordinance to allow for Supervised Transitional Homes under the Group Living category in Residential Low Density and Urban Core Residential Medium zones in January of this year. The text amendment also reformatted the use tables, specifically for Group Living. **Staff recently discovered that the ordinance did not transfer that language explaining that existing facilities are permitted, but new facilities are not. Staff proposes to add the term “if pre-existing” to correct this omission.** The RL and UCRM table of uses were included in the ordinance. The following change was the intended amendment.

Chapter 29 RL Table 29.701(2) & UCRM Table 29.703(2)

Group Living	Staus	Approval Required	Approval Authority
Residences for the physically disabled, mentally retarded or emotionally disturbed which do not meet the definition of Family Home.	Y, <u>if pre-existing.</u>	SP	ZBA

ALTERNATIVES:

1. The City Council can approve on first reading an ordinance to correct a scrivener’s error and amend the Zoning Ordinance to include “if pre-existing” to the residential use under Group Living of residences for the mentally or physically disabled. **(Staff also requests second and third reading for approval of the ordinance as a correction of a Scrivener’s Error)**

CITY MANAGER’S RECOMMENDED ACTION:

The proposed ordinance is to address an unintended error in the previous ordinance. Due to City Council’s previous review of this item and direction to make the amendment to the RL and UCRM zoning districts, it is important to correct the scrivener’s error to allow for appropriate conformance to the Zoning Ordinance.

Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, thereby approving the text amendment adding “If pre-existing” to language under Group Living addressing residences for the mentally and physically disabled.

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY ENACTING A NEW SECTION 29.701(2) TABLE AND SECTION 29.703(2) TABLE THEREOF, FOR THE PURPOSE OF TEXT AMENDMENT 29.701(2), 29.703 (2) INSERTION OF "IF PRE-EXISTING" UNDER GROUP LIVING; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; AND ESTABLISHING AN EFFECTIVE DATE.

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

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by Text Amendment 29.701(2), 29.703 (2) insertion of "if pre-existing" under Group Living as follows:

“Sec. 29.701. "RL" RESIDENTIAL LOW DENSITY.

(2) **Permitted Uses.** The uses permitted in the RL Zone are set forth in Table 29.701(2) below:

**Table 29.701(2)
Residential Low Density (RL) Zone Uses**

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			
Group Living			
Residences for the physically disabled, mentally retarded or emotionally disturbed which do not meet the definition of Family Home	Y, if pre-existing.	SP	ZBA
Supervised Transitional Home	Y, subject to Section 29.1314	ZP	Staff
Household Living			
Single Family Dwelling	Y	ZP	ZEO
Two Family Dwelling	Y, if pre-existing.	ZP	ZEO
Single Family Attached Dwelling	N	--	--
Apartment Dwelling (12 units or less)	N	--	--
Family Home	Y	ZP	ZEO
Household Living Accessory Uses			
Home Office	Y	HO	ZBA/Staff
Home Business	Y	HO	ZBA/Staff
Clubhouse	N	--	--
Short-term Lodging	N, except Bed and Breakfast permitted as a Home Occupation.	HO	ZBA/Staff
OFFICE USES	N	--	--
TRADE USES			
Retail Sales and Services – General	N	--	--
Entertainment, Restaurant and Recreation Trade	N	--	--
INSTITUTIONAL USES			
Colleges & Universities	Y	SP	ZBA
Child Day Care Facilities	Y	SP or HO,	ZBA

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
		depending on the size	
Community Facilities	Y	SP	ZBA
Medical Centers	N	--	--
Religious Institutions	Y	SP	ZBA
Schools	Y	SP	ZBA
Social Service Providers	Y, if pre-existing	SP	ZBA
TRANSPORTATION, COMMUNICATIONS & UTILITY USES			
Basic Utilities	Y	SDP Major	City Council
Radio & TV Broadcast Facilities	N	--	--
Parks & Open Areas	Y	SDP Minor	Staff
Essential Public Services	Y	SP	ZBA
Personal Wireless Service Facilities	Y	SP	ZBA

Y = Yes: permitted as indicated by required approval.
N = No: prohibited
SP = Special Use Permit required: See Section 29.1503
ZP = Building/Zoning Permit required: See Section 29.1501
SDP Minor = Site Development Plan Minor: See Section 29.1502(3)
SDP Major = Site Development Plan Major: See Section 29.1502(4)
HO = Home Occupation
ZBA = Zoning Board of Adjustment
ZEO = Zoning Enforcement Officer
(Ord. No. 3591, 10-10-00; Ord. No. 4286, 1-10-17)

Sec. 29.703. "UCRM" URBAN CORE RESIDENTIAL MEDIUM DENSITY ZONE.

(2) **Permitted Uses.** The uses permitted in the UCRM Zone are set forth in Table 29.703(2) below:

**Table 29.703(2)
Urban Core Residential Medium Density (UCRM) Zone Uses**

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
RESIDENTIAL USES			
Group Living			
Residences for the physically disabled, mentally retarded or emotionally disturbed which do not meet the definition of Family Home	Y, if pre-existing.	SP	ZBA
Supervised Transitional Home	Y, subject to Section 29.1314	ZP	Staff
Household Living			
Single Family Dwelling	Y	ZP	ZEO
Two Family Dwelling	Y, if pre-existing	ZP	ZEO
Single Family Attached Dwellings (2 units only)	Y, if pre-existing	SDP Minor	Staff
Apartment Dwelling (12 units or less)	Y, if pre-existing	SDP Minor	Staff
Former School Building Converted for Use as an Apartment Dwelling	Y	AR	City Council
Family Home	Y	ZP	ZEO
Household Living Accessory Uses			
Home Office	Y	HO	ZBA/Staff

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY
Home Business	Y	HO	ZBA/Staff
Clubhouse	N	--	--
Short Term Lodging	N, except Bed and Breakfast permitted as a Home Occupation.	HO	ZBA/Staff
OFFICE USES	N	--	--
TRADE USES			
Retail Sales and Services – General	N	--	--
Entertainment, Restaurant and Recreation Trade	N	--	--
INSTITUTIONAL USES			
Colleges & Universities	Y	SP	ZBA
Community Facilities	Y	SP	ZBA
Funeral Facilities	N	--	--
Child Day Care Facilities	Y	HO or SP (depending upon size)	Staff/ZBA
Medical Centers	N	--	--
Religious Institutions	Y	SP	ZBA
Schools	Y	SP	ZBA
Social Service Providers	Y, only if pre-existing	SP	ZBA
TRANSPORTATION, COMMUNICATIONS & UTILITY USES			
Basic Utilities	Y	SDP Major	City Council
Essential Public Services	Y	SP	ZBA
Radio & TV Broadcast Facilities	N	--	--
Parks & Open Areas	Y	SDP Minor	Staff
Personal Wireless Communication Facilities	Y	SP	ZBA

Y = Yes: permitted as indicated by required approval

N = No: prohibited

SP = Special Use Permit required: See Section 29.1503

ZP = Building/Zoning Permit required: See Section 29.1501

AR = Adaptive Reuse approval required: See Section 29.306

SDP Minor = Site Development Plan Minor: See Section 29.1502(3)

SDP Major = Site Development Plan Major: See Section 29.1502(4)

HO = Home Occupation

ZBA = Zoning Board of Adjustment

ZEO = Zoning Enforcement Officer

(Ord. No. 3591, 10-10-00; Ord. No. 4153, 7-16-13; Ord. No. 4286, 1-10-17)”

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

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

Passed this _____ day of _____, _____.

Diane R. Voss, City Clerk

Ann H. Campbell, Mayor

COUNCIL ACTION FORM

REQUEST: MAJOR SITE DEVELOPMENT PLAN FOR 3305 & 3315 AURORA AVENUE

BACKGROUND:

Hunziker Development Company, LLC is requesting approval of a Major Site Development Plan for two 8-unit apartment buildings, with one building at 3305 Aurora Avenue (Lot 6, Village Park Subdivision), and the other at 3315 Aurora Avenue (Lot 7, Village Park Subdivision). Lot 6 includes 23,493.89 square feet (0.54 acres), and Lot 7 includes 20,400.66 square feet (0.47 acres), and both are zoned as "FS-RM" (Suburban Residential Medium Density), (*See Attachment A: Location & Zoning Map & Attachment B: Major Site Development Plan.*) The site is located west of University Boulevard, across from the Iowa State University Research Park, and south of the Wessex apartment complex. Land to the west and south of the Village Park Subdivision is outside the Ames corporate limits, in rural Story County. Although the land to the west is outside of the City, it is planned for future annexation and development with single-family homes.

A two-story, 8-unit apartment building is proposed for Lot 6 and Lot 7. Each building includes four (1-bedroom units), and four (2-bedroom) units for a total of 12 bedrooms, with an average of 1.50 bedrooms per unit (*See Attachment C: Floor Plans*). Individual two-story buildings are planned for each lot along the west perimeter of the subdivision along the remaining lots on Aurora. Two, 36-unit apartment buildings (3 stories) have been constructed in the RH portion of the subdivision, on Lot 12, south of Cottonwood Road and east of Aurora Avenue. Two additional 36-unit buildings are planned for Lot 12.

The proposed 8-unit buildings have an orientation to Aurora Avenue. The ground level units are accessed from the east and the west facades. The upper floor units are accessed from the south façade for Lot 6, and the north façade for Lot 7. This orientation is consistent with other apartment buildings in this subdivision that have been approved along Cottonwood Road.

The proposed 8-unit apartment buildings have the same architectural features and metal materials as were approved for the 12-unit apartment building across the street at 2151 Cottonwood Road, Lot 5 (*See Attachment D: Building Elevations*). The Commission reviewed the Cottonwood project at their last meeting. The proposed buildings are two stories with a flat roof. Exterior building materials include a combination of vertical flush seam metal panels, and galvalume finish corrugated metal siding with a vertical or a horizontal orientation on various sections of each wall. The metal panels, and galvalume finish corrugated metal siding extend above the roof line at various heights to form a parapet along the east elevation that faces Aurora Avenue for both lots. Sections of reddish brown face brick are accent materials for the facades.

The proposed two-story buildings, with flat roofs, are to function as a transitional building type between the more massive 3-story, 36 unit buildings with gable roofs on the other side of Aurora Avenue and the future single-family homes to the west. The building design has a very modern look that is similar to some commercial building features, with the flat roof, parapets, and metal materials.

The flat roof design is a departure from the architectural design of the other apartment buildings constructed along both sides of Cottonwood Road (with the exception of the 12-unit apartment building at 2151 Cottonwood Road). The other buildings have gabled, or hipped roofs, vinyl lap siding with cultured stone veneers. The 12-unit buildings on the north side of Cottonwood Road have cultured stone pillars that support decks and roofs above the decks, and above primary entries to buildings.

The site plan shows an 8-stall garage along the west property line, behind each apartment building, and 7 surface parking spaces across the drive aisle from the garage. A total of 15 parking stalls, including those in the garage plus the surface parking is planned for each lot. This exceeds the minimum requirement of 14 parking spaces, based upon the number of bedrooms in each unit. A shared access easement (25 feet wide) centered on the property line between Lots 6 and 7 provides access to the on-site parking on both lots (*See Attachment B: Major Site Development Plan, Site Layout & Dimension Plan*).

The 8-stall garage buildings are designed with galvalume finish corrugated metal siding applied in a horizontal orientation on all four walls, which is the same material shown on the building elevations for the apartment buildings. The garage roof slopes slightly toward the back for drainage, and is concealed from view with a parapet along the front and side walls.

Landscaping on Lots 6 and 7 is provided to meet the new residential landscaping standards for residential development. This includes new front yard landscaping requirements and parking lot landscaping standards. The site also triggers FS development standards for side and rear yard landscaping, notably for the west property line that will be a future interface with single family development. A high screen or fence is required along the west property line to meet landscape buffer requirements in the FS-RM zone where the lot is adjacent to any lot zoned as FS-RL or RL. The high screen requires a tree for every 50 lineal feet, and shrubs that grow to a minimum height of six feet, planted a maximum of six feet apart. The developer provides a 13-foot wide planter area to meet this standard with medium sized trees and high shrubs.

On October 18, 2017, the Planning and Zoning Commission reviewed the proposed Major Site Development Plan, and discussed the site layout, open space, access, landscaping and the building design. By a vote of 6-0, the Commission recommended approval of the Major Site Development Plan, based upon the revised Site Layout and Dimension Plan presented at the meeting with the front of the building facing Aurora.

ALTERNATIVES:

1. The City Council can approve the Major Site Development Plan for the proposed 8-unit apartment buildings, located at 3305 and 3315 Aurora Avenue, as proposed.

2. The City Council can approve the Major Site Development Plan for the proposed 8-unit apartment buildings, located at 3305 and 3315 Aurora Avenue, with modifications:
3. The City Council can deny the Major Site Development Plan for the proposed 8-unit apartment buildings, located at 3305 and 3315 Aurora Avenue, if it finds the project does not meet the Major site Development Plan criteria.
4. 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 appropriate arrangement and design of the use of the site. FS-RM zoning is intended to implement the Land Use Policy Plan (LUPP) vision of landscaped suburban style development that provides for desirable apartment housing choices. The proposed development 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 one to two bedrooms that will have wide appeal. The specific criteria for the site development plan approval are discussed in greater detail in the addendum.

The building design has a modern design approach in terms of its massing and use of exterior materials and architectural features. The proposed materials are very contemporary with the metal siding, parapet, and a flat roof that are all not common residential appearing finishes. The two-story height of the building does assist in its compatibility with future homes to the west. The building orientation, landscaping, and parking configuration are all found to meet zoning standards and provide for an efficient and desirable site design.

Therefore, it is the City Manager's recommendation that the City Council act in accordance with Alternative #1, approving the Major Site Development Plan, as proposed.

ADDENDUM

Project Description. Hunziker Development Company, LLC is requesting approval of a Major Site Development Plan for two 8-unit apartment buildings on the properties in the Village Park Subdivision, located at 3305 Aurora Avenue (Lot 6), and 3315 Aurora Avenue (Lot 7). Lot 6 includes 23,493.89 square feet (0.54 acres). Lot 7 includes 20,400.66 square feet (0.47 acres). Both lots are zoned as “FS-RM” (Suburban Residential Medium Density), and will have a public sidewalk (5 feet wide) for the entire frontage of the lot along Aurora Avenue (*See Attachment A: Location & Zoning Map & Attachment F: Village Park Subdivision Final Plat*).

Development of the property is required to be consistent with the rezoning Master Plan agreement for the property. The Master Plan for this property, originally identified as 3535 S. 530th Avenue (Village Park Subdivision), includes FS-RM and RH (Residential High Density zoning). The Final Plat for Village Park Subdivision (*See Attachment F: Village Park Subdivision Final Plat*) includes eleven lots for development in the FS-RM zone on the west and north fringes of the subdivision, and one lot for development in the “RH” (Residential High Density) zone. The proposed development are the first two lots that will be developed along the west side of Aurora Avenue (*See Attachment F: Village Park Subdivision & Landscape Plan*).

Density limitations in the FS-RM zone require 7,000 square feet for the first two units, and 1,800 square feet for each additional unit. Lot 6 could accommodate 11 dwelling units, and Lot 7 could accommodate 9 dwelling units, provided all other site plan requirements are met. Eight (8) units are proposed for each building. The FS-RM zone allows a maximum of 12 units in each building. The proposed density of 8 units on 0.54 acres (Lot 6) is the equivalent of 14.81 dwelling units per acre, and 8 units on 0.47 acres (Lot 7) is the equivalent of 17.02 dwelling units per acre, which is within the density range (13-17 units/acre) on the approved Master Plan for Village Park Subdivision. The proposed 8-unit buildings consist of four (1-bedroom units), and four (2-bedroom units), for a total of twelve bedrooms in the each 8-unit building.

Parking. The Zoning regulations require a minimum of one parking space per bedroom for units of two bedrooms, or more, and one and one half parking spaces for one-bedroom units. The minimum number of parking spaces required for each of the 8-unit buildings is 14 spaces. The developer is proposing a total of 15 parking spaces per building, including one van-accessible handicap space, 8 garage stalls, and 7 surface parking spaces. The parking spaces, and garage stalls, are served by a single access from Aurora Avenue, centered on the property line that separates Lots 6 and 7 in a 25-foot wide shared access easement (*See Attachment B: Major Site Development Plan, Site Plan Layout & Dimension Plan*).

The shared access between Lots 2 and 3, Village Park Subdivision, serves as a temporary emergency vehicle access that extends through the Wessex Apartment development adjacent to the north, and out to Oakwood Road, until such time that Cottonwood Road is extended to the west to connect with the existing Cottonwood Road in the Suncrest Subdivision

Layout. The proposed site layout includes an 8-unit apartment building to be constructed on Lot 6 (23,493.89 sq. ft), and Lot 7 (20,400.66 sq. ft.). The building footprint occupies approximately 4,000 square feet on each of the two lots. The footprint of the 8-stall garage covers approximately 2,160 square feet on each lot. Parking spaces, driveways, drive aisles, and sidewalks cover an additional 7,087 square feet on Lot 6, and 7,196 square feet on Lot 7. The total amount of impervious surface on Lot 6 is 13,247 square feet, which is 56% of the total lot area. The remainder of Lot 6 (44%) is landscaped area. The building footprint on Lot 7 occupies approximately 4,000 square feet, the 8-stall garage covers 2,160 square feet, and the parking spaces, driveways, drive aisles and sidewalks cover an additional 7,196 square feet of lot area. The total amount of impervious surface on Lot 7 is 13,356 square feet, which is 65% of the total lot area. The remainder of Lot 7 (35%) is landscaped area.

In addition, the minimum requirement of 10% of the gross area of the subdivision to be devoted to common open space, for development in the FS-RL, or FS-RM zones, is accounted for in Outlots A and D, of Village Park Subdivision. Outlots A and D are located in close proximity to the proposed apartment buildings, and the other future apartment buildings to be constructed in Village Park. The Village Park Subdivision includes 19.83 acres (863,794.80 square feet). The land area included in Outlots A and D, combined, is equal to 151,038.74 square feet of land area, which is equal to 17.48% of the total land area in Village Park Subdivision (*See Attachment G: Village Park Subdivision & Landscape Plan*). Outlots A and D are located in close proximity to the proposed apartment buildings, and the other future apartment buildings to be constructed in Village Park. The outlots have been designed as stormwater detention and treatment areas and include one 10-foot wide trail extension. Review of the outlot landscape plan was separate from this project. There is no other common usable space included within the project.

Outlot C abuts the site to the south and is an additional stormwater treatment area that will also include a midblock sidewalk connection to the west. Dry detention is planned for Outlot C with a storm water detention area that has a depth of approximately six feet. Installation of the sidewalk in Outlot C is recommended to be deferred until a lot south of Outlot C is developed.

Landscaping. Landscaping requirements are driven by parking lot design and front yard plantings for apartment buildings (*See the Landscaping Plan for Lots 6 and 7 on pages 21 and 22 of this report*). The proposed project's landscaping is most affected by the front yard foundation plantings which are required by the recently adopted residential landscaping standards. On Lot 6, the developer proposes front yard landscaping on both street-facing building facades, and along the perimeter of the parking lot visible from Cottonwood Road. On Lot 7, landscaping is concentrated along the front building façade rather than distributed throughout the site. Screening for the parking area on Lot 7 relies upon distance from the street and intervening trees to act as the buffer to the parking area behind the building. The area behind the garages, which varies in width from 11.8 feet to 14.2 feet, is planned as the location of a high screen, consisting of a tree every 50 linear feet and shrubs with a mature height of at least 6 feet, spaced 6 feet on-center. This landscaping is required to meet the landscape buffer requirements for the FS-RM zoning district.

Front yard planting requirements include a combination of shrubs, ornamental grasses, as well as overstory trees. The developer has included additional landscaping with arborvitae shrubs to meet the minimum screening requirements for the ground-mounted mechanical units. The wall mounted mechanical units are located on the rear of the building, and will not require screening to meet zoning standards.

Perimeter parking lot landscaping that includes overstory trees is required along the portions of the driveways, parking spaces, and drive aisles to meet perimeter parking lot landscaping (See *Attachment B: Major Site Development Plan, Site Landscaping Plan – pages 21 and 22*). Staff believes the project meets the intended parking lot dispersal requirements as proposed.

The trash receptacle on Lot 7 will be used by the tenants of both buildings, and screening of the trash receptacle will be constructed of 1” by 6” vertical composite board to a height of six feet, including gates of the same design and materials

Circulation. Site access is from one driveway off Aurora Avenue. Aurora Avenue is a new north/south street that connects to Cottonwood Road on the north end, and extends to the south boundary of the Village Park Subdivision. Sidewalks (5-foot wide) in the right-of-way for Aurora Avenue, on both sides of the street, provide a connection to the sidewalk along Cottonwood Road, and to the shared use path (10-foot wide) that will cross through the site between University Boulevard and the southern boundary of Village Park Subdivision. The shared use path will connect to the Ames community bike trail/shared use path system, and is planned in the future to connect to the regional multi-county bike trail system south of Ames (See *Attachment F: Village Park Subdivision Final Plat & Attachment G: Village Park Subdivision & Landscape Plan*). In addition a 5-foot wide sidewalk in Outlot B, adjacent to the west boundary of Lot 5, will provide access to the Christofferson Park north of Village Park Subdivision. Outlot C, adjacent to the south property line of Lot 7 will include a sidewalk at a width of 5 feet.

Building Design. The overall footprint of each proposed apartment building is approximately 67 feet by 64 feet. Minimum building front, side and rear yard setbacks are all met by the proposed placement of the apartment buildings on each lot. The site plan shows the garage structures between 11.8 and 14.2 feet from the west property line, and at least 4 feet from the north and south lot lines, which meets the minimum required setback of feet for accessory structures (See *Attachment B: Major Site Development Plan – Site Layout & Dimension Plan*). The proposed 8-unit buildings have an orientation toward Aurora Avenue. The ground level units’ access is from the east façade for both lots. The upper floor units are access from the south for the building on Lot 6, and from the north on Lot 7. This building orientation is consistent with the orientation of the other apartment building approvals in Village Park that include windows and doors on facades along the streets.

The 8-unit buildings are consistent with the maximum building size of 12 units, allowed in the FS-RM zoning district. Each building is two stories in height. Four stories, or 50 feet, whichever is lower, is the maximum building height permitted for multiple-family dwellings in the FS-RM zone. The apartment building design incorporates a flat roof design with a parapet. The proposed contemporary look is a departure from other designs approaches seen in this area; however, staff supports diversity in architectural

design overall.

Three primary exterior materials are proposed for the building. The majority of the first and second levels is to be surfaced with a vertical flush seam metal panel and galvalume finished corrugated siding in both a vertical and horizontal orientation. The metal panels and the galvalume corrugated siding will extend above the roof line to form the parapet on the east building elevation. Each building façade includes brick accents as the third exterior building material.

The two 8-stall garage buildings are designed with galvalume finish corrugated metal siding applied in a horizontal orientation, which is the same material shown on the building elevations for the apartment buildings. The garage roof slopes slightly toward the back for drainage, and will be concealed by a parapet. Metal trim will be used along the edges of the garage walls, and around each garage door (See Attachment D: Building Elevations & Attachment E: Garage Elevations and Plan).

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 facilities on the southeast and northeast areas of the site.

- 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 8 dwelling units on Lots 6 and 7, comprising 12 bedrooms in each apartment building, consistent with the 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.***

The site is currently devoid of any significant vegetation. Minimal grading will occur for the construction of the buildings. The site is relatively flat and grading will occur mostly to 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 Lots 6 and 7 from Aurora Avenue is through one planned access easement which follows the property line that separates Lots 6 and 7. Vehicular and pedestrian access is accommodated between the subject property, and other properties (buildings) within the Village Park subdivision. The on-site sidewalks, sidewalks in the public street right-of-ways, and shared use paths provide pathways throughout the site, and to external connections to allow for circulation throughout the community, and eventually within the Central Iowa region.

- 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 for the screening of parking areas. Gates are needed on the trash enclosure to comply with the zoning ordinance standards for screening garbage collection areas. The apartment building on each lot provides a high degree of separation and screening of the parking and garages in the rear yard from adjoining views, and as viewed from Aurora Avenue and Cottonwood Road.

- 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.***

A shared access is follows the property line separating the two lots, to minimize the number of curb cuts onto Aurora Avenue.

- 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.

The proposed exterior lighting is consistent with the Outdoor Lighting standards, found in Sec 29.411 of the *Municipal Code*.

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 exceed the level of nuisances, typical of this type of development, beyond acceptable levels, as prescribed in other applicable State and City regulations.

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.

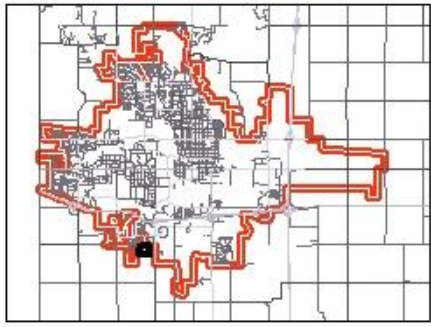
The scale of the proposed apartment buildings, in relation to the lot sizes, is appropriate, given minimum building setback requirements, landscaping requirements, and areas of the site planned for parking. The architectural design incorporates various planes to the building and use of exterior materials to create visual interest and address the scale and aesthetics of the building. The developer has proposed 8 units for each apartment building, which is less than the maximum number of units (12) allowed in a multiple family structure within the FS-RM zoning district. The density of development is well within the approximate densities found on the approved Master Plan for this subdivision. Open areas and landscaped areas meet the quantitative standards of the zoning ordinance and allow for informal activities by the future residents of this subdivision. The Commission must decide whether the scale of the 8-unit buildings is in proportion to the future construction of single-family detached dwellings on the adjacent property to the west.

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: Location & Zoning Map



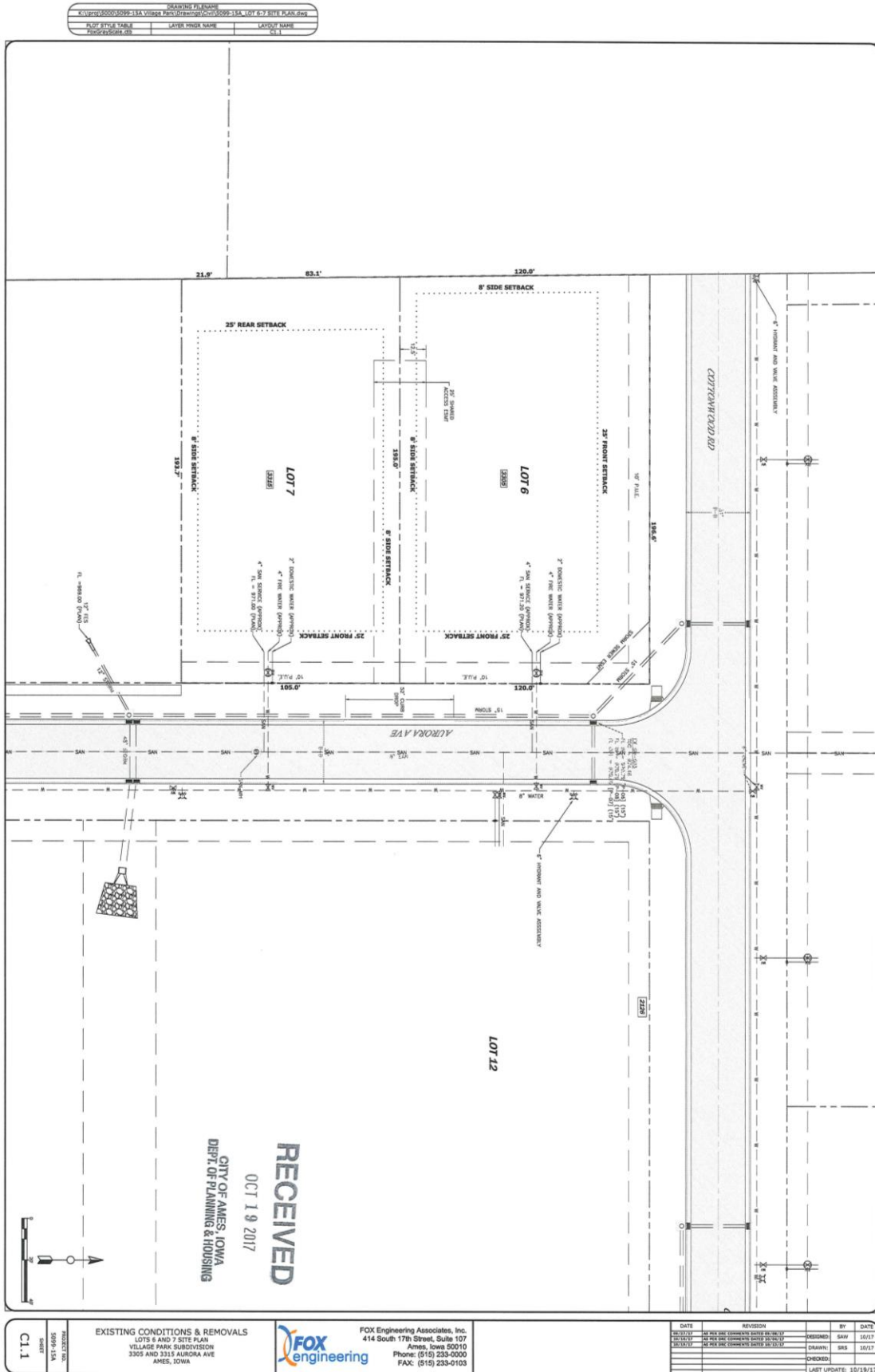
- Residential Low Density Zone "RL" (sec 29.701)
- Residential High Density Zone "RH" (sec 29.704)
- Highway-Oriented Commercial Zone "HOC" (sec 29.804)
- Planned Industrial Zone "PI" (sec 29.902)
- Research Park Innovation District "RI" (sec 29.903)
- Government/Airport District "S-GA" (sec 29.1002)
- Suburban Residential Zone Residential Low Density "FS-RL" (sec 29.1202(4)-1)
- Suburban Residential Zone Residential Medium Density "FS-RM" (sec 29.1202(4)-2)
- Planned Residence District "F-PRD" (sec 29.1203)



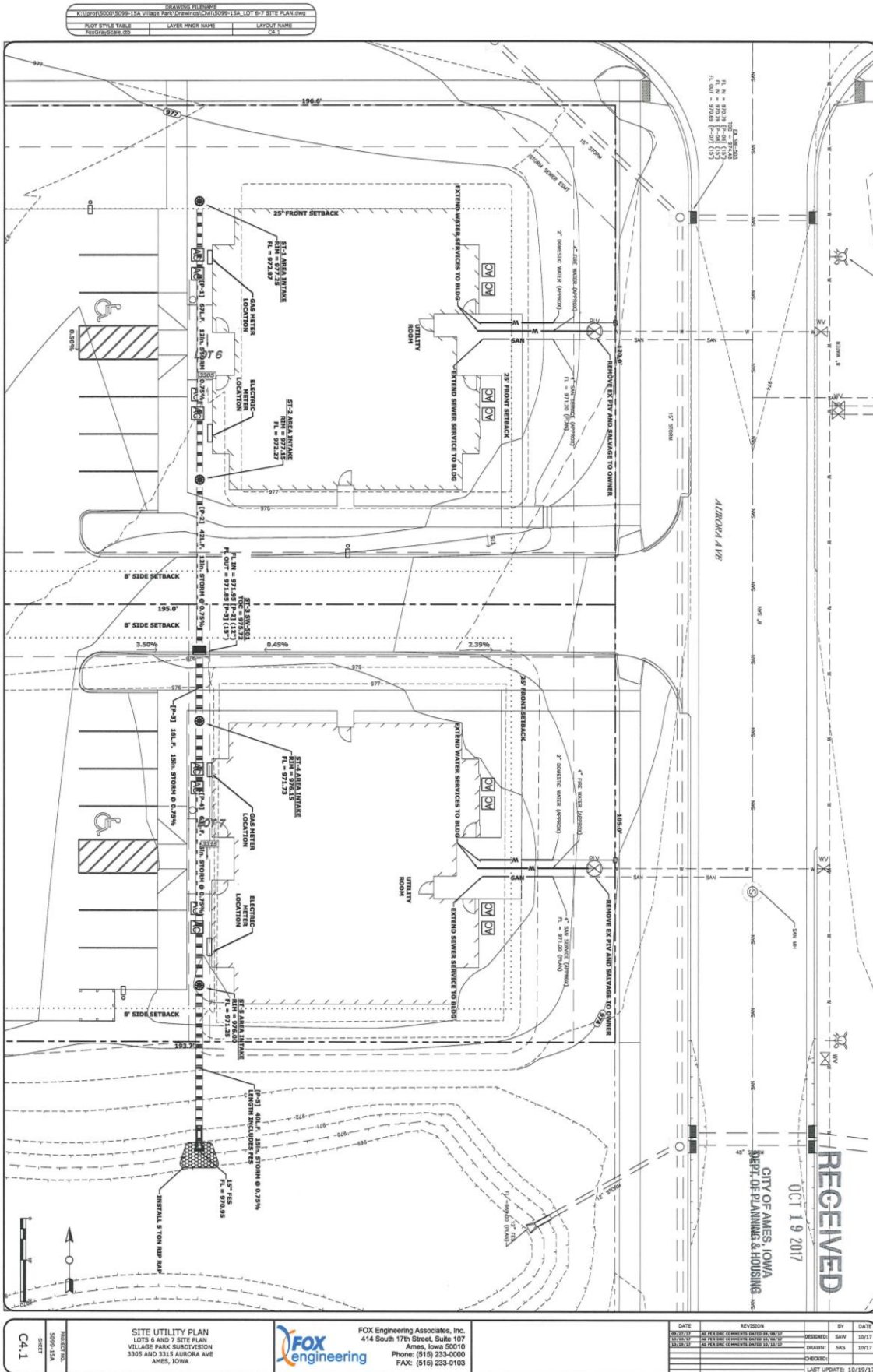
Location & Zoning Map 3305 & 3315 Aurora Avenue



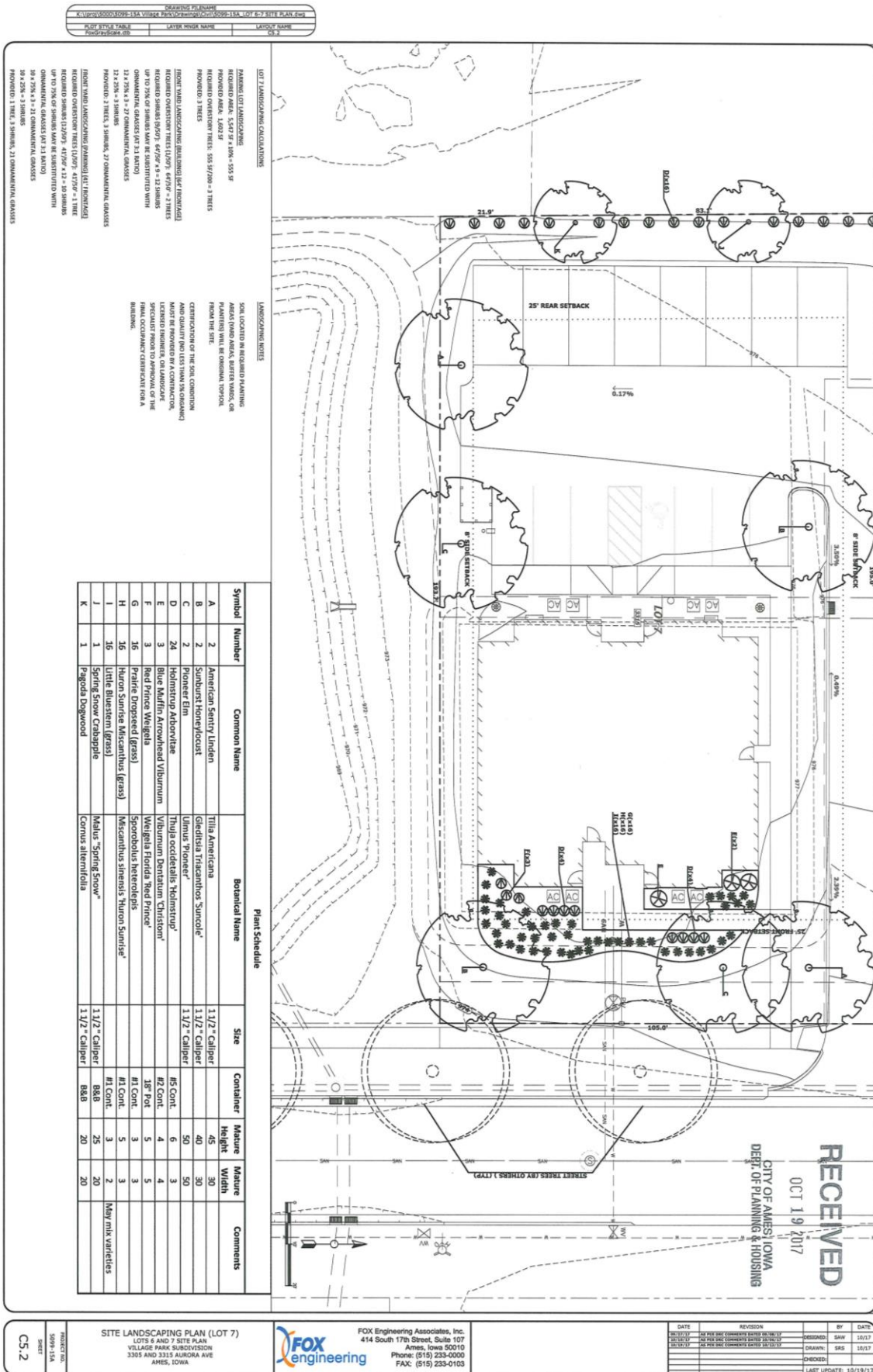
Attachment B: Major Site Development Plan (Existing Conditions & Removals)



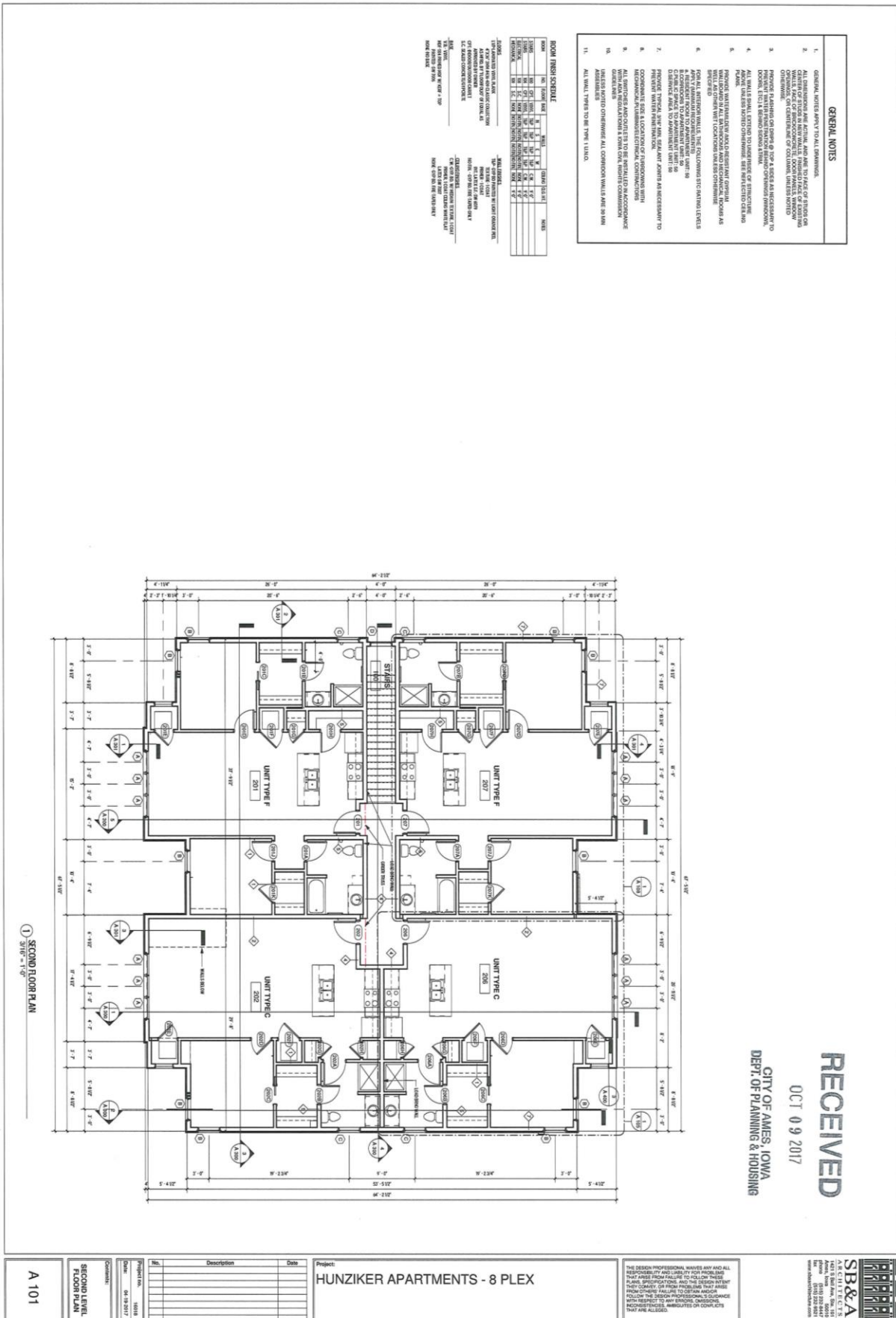
Attachment B: Major Site Development Plan (Site Utility Plan)



Attachment B: Major Site Development Plan (Site Landscaping Plan – Lot 7)



Attachment C: Floor Plans – Second Level Floor Plan



GENERAL NOTES

1. GENERAL NOTES APPLY TO ALL DRAWINGS.
2. ALL DIMENSIONS ARE ACTUAL AND ARE TO FACE OF FINISH WALL AND FACE OF FINISH WINDOW UNLESS OTHERWISE NOTED. ROOM WALLS, WINDOW OPENINGS, AND DOOR OPENINGS ARE TO FACE UNLESS OTHERWISE NOTED.
3. PROVIDE FINISHING WITH FINISHES TO BE SHOWN ON SCHEDULE TO MATCH EXISTING FINISHES TO THE MAXIMUM EXTENT POSSIBLE. PROVIDE FINISHES TO MATCH EXISTING FINISHES TO THE MAXIMUM EXTENT POSSIBLE.
4. PROVIDE FINISHING WITH FINISHES TO BE SHOWN ON SCHEDULE TO MATCH EXISTING FINISHES TO THE MAXIMUM EXTENT POSSIBLE. PROVIDE FINISHES TO MATCH EXISTING FINISHES TO THE MAXIMUM EXTENT POSSIBLE.
5. PROVIDE FINISHING WITH FINISHES TO BE SHOWN ON SCHEDULE TO MATCH EXISTING FINISHES TO THE MAXIMUM EXTENT POSSIBLE. PROVIDE FINISHES TO MATCH EXISTING FINISHES TO THE MAXIMUM EXTENT POSSIBLE.
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8. PROVIDE FINISHING WITH FINISHES TO BE SHOWN ON SCHEDULE TO MATCH EXISTING FINISHES TO THE MAXIMUM EXTENT POSSIBLE. PROVIDE FINISHES TO MATCH EXISTING FINISHES TO THE MAXIMUM EXTENT POSSIBLE.
9. PROVIDE FINISHING WITH FINISHES TO BE SHOWN ON SCHEDULE TO MATCH EXISTING FINISHES TO THE MAXIMUM EXTENT POSSIBLE. PROVIDE FINISHES TO MATCH EXISTING FINISHES TO THE MAXIMUM EXTENT POSSIBLE.
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11. PROVIDE FINISHING WITH FINISHES TO BE SHOWN ON SCHEDULE TO MATCH EXISTING FINISHES TO THE MAXIMUM EXTENT POSSIBLE. PROVIDE FINISHES TO MATCH EXISTING FINISHES TO THE MAXIMUM EXTENT POSSIBLE.

ROOM FINISH SCHEDULE

ROOM	NO.	FINISH	NO.	FINISH	NO.	FINISH
CEILING	1	PAINT	1	PAINT	1	PAINT
FLOOR	2	WOOD	2	WOOD	2	WOOD
WALL	3	PAINT	3	PAINT	3	PAINT
DOOR	4	WOOD	4	WOOD	4	WOOD
WINDOW	5	WOOD	5	WOOD	5	WOOD

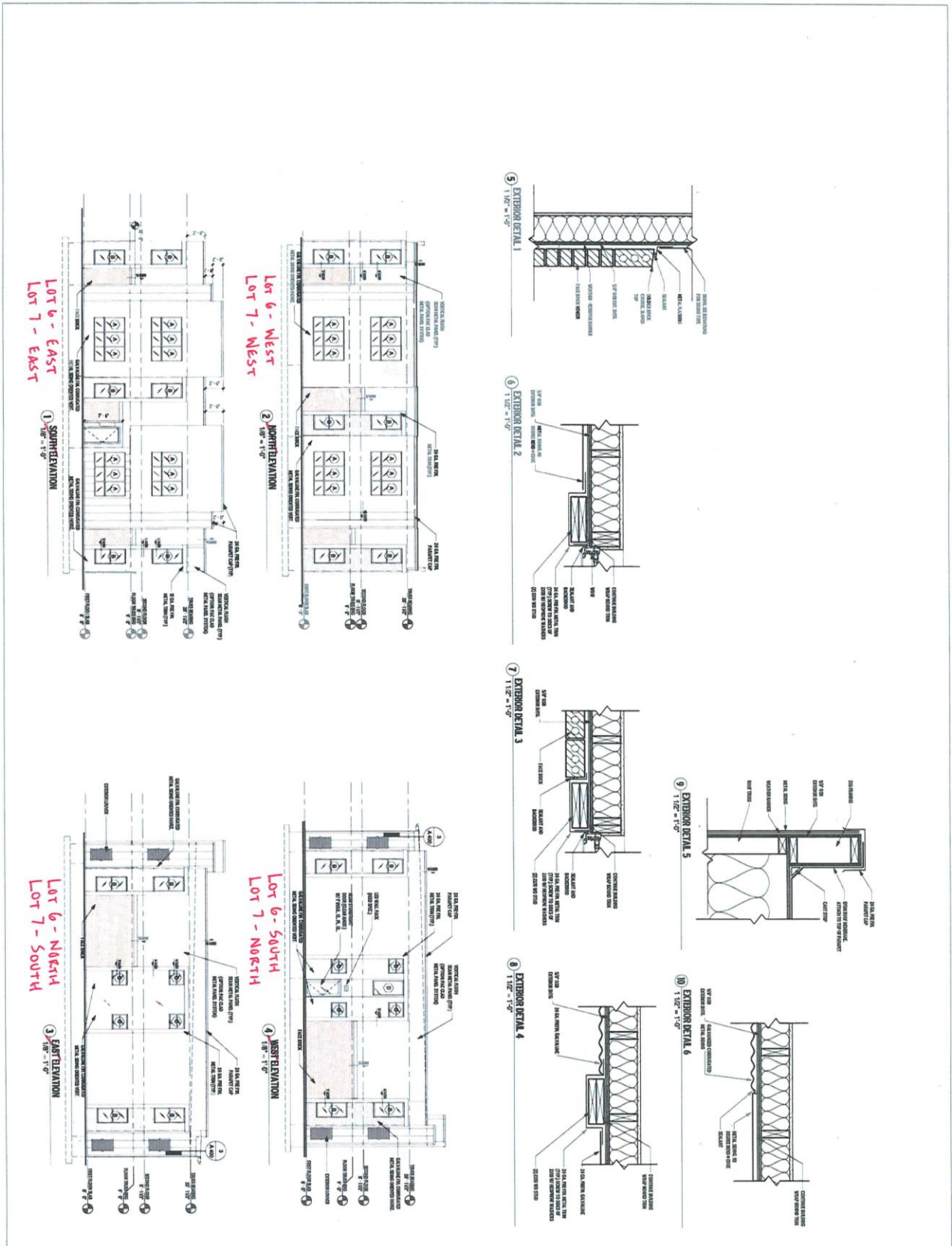
GENERAL NOTES:
 1. ALL DIMENSIONS ARE ACTUAL AND ARE TO FACE OF FINISH WALL AND FACE OF FINISH WINDOW UNLESS OTHERWISE NOTED.
 2. PROVIDE FINISHING WITH FINISHES TO BE SHOWN ON SCHEDULE TO MATCH EXISTING FINISHES TO THE MAXIMUM EXTENT POSSIBLE.
 3. PROVIDE FINISHING WITH FINISHES TO BE SHOWN ON SCHEDULE TO MATCH EXISTING FINISHES TO THE MAXIMUM EXTENT POSSIBLE.
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 7. PROVIDE FINISHING WITH FINISHES TO BE SHOWN ON SCHEDULE TO MATCH EXISTING FINISHES TO THE MAXIMUM EXTENT POSSIBLE.
 8. PROVIDE FINISHING WITH FINISHES TO BE SHOWN ON SCHEDULE TO MATCH EXISTING FINISHES TO THE MAXIMUM EXTENT POSSIBLE.
 9. PROVIDE FINISHING WITH FINISHES TO BE SHOWN ON SCHEDULE TO MATCH EXISTING FINISHES TO THE MAXIMUM EXTENT POSSIBLE.
 10. PROVIDE FINISHING WITH FINISHES TO BE SHOWN ON SCHEDULE TO MATCH EXISTING FINISHES TO THE MAXIMUM EXTENT POSSIBLE.
 11. PROVIDE FINISHING WITH FINISHES TO BE SHOWN ON SCHEDULE TO MATCH EXISTING FINISHES TO THE MAXIMUM EXTENT POSSIBLE.

RECEIVED
 OCT 09 2017
 CITY OF AMES, IOWA
 DEPT. OF PLANNING & HOUSING

1 SECOND FLOOR PLAN

A 101	SECOND LEVEL FLOOR PLAN	Project No. 161818 Date: 04/29/2017	Project: HUNZIKER APARTMENTS - 8 PLEX	<p>THE DESIGN PROFESSIONAL REVIEWS ANY AND ALL INFORMATION AND ASSURES THAT THE INFORMATION IS TRUE AND ACCURATE AND THAT THE DESIGN PROFESSIONAL WILL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS THAT MAY OCCUR AS A RESULT OF THE DESIGN PROFESSIONAL'S NEGLIGENCE OR FAILURE TO FOLLOW THESE STANDARDS OF CARE. THE DESIGN PROFESSIONAL WILL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS THAT MAY OCCUR AS A RESULT OF THE DESIGN PROFESSIONAL'S NEGLIGENCE OR FAILURE TO FOLLOW THESE STANDARDS OF CARE.</p>
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Attachment D: Building Elevations



No.	Description	Date
1	Project	10/21
2	Revised	04/18/2017
3	Comments	

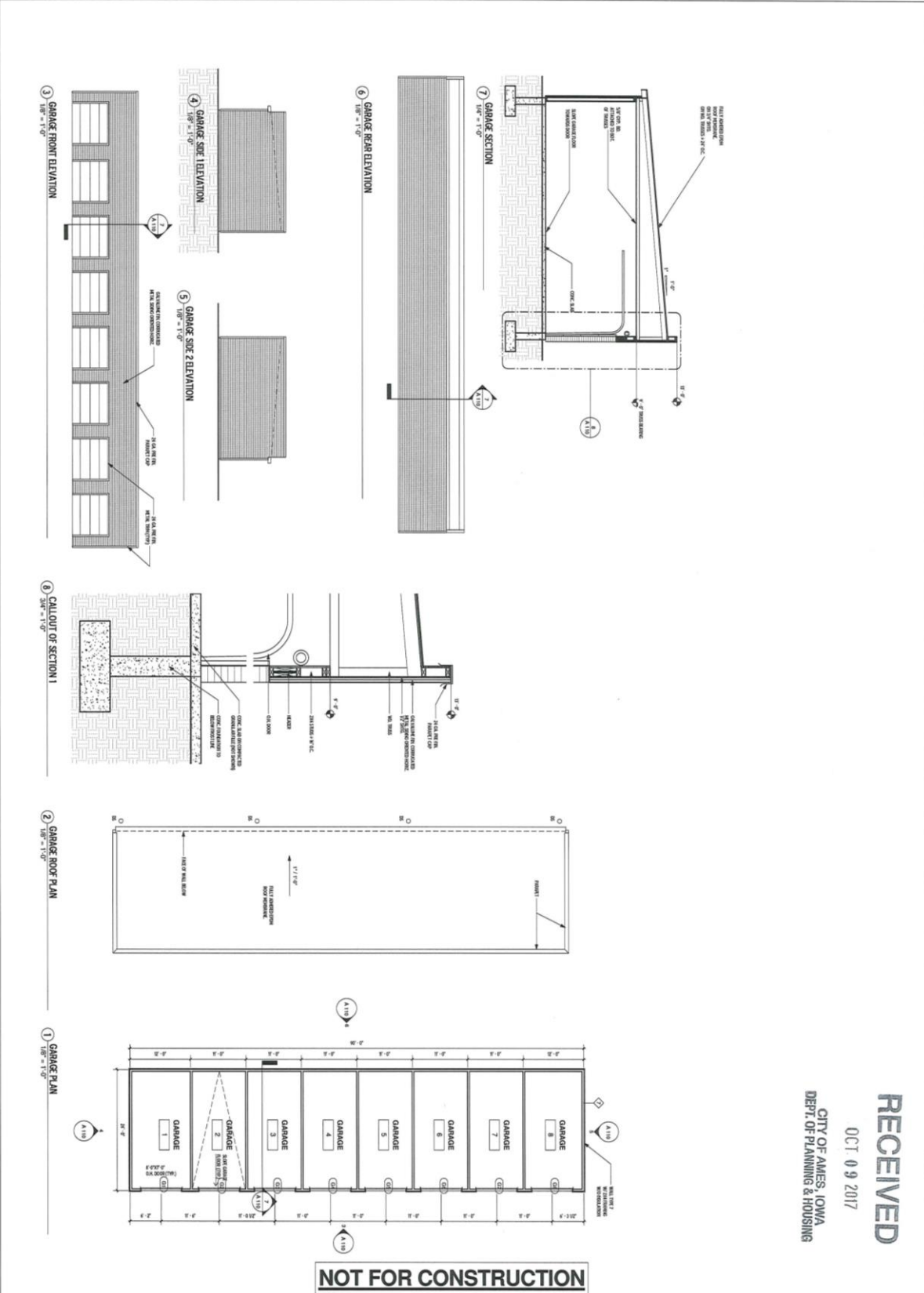
Project: HUNZIKER APARTMENTS - 8 PLEX

THE DESIGN PROFESSIONAL MAKES ANY AND ALL RESPONSIBILITY AND LIABILITY FOR PROVIDING THE ABOVE INFORMATION TO HOLD THESE AS A PROFESSIONAL OBLIGATION AND THE DESIGN INTENT FOR THE PROJECT. THE DESIGN PROFESSIONAL'S OBLIGATION IS LIMITED TO THE DESIGN PROFESSIONAL'S OBLIGATION AND DOES NOT INCLUDE ANY LIABILITY FOR CONFLICTS THAT MAY ARISE FROM THE DESIGN PROFESSIONAL'S OBLIGATION AND DOES NOT INCLUDE ANY LIABILITY FOR CONFLICTS THAT MAY ARISE FROM THE DESIGN PROFESSIONAL'S OBLIGATION AND DOES NOT INCLUDE ANY LIABILITY FOR CONFLICTS THAT MAY ARISE FROM THE DESIGN PROFESSIONAL'S OBLIGATION.

SB&A
 4212 S 48th Ave., Ste. 102
 Phoenix, AZ 85044
 Phone: 602.998.8888
 Fax: 602.998.8889
 www.sbanda.com

Attachment E: Garage Elevations & Plan View

S:\Design 16\16018 HUNZIKER APARTMENTS\03_drawings\REVIT & PLEX\HUNZIKER APTS 8 PLEX.rvt



NOT FOR CONSTRUCTION

Project: HUNZIKER APARTMENTS - 8 PLEX

THE DESIGN PROFESSIONAL, MEMBER AND ASSOCIATES, ACCEPTS RESPONSIBILITY AND LIABILITY FOR ARCHITECTURAL PLANS, SPECIFICATIONS, AND THE DESIGN THEREOF. THE DESIGN PROFESSIONAL SHALL NOT BE RESPONSIBLE FOR CONSTRUCTION DEFECTS OR OMISSIONS UNLESS IT IS PROVEN THAT THE DESIGN PROFESSIONAL'S NEGLIGENCE OR MALPRACTICE CAUSED SUCH DEFECTS OR OMISSIONS.

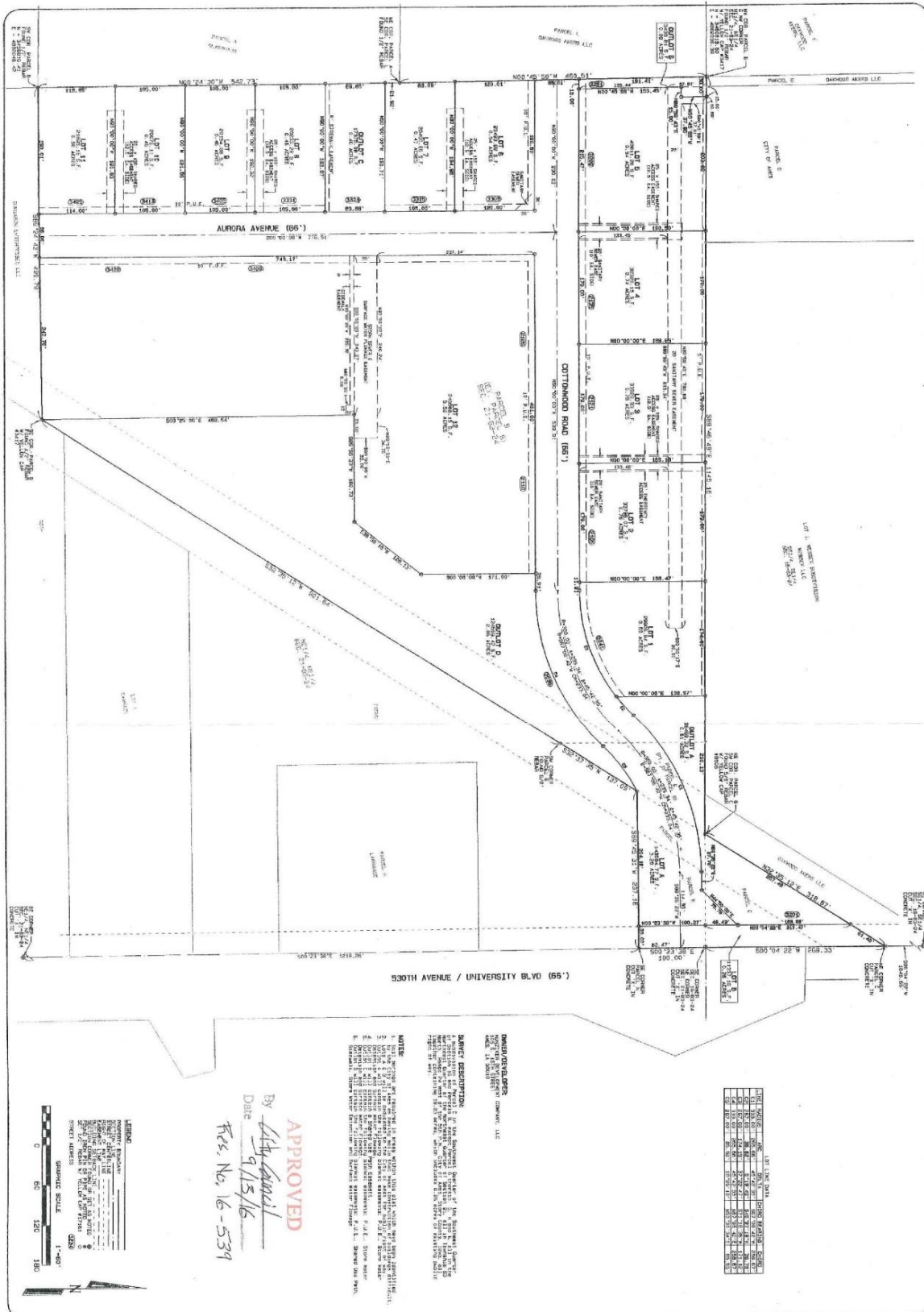
RECEIVED
 OCT 09 2017
 CITY OF AMES, IOWA
 DEPT. OF PLANNING & HOUSING



No.	Description	Date

Project: HUNZIKER APARTMENTS - 8 PLEX
 Date: 08-19-2017
 Drawing: GARAGE PLANS
 Sheet: A 110

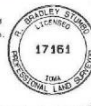
Attachment F: Village Park Subdivision Final Plat



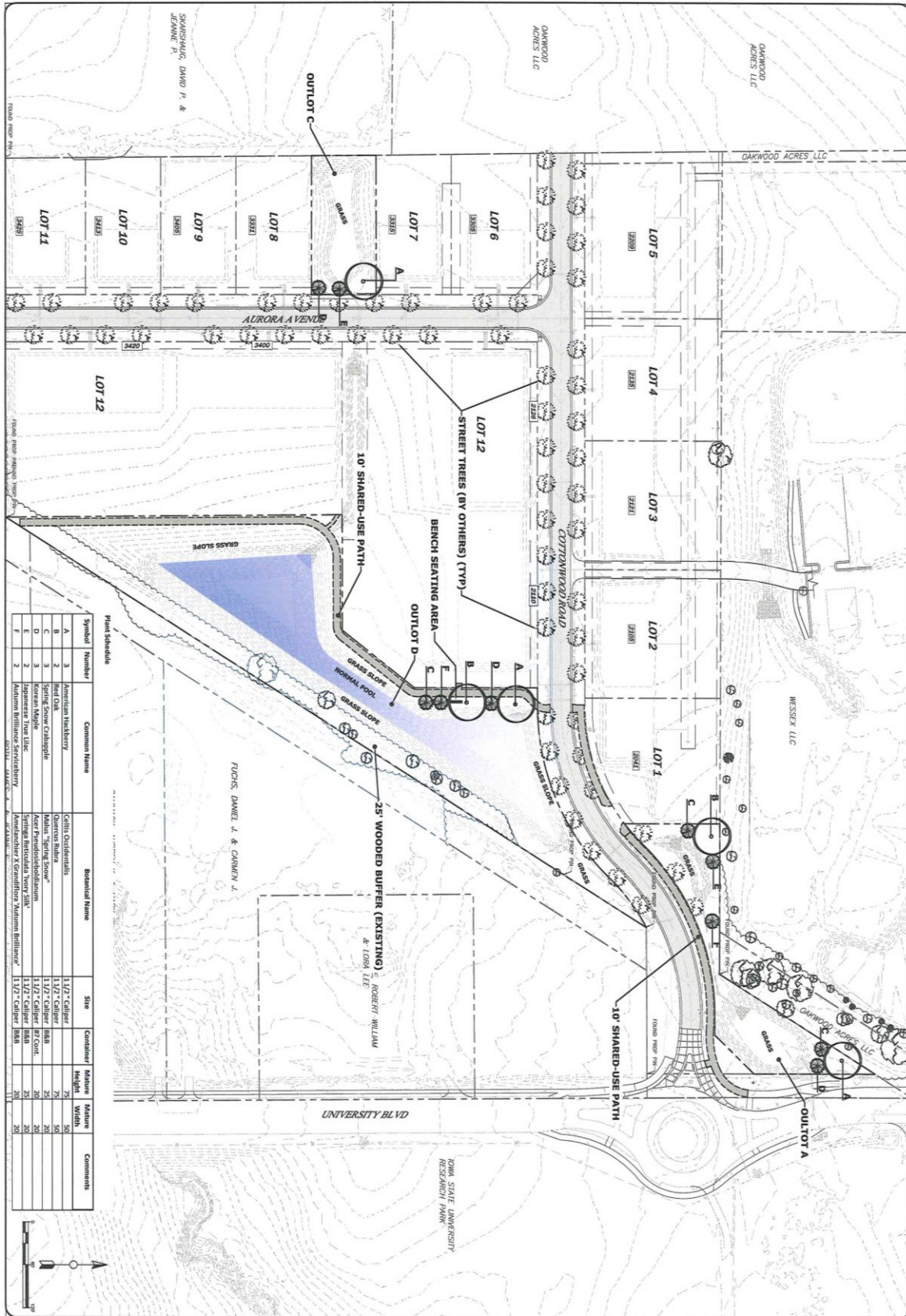
STUMBO & ASSOCIATES
LAND SURVEYING
 510 S. 17th STREET, SUITE 102 AMES, IOWA 50010
 PHONE 515-233-3604 FAX 515-233-4403

FINAL PLAT
VILLAGE PARK SUBDIVISION
 PARCEL C IN THE SE1/4, SE1/4 OF SEC. 16-03-24
 & PARCELS B, G, H & N IN THE NE1/4, NE1/4 OF
 SEC. 21-03-24, CITY OF AMES, STORY COUNTY, IOWA
 JOB #16604FP DATE: 8/15/16 PAGE: 1 of 1

Certification: I hereby certify that this land surveying
 equipment was properly and the related survey was performed
 by me or under my direct personal supervision and that the plat is
 duly filed in the office of the State Surveyor of Iowa.
R. Kelly Siff Date: 8/15/16
 My license expires on December 31, 2017



Attachment G: Village Park Subdivision and Landscape Plan



PROJECT NO. 5099-154	LANDSCAPING PLAN VILLAGE PARK OUTLOTS A, C & D VILLAGE PARK SUBDIVISION 3201 UNIVERSITY, 3223 AURORA, & 2036 COTTONWOOD AMES, IOWA		FOX Engineering Associates, Inc. 414 South 17th Street, Suite 107 Ames, Iowa 50010 Phone: (515) 233-0000 FAX: (515) 233-0103	DATE	REVISION	BY	DATE
				10/27/15	AS PER IBC COMMENTS DATED 10/27/15	SKM	10/14
SHEET 1 OF 1				CHECKED:	SRS	10/14	
				DRAWN:	SRS	10/14	
				LAST UPDATE:	10/25/15		

ITEM # 11
DATE: 10-10-17

COUNCIL ACTION FORM

SUBJECT: **ELECTRIC UTILITY EASEMENT VACATION – 4506 LINCOLN WAY (KUM & GO)**

BACKGROUND:

As part of the reconstruction of the Kum & Go convenience store at 4506 Lincoln Way, the electric utility transformer and buried electric line feeding the transformer were relocated on the site to accommodate the change in the site layout. The property owner has requested that existing electric utility easement be vacated. Staff is coordinating with the owner to obtain a new electric utility easement to match the new site layout.

Ames Electric Services is the only utility named in the existing easement and the only utility occupying the easement. A map of the easement to be vacated is shown on the attachment.

ALTERNATIVES:

1. Set a date of public hearing for October 24, 2017, to approve vacation of the electric utility easement at 4506 Lincoln Way.
2. Do not set the date of public hearing to vacate and maintain the existing easement.

MANAGER'S RECOMMENDED ACTION:

By setting the date of hearing, this will begin the process to vacate an old easement no longer needed by the utility.

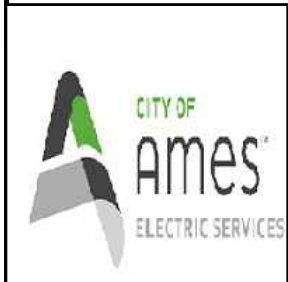
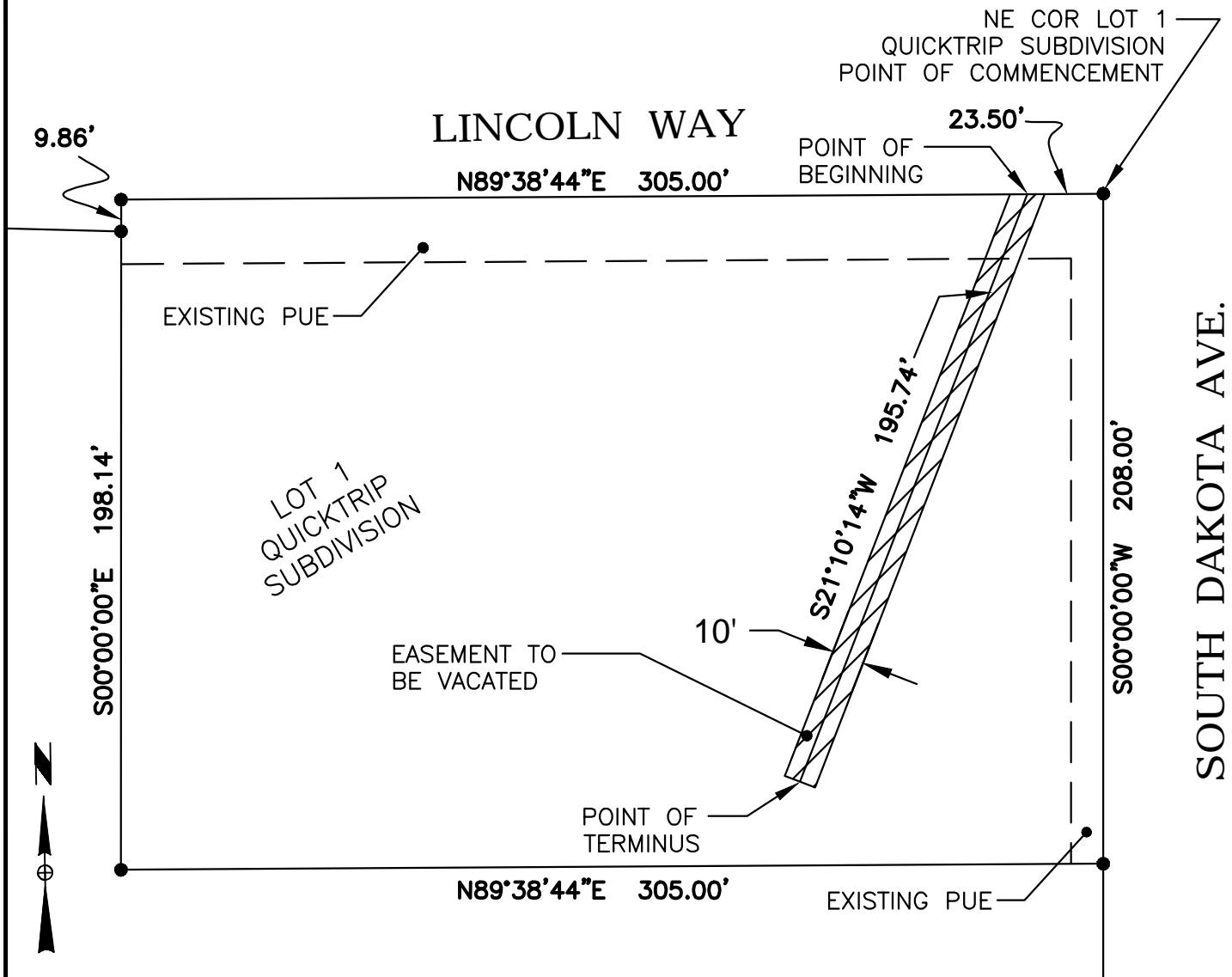
Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.

DESCRIPTION: UTILITY EASEMENT VACATION

A PART OF LOT 1, QUICKTRIP SUBDIVISION, BEING 5.00 FT ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE; COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 90°00'00" WEST ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 23.50 FT TO THE POINT OF BEGINNING; THENCE SOUTH 21°10'14" WEST, 195.74 FT TO THE POINT OF TERMINUS.

REQUESTOR/OWNER:

KUM & GO L.C.
 6400 WESTOWN PARKWAY
 WEST DES MOINES, IA 50266
 ATTN: DAN GARNEAU
 PH. (515) 457-6389



VACATION OF ELECTRIC UTILITY EASEMENT

4506 LINCOLN WAY LOT 1, QUICKTRIP SUBDIVISION AMES, STORY COUNTY, IOWA	
Drawn: MEI 10/3/17	Drawing Number
Checked:	EXHIBIT "A"
Approved:	Sheet 1 of 1 Scale: 1"=50'

COUNCIL ACTION FORM

SUBJECT: REVISIONS TO CHAPTER 28

BACKGROUND:

Staff has prepared a series of updates to Chapter 28 to address a number of different goals.

- To better reflect current practice by City staff. (For example, with the start of the Automated Meter Reading (AMR) project, changes to the Code were necessary to reflect the new technology and its requirements.)
- To provide additional flexibility to Water & Pollution Control, Utility Customer Services, and Public Works when addressing the needs of customers.
- To use more uniform nomenclature throughout the Code and better reflect the common terminology being used in the industry today.

Staff reviewed these changes with Council at the October 17 workshop. **There have been two changes made based on feedback during the workshop.** The first is clarification to Section 28.205 (2) (c).

Sec. 28.205. LOCATION AND ACCESSIBILITY

(2) **Multi-family dwellings.**

(a) *In a duplex, the preferred meter location is in ~~the~~ a joint basement or mechanical room. If this is not possible, ~~each~~ individual meter(s) must be in the private occupancy area (utility room, for example) of that dwelling unit.*

(b) *In multi-family dwellings on one level, the preferred meter location is in a joint mechanical, utility, or meter room. However, with prior approval, individual meters may be located in the utility room of each dwelling unit.*

(c) *In multi-family dwellings on more than one level, meters shall be ~~congregated~~ located in ~~one or more~~ a mechanical/utility or meter rooms in the basement or first floor level of the building where the service line comes through the wall or floor. ~~Location of Individual meters are prohibited from being located in each individual apartment's utility room. or apartment is prohibited. In an apartment complex where a mechanical room is not provided, a water meter room shall be provided at the point~~ A floor drain must also be provided in **the mechanical or meter room.***

The second change from what was presented on October 17 is the removal of proposed Section 28.309 (“Pretreatment Local Limits Established”), pending a determination from the Iowa Department of Natural Resources on the need for a public notification and comment period before establishing the limits in our ordinance.

Still included is the requirement for individual water meters for apartment and commercial buildings in Section 28.214. This requirement is recommended primarily as a means to encourage water conservation and provide better water accountability.

Also still included is the requirement in Section 28.214(1) to remove and replace all lead components in a service line when a repair is necessary. The cost of that replacement is the responsibility of the property owner, unless the line is disturbed by a City water main project.

ALTERNATIVES:

1. Approve on first reading an ordinance to amend Chapter 28 related to Division II Water Service and Division III Sewers.
2. Do not approve Chapter 28 changes at this time.

MANAGER’S RECOMMENDED ACTION:

Many of the proposed changes reflect current practice by the department and it is important to have the code reflect those current practices. Staff presented the proposed changes to Council at a workshop on October 17, 2017. Following that workshop, two adjustments were made to the proposed ordinance based on feedback received that evening. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY ENACTING A NEW SECTION 28.201 THROUGH 28.504 THEREOF, FOR THE PURPOSE OF WATER SERVICE REVISIONS ; 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 Section 28.201 through 28.504 as follows:

“

DIVISION II
WATER SERVICE

Sec. 28.201. WATER RATES AND CHARGES

The rates and charges for water supplied to consumers by the water utility of the city, to be billed on or after July 1, 2010 are as follows:

(1) **Residential Rates.**

(a) **Availability.** The residential rate shall apply to all customer accounts within the Ames corporate limits serving properties that are intended for occupancy by a single family as defined by the Ames Zoning Ordinance, provided that such accounts consist of no more than two dwelling units served by a single water meter or to multiple unit residential structures (such as apartment buildings) where every dwelling unit is separately metered. The rate does not apply to domestic uses that consist of more than two dwelling units served by a single meter or to water accounts that provide service for common areas such as shared laundry facilities or for general property maintenance.

(b) **Rate per billing period.** For each monthly billing period a residential rate customer:

- (i) shall be charged a minimum charge based on meter size, and in addition
- (ii) shall be charged for water usage during the billing periods as follows:
 - (a) for bills mailed on or between July 1 and October 31 (summer period):
\$0.0173 per cubic foot for the first 1000 cubic feet of usage
\$0.0306 per cubic foot for the next 1500 cubic feet of usage
\$0.0459 per cubic foot for all usage over 2500 cubic feet
 - (b) for bills mailed on or between November 1 and June 30 (winter period):
\$0.0173 per cubic foot

(2) **Non-residential (Commercial) Rates**

(a) **Availability.** The non-residential rate shall apply to all accounts that do not meet the criteria for residential, irrigation and yard water, rural water, or non-peaking industrial rates.

(b) **Rate per billing period:** For each monthly billing period a non-residential customer:

- (i) shall be charged a minimum charge based on meter size, and in addition
- (ii) shall be charged for water usage during the billing periods as follows:
 - (a) for bills mailed on or between July 1 and October 31 (summer period):
\$0.0227 per cubic foot
 - (b) for bills mailed on or between November 1 and June 30 (winter period):
\$0.0173 per cubic foot

(3) **Non-Peaking Industrial Rate.**

(a) **Availability.** The non-peaking industrial rate shall be available to all non-residential rate customers who submit an acceptable application and meet the following criteria:

(i) Average winter usage greater than 100,000 cubic feet per billing period.

Average winter usage per billing period will be calculated by taking the sum of the usage during the most previous December, January, and February billing periods and dividing by three.

(ii) A summer peaking factor equal to or less than 120%. The summer peaking factor shall be computed by taking the largest consumption from the previous June, July, August, and September billing periods and dividing it by the average winter usage, with the result expressed as a percentage.

(b) **Application for Non-peaking Industrial Rate.** It is the responsibility of the customer to apply for the non-peaking industrial rate each calendar year. The application shall be on a form provided by the Utility Customer Service Division. Approved applications will be valid for one summer season after which the customer shall be moved back to the non-residential rate.

(c) **Rate per Billing Period.** For each monthly billing period a non-peaking industrial rate customer:

(i) shall be charged a minimum charge based on meter size, and in addition

(ii) shall be charged for water usage during the billing periods as follows:

(a) for bills mailed on or between July 1 and October 31 (summer period):

\$0.0173 per cubic foot

(b) for bills mailed on or between November 1 and June 30 (winter period):

\$0.0173 per cubic foot

(4) **Irrigation and Yard Water Service Rate.**

(a) **Availability.** The irrigation and yard water rate shall apply to all separately metered water uses that meet one of the following criteria:

(i) Serves primarily outdoor water uses, such as irrigation systems and outside hose bibs.

(ii) Serves cooling towers, spray ponds, evaporative condensers, chillers, or such similar uses where water is used as a medium for cooling.

(iii) Serves as a temporary water service, whether for irrigation purposes or for other outdoor uses.

(b) **Rate per Billing Period.** For each monthly billing period an irrigation and yard water rate customer:

(i) shall be charged a minimum charge as described below, and in addition

(ii) shall be charged for water usage during billing periods as follows:

(a) for bills mailed on or between July 1 and October 31 (summer period):

\$0.0250 per cubic foot for the first 2000 cubic feet of usage

\$0.0459 per cubic foot for the next 3000 cubic feet of usage

\$0.0765 per cubic foot for all usage greater than 5000 cubic feet.

(b) for bills mailed on or between November 1 and June 30 (winter period):

\$0.0173 per cubic foot

(5) **Rural Water Rate.**

(a) **Availability.** The rural water rate shall apply to all customer accounts outside the Ames corporate limits, except those covered by a separate wholesale contract or agreement for service.

(b) **Rate per billing period.** For each monthly billing period, a rural water rate customer:

(i) shall be charged a Rural water minimum charge based on meter size.

(ii) shall be charged for water usage during billing periods as follows:

(a) for bills mailed on or between July 1 and October 31 (summer period):

\$0.0287 per cubic foot for the first 2000 cubic feet of usage

\$0.0528 per cubic foot for the next 3000 cubic feet of usage

\$0.0879 per cubic foot for all usage greater than 5000 cubic feet.

(b) for bills mailed on or between November 1 and June 30 (winter period):

\$0.0199 per cubic foot for all consumption.

(6) **Water Rate and Charge Adjustments.** It shall be the duty of the director of water and pollution control to review and recommend to the city council revisions of the rates and charges established and set out in this division at intervals appropriate to provide for the funding needs of the utility.

(7) **Minimum charges.** For each monthly billing, each customer shall be charged a minimum monthly charge based on the size of the water meter (s) and/or irrigation meter (s) at each location. The minimum monthly charge may be prorated, based on a 30-day billing period, for the customer's initial and/or final bills, provided that in no case shall the minimum monthly charge be less than four dollars and twenty-five cents (\$4.25). The minimum monthly charge for each water meter location shall be as follows:

Size of Meter	Residential, Non-residential, Non-peaking Industrial, and Irrigation Accounts	Yard Water Accounts	Rural Water Accounts
5/8" or 5/8"x3/4"	8.85	3.35	10.20
3/4 inch	17.70	5.20	20.35
1 inch	35.40	7.25	40.70
1-1/2 inch	70.80	10.00	81.45
2 inch	141.60	13.30	162.90
2 inch, battery of 2	274.35	--	315.70
2 inch, battery of 3	407.10	--	468.45
3 inch	283.20	17.30	325.90
4 inch	477.90	21.50	549.90
6 inch	796.50	25.75	916.50
8 inch	1,593.00	30.00	1,832.60
10 inch	2,389.50	34.20	2,750.00

(8) **Multiple dwellings – Mobile home parks.** Existing multiple dwellings, including mobile home parks, may continue to be served from a single water meter. However, there shall be a surcharge added to the water rates set forth above, to be calculated as follows:

For a 5/8 inch meter serving 2 or more dwelling units.....	2.55/month/unit
For a 3/4 inch meter serving 4 or more dwelling units.....	2.55/month/unit
For a 1 inch meter serving 8 or more dwelling units.....	2.55/month/unit
For a 1-1/2 inch meter serving 16 or more dwelling units.....	2.55/month/unit
For a 2 inch meter serving 30 or more dwelling units.....	76.25/month
for the first 30 units plus \$3.95/month per unit for each additional unit in excess of 30 units	
For a 3 inch or larger meter serving any number of dwelling units	3.50/month/unit

For the purposes of this section, a dwelling unit is defined as a self-contained living facility (i.e., including kitchen and bath) such as an apartment or a licensed independent mobile home space.

(a) For rural customer accounts outside the Ames corporate limits, the multiple unit charges shown above shall be multiplied by a factor of 1.15.

(9) **Unintentional Summer Water Use.** During the summer billing periods, the City Manager or the Manager's designee shall have the authority to approve an adjustment to a customer's water, yard water, or irrigation charges if there was unintentional water usage as the result of a malfunction of an appliance or a plumbing fixture (e.g. water heater, washing machine, toilet, or irrigation system) and the unintentional usage exceeds the customer's average summer usage by at least one thousand cubic feet. To be eligible for an adjustment, the customer must provide documentation from the person who repaired the malfunction (e.g. plumber, maintenance

worker) which describes the cause of the malfunction and the action taken to correct the malfunction. The amount of the adjustment shall not exceed the difference between the actual water, yard water, or irrigation charges billed and the charges that would have been billed using the winter rate.

Sec. 28.202. WATER SERVICE, CONNECTION CHARGE.

(1) **Generally.** There is established hereby, as a fee for connection to the water main, such charge as the City Council shall by resolution set for the property served by and adjacent to the main, provided that no water utility special assessment connection fee has been imposed previously with respect to said land and the main was financed with funds of the City.

(a) **Rural water connections.** If an existing water main is adjacent to a rural property, rural water customers shall pay a fee for connection to the water main as provided generally above. If no main is adjacent to the property, the City will construct a temporary water service line to property to be used until such time as a water main is constructed adjacent to the property. The rural customer shall pay the entire actual cost for design and installation of the temporary line in accord with the City’s engineering fee schedule then in effect. Additionally, at such time as a main becomes adjacent to the property, the rural customer shall be required to connect to that main and shall pay a fee for connection to that main in accordance with the connection fee schedule then in effect.

(Ord. No. 4010, 9-22-09)

Sec. 28.203. METERS FURNISHED AND OWNED.

(1) All water meters shall be furnished and owned by the City. The customer shall pay for the water meter(s) according to the current schedule of fees for meter installations as stated in Appendix Q of the Municipal Code.

(2) The type and size of meter(s) to be installed may be reviewed with the customer or customer's representative, but the Water and Pollution Control Department shall have final authority to select the meter(s) considered most appropriate for the proposed installation. No water meter shall be set nor shall the water service be turned on unless the location and setting comply with the code and all fees and deposits have been paid. If any customer requests a meter for a new installation, and has any unpaid fees or charges for other locations, no new meters shall be set until all fees and charges are paid in full.

(3) Locations with irrigation systems may be required to install a separate meter, and have a separate utility account for the irrigation system. The requirement for a separate meter will be based on maintaining accuracy and accountability and will be determined by the Water and Pollution Control Department.

(Ord. No. 854, Sec. 45; Code 1956, Sec. 31-45; Ord. No. 3199, Sec. 1, 9-24-92)

Water Meter Sizing Guide

Maximum Number of Fixture Units As Determined from UPC Table 6-4 to Size Service Lines and Meters	Normal Operating Flow Range In gallons per minute (gpm)	Meter Size Typical Residential and Commercial Applications with Flush Tanks
29	¼ - 20	5/8" x 3/4" Positive Displacement
52	¼ - 30	3/4" Positive Displacement
125	½ - 50	1" Positive Displacement
275	1 - 80	1½" Positive Displacement or Ultrasonic

Sec. 28.204. METER TO REMAIN WHERE INSTALLED

(1) The water meter(s) shall remain at the address in which installed and shall remain in the same location as first installed unless the relocation is approved by the Water Meter Division. In the event the owner or occupant moves from the building, the meter(s) remains with the building. If the building is demolished or moved from the lot, the meter(s) shall be removed and returned to the City. If the building is moved to another location, the owner shall pay applicable meter fees for the new location.

(2) Meter fees will also be charged for the new meter(s) set at the previous location. This meter fee may be prorated if the new meter(s) is set within six months of the notice to the Finance Department to discontinue service.

(3) Only employees of the Water Meter Division are authorized to remove meters except as provided in Section 28.210(2). A resetting fee, at the current rate stated in appendix Q of the municipal code, shall be assessed for removal of a meter without authorization.

(Ord. No. 854, Sec. 46; Code 1956, Sec. 31-46; Ord. No. 3199, Sec. 1, 9-24-92)

Sec. 28.205. LOCATION AND ACCESSIBILITY

(1) **Basement mechanical room.** The water meter(s) shall be located in the basement or mechanical/utility room if one is provided. The water meter(s) shall be placed where the water service line comes through the basement wall or basement floor. Where no basement is provided, the meter(s) shall be placed where the service line comes through the floor of the utility room. Meters shall be indoors and protected from freezing. A floor drain shall be located in the room containing the meter(s). Meters cannot be located above the first or ground floor level under any conditions. Only the individual water meter(s) serving a dwelling unit can be located within the private occupancy space of that dwelling unit.

(2) **Multi-family dwellings.**

(a) In a duplex, the preferred meter location is in a joint basement or mechanical room. If this is not possible, individual meter(s) must be in the private occupancy area (utility room, for example) of that dwelling unit.

(b) In multi-family dwellings on one level, the preferred meter location is in a joint mechanical, utility, or meter room. However, with prior approval, individual meters may be located in the utility room of each dwelling unit.

(c) In multi-family dwellings on more than one level, meters shall be located in mechanical/utility or meter room in the basement or first floor level of the building where the service line comes through the wall or floor. Individual meters are prohibited from being located in each apartment's utility room. A floor drain must also be provided in the mechanical or meter room.

(3) **Meter setting height.** Single water meters shall be set at a height not less than 30 inches and not more than 42 inches above the finished floor. A minimum of 18 inches of clear space is required above and below the meter, and a minimum of 36 inches of clearance is required in front of the meter for maintenance purposes.

(a) Multiple water meters may be stacked vertically, and offset, within general limits of not less than 20 inches and not more than 48 inches above the finished floor. A scaled drawing of the proposed manifold installation shall be submitted to the Water and Pollution Control Department for review and approval. A master shut-off valve shall be provided where the meter manifold is connected to the building's domestic water service. The meter manifold shall be located in a common mechanical room accessible for meter maintenance and reading purposes. The piping on the discharge side of each meter shall be permanently labeled for the corresponding unit served. For commercial installations, access to the meter room by means of an exterior door is recommended. Refer to the Reference Guide for Obtaining Permits and Utility Services for New Construction for an example of a typical manifold installation.

(b) When a backflow assembly for containment is installed where a meter manifold is present, the assembly shall be installed according to the requirements of Section 5.208. (8)(b)(viii) of the Municipal Code.

(c) For manifold installations where non-metallic pipe is used for supply piping, a minimum of 24 inches of rigid pipe shall be installed on the vertical rise on the discharge side of the water meter. The discharge piping shall be attached directly to the wall to maintain proper spacing and alignment for the meter setting.

(4) **Accessibility.** All water meters shall be in an accessible location. There shall be no obstruction or storage of other materials preventing access to the meter. The meter shall not be placed above or behind a furnace, water heater, washer or dryer, or other such arrangement limiting access to the meter. For meters one inch and smaller, a minimum of 18 inches of clearance above and below the meter and a minimum of 36 inches in front of the meter is necessary for meter maintenance and routine change. For meters larger than one inch, a minimum of 24 inches of working clearance above and below and 36 inches in front of the meter is necessary for maintenance purposes.

(Ord. No. 3199, Sec. 1, 9-24-92)

(5) **Access Granted.** As a condition of service, all customers must consent to provide access to the property for the purposes of meter reading, and to perform routine and emergency service and maintenance of the water meter. Failure or refusal to grant access may result in termination of water service.

(Ord. No. 4010, 09-22-09)

Sec. 28.206. METER VALVES

There shall be an inverted key, ring style, locking-type meter valve of Ford KV-23-332W or Ford KV13-332W pattern for ¾" pipe size, Ford KV-23-444W or Ford KV-13-444W pattern for 1" pipe size, Ford FV-23-666W or Ford FV-13-666W pattern for 1-1/2" pipe size, Ford FV23-777W or Ford FV13-777W pattern for 2" pipe size. The appropriate meter valve shall be attached to every water service pipe inside the building wall. Other brands of meter valves of equivalent specifications will be allowed. The valve shall not be set less than two and one-half feet above the finished floor. There shall also be a valve installed on the discharge side of each meter.

(Ord. No. 3199, Sec. 1, 9-24-92)

Sec. 28.207. METER ACCESSORIES

(1) **Bypass.** A valved bypass line shall be provided for every commercial water meter installation 5/8" x 3/4" inch and larger so that the meter can be removed without interrupting service to the customer. All valved bypass lines shall be equipped with a ball valve with a locking mechanism which shall be closed and sealed by the Water Meter Division. If the seal is broken for any reason except as may be authorized by the Water Meter Division, the customer shall be billed for unauthorized use of water at the current rate stated in Appendix Q of the Municipal Code.

(2) **Jumper wire.** All water services constructed of metallic pipe material shall have a jumper wire installed around the water meter to ground the water piping when the water meter is removed for testing or maintenance. A jumper wire is not required where meter installations are equipped with a meter bypass constructed of metallic pipe material. The use of the water service as a primary ground for the electrical, telephone, cable TV, or other systems is prohibited. In the event the water service is constructed of non-metallic pipe material, neither primary nor secondary grounding is permitted. If a water service is constructed of non-metallic pipe material, a jumper wire is not required.

(3) **Water Meter Supports.** If a water service is constructed of non-metallic pipe material, the water meter shall be supported or mounted in an approved manner at the location specified in Sec. 28.205. Acceptable supports include a shelf attached/anchored to the building wall or a steel support anchored in the concrete floor. The support shall be of sufficient strength to hold the weight of the meter and accessories. A temporary support may be used for construction meters.

(Ord. No. 3199, Sec. 1, 9-24-92)

Sec. 28.208. METER PITS

Meter pits will generally not be approved because of the difficulty and safety hazards in meter reading and maintenance. For meter installations one-inch and smaller, pre-fabricated meter pits which do not require entry may be approved by the Water and Pollution Control Department. Installations for meters larger than one-inch, especially those requiring a backflow prevention assembly, shall be installed above grade in an enclosed structure and insulated and/or heated to prevent freezing.

(Ord. No. 3199, Sec. 1, 9-24-92)

Sec. 28.209. RADIO READ DEVICE

(1) **New meter installations.** All new water meter installations shall have a radio read device. Any residential dwelling units located within the City of Ames municipal electric service territory may have the radio read device located inside the dwelling. All commercial buildings, located within the City of Ames municipal electric service territory, and any residential or commercial buildings located outside of the City of Ames municipal electric utility territory, shall install, for each meter, a 22/3 gauge, stranded, shielded wire with plastic sheath from the water meter on the inside of the building to within three feet of the electric meter on the outside of the building. Meters located in meter pits or vaults shall have the radio read device located inside the pit or vault, or located in a pedestal near the meter pit or vault. If the electric meter is located on a transformer, or other remote location, the wiring for the radio read device shall terminate on the side of the building nearest the transformer or remote location. A minimum of three feet of excess wire shall be left at each end to allow connection to the water meter and installation of the radio read device. Any portion of the wire that will not be exposed (i.e. installed behind finished walls, above finished ceilings, etc.) shall be placed in conduit to protect the wire from damage and to facilitate replacement if necessary. The City will provide and install the radio read device and connect it the customer-installed wire.

(Code 1956, Sec. 31-29.1; Ord. No. 2073, Sec. 1, 5-11-65; Ord. No. 2416, Sec. 2, 9-26-72; Ord. No. 3199, Sec. 1, 9-24-92)

(2) **Rural Water customer remote readers.** Rural customers shall provide a mounting location for a radio read device that will facilitate easy access for meter reading. For locations that are served by the City of Ames municipal electric utility territory, the radio read device shall be placed within three feet of the electric meter wherever practical. Alternate locations and installation requirements shall be approved by the Water and Pollution Control Department prior to installation of the water meter.

It shall be the responsibility of the customer to maintain an adequate clearance around the remote reading device to prevent landscaping, snow drifts or piles, or other obstructions from interfering with access to the radio read device for meter reading, service, or maintenance.

(Ord. No. 4010, 09-22-09)

Sec. 28.209A. RURAL CUSTOMER BACKFLOW PREVENTION. For all water customers outside the Ames corporate limits, a reduced pressure principle backflow prevention assembly (RP) shall be required for containment.

(1) **Location.** The (RP) shall be installed directly after the meter.

(2) **Installation.** It is the responsibility of the customer to provide this device and it shall be installed by a plumber licensed by the City of Ames pursuant to a plumbing permit acquired from the City of Ames, and installed in compliance with all Plumbing codes applicable in the City of Ames.

(3) **Maintenance/Testing.** The (RP) shall be tested upon installation and at least annually thereafter by a registered backflow prevention assembly technician. Results of all backflow prevention assembly test reports shall be submitted to the Water Meter Division within 10 working days of when the device was tested.

It is the responsibility of the customer to maintain the (RP).

If backflow occurs at a rural water location, the customer shall comply with provisions of Ames Municipal Code Sec. 21.501(47) (b) (xii).

Failure to perform the required testing at least annually, or to maintain the device in good repair, may result in termination of service.

(Code 1956, Sec. 31-29.1; Ord. No. 2073, Sec. 1, 5-11-65; Ord. No. 2416, Sec. 2, 9-26-72; Ord. No. 3199, Sec. 1, 9-24-92; Ord. No. 4010, 09-22-09)

Sec. 28.210. METER REPAIRS AND COST

(1) The Water Utility will service and maintain city-owned water meters without charge and will replace a defective or malfunctioning water meter without charge. However, if it is found that damage to the meter has resulted through carelessness and/or negligence on the part of the customer, or as a result of the customer's plumbing system or internal operations, then the customer shall be liable for the expense of the repair of the meter.

(2) In the event of an emergency where the meter is discovered out of order to such an extent as to cause property damage by leakage, the meter may be removed by the customer or the customer's representative and immediately returned to the Water Meter Division for repair.

(3) Where a water meter fails to register accurately, the customer shall be charged the average rate as shown by the previous readings of the meter when in order.

(Ord. No. 854, Sec. 30; Code 1956, Sec. 31-30; Ord. No. 3199, Sec. 1, 9-24-92)

Sec. 28.211. PROTECTION OF METERS.

(1) Protection of the meter from freezing or any other damage shall be the obligation of the owners and occupants of the premises for which installed. Cost of any repairs for damaged meters shall be assessed as described in Sec. 28.210.

(2) Unprotected construction meters will only be set between May 15 and October 15. If the construction meter is protected from the elements, a construction meter will be set at any time.

(Ord. No. 854, Sec. 40; Code 1956, Sec. 31-48; Ord. No. 3199, Sec. 1, 9-24-92)

Sec. 28.212. HYDRANT METER

As a general rule, hydrant meters will not be allowed except under unusual circumstances. Prior approval of the Water and Pollution Control Department is required. The customer shall complete a Hydrant Meter Application form to request a hydrant meter. All fees and charges, including any damage to the hydrant, hydrant meter, or backflow prevention assembly, will be billed to the customer when the hydrant meter is removed from service. A monthly fee, based on the meter size, will be charged for use of the hydrant meter. If the hydrant meter is used

fewer than 30 days, the monthly charge will be prorated on a daily basis. Please refer to Appendix Q of the Municipal Code for current fees. Only employees of the Water Meter Division are authorized to install and remove or move a hydrant meter.

(Ord. No. 854, Sec. 40; Code 1956, Sec. 31-48; Ord. No. 3199, Sec. 1, 9-24-92)

Sec. 28.213. UNMETERED WATER USE

Unmetered water use at any location for any purpose, without prior authorization from the Water and Pollution Control Department, shall be billed at the rate, stated in Appendix Q of the Municipal Code, per occurrence or per month, whichever is greater. The exception would be to use water to perform a water test for the sanitary sewer, drain, or waste and vent piping within a structure. In addition, any damages shall be charged to the person using the water without authorization. Authorized use of water without a meter will be billed at the rate listed in Appendix Q of the Municipal Code. To initiate or terminate this service the customer shall make such request through the Water Meter Division.

(Ord. No. 854, Sec. 40; Code 1956, Sec. 31-48; Ord. No. 3199, Sec. 1, 9-24-92)

Sec. 28.214. OWNERSHIP AND REPAIR, WATER SERVICE CONNECTIONS

All service connections with the city water supply from the main to the meter, including the corporation cock, service line, curb cock and curb box, and shut-off valves for the meter setting, shall be installed and maintained at the expense of the property to be served. Ownership of the entire service connection remains with the property. Whenever any part of the water service line between the main and the consumer's meter develops a leak or becomes out of repair, it shall be the duty of the the property owner, to repair the defect. Leaking water services which are constructed of galvanized iron piping shall be replaced entirely between the water main and the meter with a water service line of proper size and approved material. The Administrative Authority may require replacement of leaking water services made of other non-approved materials if it is determined that the condition of the service line presents safety or sanitary concerns. To prevent or reduce damage to public or private property, the City Manager or his designee shall, if the owner does not act to correct the defect within fourteen (14) calendar days after notice, cause the discontinuance of water service to the premises. The City Manager is authorized to discontinue service or repair service leaks without prior notice to the property owner or tenant in emergency situations to prevent service interruption, damages, or injury to others. Any costs incurred by the city for excavation and replacement, and repair of damages to property caused by such, shall be charged to the owner and may be assessed as a lien against the property as provided in Sections 384.62 and 364.12 Code of Iowa.

(1) For the purpose of accountability, Apartment Dwellings, Condominiums, Commercial Buildings, Dwelling House, Family Home, Single-Family, Single Family Attached, Two-Family Attached, Efficiency Unit Dwellings, Manufactured Homes, and Mobile Homes (by means of individual meter pits), shall be individually metered. Assisted Living Facilities, Congregate Housing, Hospice Facilities, Hospitals, Hotels, Independent Senior Living Facilities, Nursing Homes, Residential Corrections Facilities, and Sorority or Fraternity Facilities would not be required to meter individual dwelling units. Requirements and exceptions are based on definitions stated in Section 29.201 of the Ames Municipal Code.

(Ord. No. 3199, Sec. 1, 9-24-92)

(a) **Code Requirements for Rural Water Service.** The service connection for a rural water account, from the tap at the main through the outlet of the backflow prevention device, shall comply in all respects with the requirements of the Ames Plumbing Code. Installation, alteration, repair, or other work performed on any part of the water service shall be done only pursuant to a permit from the City of Ames Inspections Division and all work shall be completed in compliance with the permit and any other requirements of the Inspections Division.

(Ord. No. 4010, 09-22-09)

(2) **Lead Service Line Replacement.** Any service line that contains any lead piping, fitting, fixture, solder, or other component; and, that develops a leak or otherwise becomes out of service shall be replaced.

(a) It shall not be lawful to leave any lead component in service when repairing or replacing a water service line.

(b) Where the service line is composed entirely of lead pipe, or consists of a mix of lead and galvanized piping materials, the service line shall be replaced in its entirety, from the point of connection to the City water main to the master water meter for the property.

(c) Where the service line consists of a lead "pigtail" or "gooseneck" between the water main and the curb stop box, and consists of copper or plastic from the curb stop box to the water meter, only the portion between the water main and the curb stop must be replaced.

(d) The cost of such replacement shall be the responsibility of the property owner.

(3) Any lead service line encountered during a City water main replacement project shall be replaced by the City. The cost shall be borne by the water utility as a part of the project, and shall not be passed on to the property owner.

Sec. 28.215. DISCONNECTION AND RECONNECTION OF WATER SERVICE -- CHARGES.

When requested by the customer, the city will cause the water to be turned off at the curb stop, provided the curb stop is in working order and is accessible. A fee may be charged to the customer for this service. The cost of locating and servicing an inaccessible or damaged curb cock or curb box will be at the expense of the customer ordering discontinuance of service. Should it become necessary to cut off the water at the corporation cock in the main, the expense thereof shall be charged to the owner of the premises. All utility bills and service charges will be made until notice of discontinuance of service is given to the city at the office of the Finance Director. When water service is discontinued, all utility bills and service charges of the city for water service to the customer shall be immediately due and payable. When service is disconnected for non-payment of bills, a charge may be made for disconnecting and reconnecting the service. Customer requested water service reconnection and disconnection is subject to a fee for each service call/trip as stated in Appendix Q of the Municipal Code.

(Ord. No. 854, Sec. 22; Code 1956, Sec. 31-22; Ord. No. 2009, Sec. 1, 12-17-63, Ord. No. 2550, Sec. 2, 7-6-76; Ord. No. 3199, Sec. 1, 9-24-92)

Sec. 28.216. AIR CONDITIONING WATER CONSERVATION.

(1) **Definitions.** For the purpose of this section the following terms, phrases, words, and their derivations have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

(a) Air-conditioning system is one or more units for the cooling or dehumidification, or both, of space for human occupancy.

(b) Building official is the building official of the city.

(c) Compressor horsepower (one) is the equivalent of one ton of refrigeration which is the heat required to melt ice at the rate of one ton in twenty-four (24) hours.

(d) Water conservation device is a cooling tower, spray pond, evaporative condenser or other equipment by which water is cooled and recirculated, thereby limiting the use of water from city mains to that amount necessary for cleaning, and restoration of losses through evaporation.

(e) Water regulating device is an automatic control valve, the purpose of which is to limit the maximum use of water to a predetermined rate.

(Ord. No. 846, Sections 2, 2.1, 2.4, 2.5, 2.7, 2.8; Code 1956, Sections 43-2, 43-2.1, 43-2.4, 43-2.5, 43-2.7, 43.2.8)

(2) **Compliance required.** It is unlawful for any person to have installed hereafter any air-conditioning system using water as its medium without first conforming to the provisions of this section and the building and electrical codes of this city.

(Ord. No. 846, Sec. 3; Code 1956, Sec. 43-3)

(3) **Permit required.** All persons who desire to install any air cooled or water cooled system shall obtain approval of their equipment, obtain a permit therefore in advance from the building official and shall give notice of completion of the installation to the official.

(Ord. No. 846, Sec. 4; Code 1956, Sec. 43-4)

(4) **Permit required to change nonconforming installations.** All water cooled air-conditioning systems installed prior to the effective date of this section which are to be replaced, altered or increased in size as a whole system or part of a system shall conform to the provisions of this chapter after the change has been made. A permit shall be obtained from the building official for the changes as herein provided.

(Ord. No. 846, Sec. 5; Code 1956, Sec. 43-5)

(5) **Standards of operation prerequisite to permit.** Before issuing a permit as required herein the building official shall find that the system complies with the following standards of operation:

(a) Use of city water in system using two compressor horse power or over. Water cooled systems having two (2) or more compressor horsepower, or equivalent cooling capacity, shall be equipped with an approved water conservation device so that water from city mains shall be used for make-up or flushing purposes only.

(b) Efficiency of water conservation device. The water conservation device required herein for systems of two (2) or more horsepower capacity shall be of such efficiency that it will operate with not over fifteen (15) gallons of city water per hour per ton of refrigeration. The water level control on the tank or reservoir shall be so adjusted as to prevent waste of water through the overflow.

(c) Construction of make-up device. The make-up water connection required herein shall be so arranged that the supply has a physical break between the city water lines and the device whereby it is impossible for water to siphon back into the water lines in case of low pressure.

(d) Systems using under two (2) compressor horsepower. All water cooled systems using under two (2) compressor horsepower or equivalent cooling capacity shall be equipped with an approved automatic water regulating device, so adjusted as to limit the use of city water to not more than sixty (60) gallons per hour per ton of refrigeration.

(e) Effect upon co-users. In no case shall any system adversely affect the flow of water to other users in the area.

(f) Discharge of water; method. The discharge of water from the air-conditioning system shall be as directed by the building official.

(Ord. No. 846, Sections 6--6.6; Code 1956, Sec. 43-6--6.6)

(6) **Inspection of systems.** The building official shall cause all systems regulated herein to be inspected from time to time for compliance with this section.

(Ord. No. 846, Sec. 7; Code 1956, Sec. 43-7)

(7) **Noncompliance; permit holder to correct condition.** In case of noncompliance with this section the building official shall notify the permit holder to correct the condition within ten (10) days.

(Ord. No. 846, Sec. 7.1; Code 1956, Sec. 43-7.1)

(8) **Revocation of permit; extension of time to correct condition.** In the event of failure, or upon the refusal of the permit holder to comply as ordered, the building official shall, after notice and reasonable opportunity for hearing, revoke the permit; provided, however, that upon a showing of hardship or other circumstances warranting the action, the building official shall have the authority to grant an extension of time to comply with the provisions of this section and shall render a written report thereon to the city manager.

(Ord. No. 846, Sec. 7.2; Code 1956, Sec. 43-7.2)

(9) **Appeals.** Whenever the building official shall reject any plan or specification submitted hereunder and issue an order requiring compliance or revoking a permit, the person aggrieved shall have the right to appeal to a board composed of the water superintendent, city engineer and other qualified persons, and, if still aggrieved by the decision of this board, shall then have the right to appeal to the city council. The decision of the city council with respect to the appeal shall be final.

(Ord. No. 846, Sec. 7.3; Code 1956, Sec. 43-7.3; Ord. No. 3199, Sec. 1, 9-24-92)

DIVISION III
SEWERS

Sec. 28.301. SEWER RATE POLICY.

It is determined and declared to be necessary and conducive to the protection of the public health, safety, welfare, and convenience of the City of Ames to collect charges from all users who contribute wastewater to the City's treatment works. The proceeds of such charges so derived will be used for the purpose of operating, maintaining, and retiring the debt for such public wastewater treatment works.

(Ord. No. 2924, Sec. 1, 5-28-85; Ord. No. 3199, Sec. 1, 9-24-92; Ord. No. 3209, Sec. 1, 12-8-92)

Sec. 28.302. DEFINITIONS.

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

- (1) **'CBOD₅'** (denoting 5-day Carbonaceous Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20°C, expressed in milligrams per liter (mg/L).
- (2) **'NH₃' or 'NH₃-N'** (denoting Ammonia) shall mean that portion of nitrogen in the form of ammonia which is determined by standard laboratory procedure for analysis of ammonia nitrogen, expressed in milligrams per liter (mg/L).
- (3) **'TKN'** (denoting Total Kjeldahl Nitrogen) shall mean that portion of nitrogen which is the sum of ammonia and organic nitrogen in the form of proteins or intermediate decomposition products as determined by standard laboratory procedures for Total Kjeldahl Nitrogen, expressed in milligrams per liter (mg/L).
- (4) **'COD'** (denoting Chemical Oxygen Demand) shall mean the oxygen equivalent of the organic matter content of a sample that is susceptible to oxidation by a strong chemical oxidant as determined by standard laboratory procedures for COD, expressed in milligrams per liter (mg/L).
- (5) **'Normal Domestic Wastewater'** shall mean, for the purposes of surcharge program implementation, wastewater that has constituent concentrations at or below the values shown in the following table, expressed in milligrams per liter (mg/L).

<u>Constituent</u>	<u>Concentration,mg/L</u>
Oxygen Demand	
CBOD ₅	250
COD	550
Nitrogen	
NH ₃ -N	30
TKN	45
Solids	
TSS	300

(Ord. No. 3919, 06-12-07)

- (6) **'High Strength Surcharge'** shall mean a system to assess a sewer surcharge to any contributor discharging wastewater that is higher in concentrations of COD, TSS, TKN, and/or Oil & Grease than normal domestic wastewater. Concentrations of normal domestic wastewater are defined as follows; COD – 550 mg/L, TSS – 300 mg/L, TKN – 45 mg/L, and Oil & Grease – 300 mg/L.
- (7) **'Local Limits'** shall mean discharge limits determined by a treatment plant headworks calculation on local facilities.
- (8) **'Operation and Maintenance'** shall mean those functions that result in expenditures during the useful life of the treatment works for materials, labor, utilities, and other items which are necessary for managing and for which such works were designed and constructed. The term 'operation and maintenance' includes replacement as defined in (10).
- (9) **'POTW'** shall mean publicly-owned treatment works.
- (10) **'Replacement'** shall mean expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.
- (11) **'Residential User'** shall mean any contributor to the City's treatment works whose lot, parcel or real estate, or building is used for domestic dwelling purposes only.
- (12) **'Shall'** is mandatory; **'May'** is permissive.
- (13) **'TSS'** (denoting Total Suspended Solids) shall mean solids that either float on the surface of or are in suspension in water, sewage, or other liquids and which are removable by laboratory filtering, as expressed in milligrams per liter (mg/L).
- (14) **'Composite Sample'** shall mean a time-based or flow-proportional sample (as determined by the Water and Pollution Control Department staff) that is representative of a user's typical work day discharge during a 24-hour period.
- (15) **'Biosolids'** shall mean treated and stabilized solids, semi-solid, or liquid residue generated during the treatment of domestic wastewater at the POTW.

(16) **'Treatment Works'** shall mean any devices and systems for the collection, storage, treatment, recycling, and reclamation of municipal sewage, domestic sewage, or liquid industrial wastes. These include intercepting sewers, outfall sewers, sewage collection systems, pumping, power, and other equipment and their appurtenances; extensions, improvement, remodeling, additions and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment (including land for composting biosolids, temporary storage of such compost, and land used for the storage of treated wastewater in land treatment systems before land application); or any other method or system for preventing, abating, reducing, storing, treating, separating, or disposing of municipal waste or industrial waste.

(17) **'Useful Life'** shall mean the estimated period during which a treatment works will be operated.

(18) **'User Charge'** shall mean that portion of the total wastewater service charge which is levied in a proportional and adequate manner for the cost of operation, maintenance, and replacement of a designated part of the wastewater treatment works.

(19) **'Water Meter'** shall mean a water volume measuring and recording device.

(20) **'FOG'** (denoting Fats, Oils, and Grease) shall mean organic polar compounds derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using analytical test procedures in 40 CFR 136, as may be amended from time to time. All are sometimes referred to herein as "grease", "greases", and "oil and grease"

(Ord. No. 4199; 11-25-14; Ord. No. 4263, 6-28-16)

(21) **'FSE'** (denoting Food Service Establishment) shall mean a food establishment required to hold a Food Service Establishment License or Mobile Food Unit License from the Iowa Department of Inspections and Appeals. FSE shall not mean an establishment which is only required to hold a Food Processing Plant License or Retail Food Establishment License from the Iowa Department of Inspections and Appeals.

(Ord. No. 4199; 11-25-14; Ord. No. 4263, 6-28-16)

(22) **'Grease Interceptor'** shall mean a tank that serves one or more fixtures and captures wastewater from garbage disposals, floor drains, pot and pan sinks and trenches as allowed by local plumbing codes. Dishwashers may in some instances also be connected to a grease interceptors allowed by local plumbing codes. A grease interceptor reduces the amount of FOG in wastewater prior to its discharge into the POTW and may be a gravity-flow grease interceptor located underground or a hydromechanical grease interceptor located within a building.

(Ord. No. 4199; 11-25-14; Ord. No. 4263, 6-28-16)

(Ord. No. 2924, Sec. 1, 5-28-85; Ord. No. 3199, Sec. 1, 9-24-92; Ord. No. 3209, Sec. 1, 12-8-92; Ord. No. 3526, 6-22-99)

Sec. 28.303. USE OF RATE REVENUE.

The user charge system shall generate adequate annual revenues to pay costs of annual operation and maintenance, including replacement, and costs associated with debt retirement of bonded capital associated with financing the treatment works which the City may by ordinance designate to be paid by the user charge system. That portion of the total user charge which is designated for operation and maintenance, including replacement of the treatment works, shall be established by this ordinance.

That portion of the total user charge collected which is designated for operation and maintenance, including replacement, shall be deposited in a separate non-lapsing fund known as the WPC Operation, Maintenance and Replacement Fund.

Fiscal year-end balances in the operation, maintenance, and replacement fund shall be used for no other purposes than those designated. Monies which have been transferred from other sources to meet temporary shortages in the operation, maintenance, and replacement fund shall be returned to their respective accounts upon appropriate adjustment of the user charge rates for operation, maintenance, and replacement. The user charge rate(s) shall be adjusted such that the transferred monies will be returned to their respective accounts within six months of the fiscal year in which the monies were borrowed.

(Ord. No. 2924, Sec. 1, 5-28-85; Ord. No. 3199, Sec. 1, 9-24-92; Ord. No. 3209, Sec. 1, 12-8-92)

Sec. 28.304. SEWER RATES ESTABLISHED.

(1) Each user shall pay for the services provided by the City based on his use of the treatment works as determined by water meter readings or other appropriate methods acceptable to the City.

(2) For all users, monthly user charges shall be based on actual water usage, except where a practical method of wastewater measurement is available. If a user has a consumptive use of water, or in some other manner uses water which is not discharged into the wastewater collection system, the user charge for that contributor may be

based on readings of a wastewater meter(s) or separate water meter(s) installed and maintained at the user's expense and in a manner acceptable to the City.

(3) For each monthly billing on or after July 1, 2008, each customer shall be charged a minimum monthly charge. The minimum charge for each location shall be seven dollars and fifteen cents (\$7.15). The minimum monthly charge may be prorated, based on a 30-day billing period, for the customer's initial and/or final bills, provided that in no case shall the prorated minimum monthly charge be less than two dollars and seventy-five cents (\$2.75). In addition, for all water metered beginning with the first cubic foot each month, each user shall pay one dollar and eighty-three cents (\$1.83) per 100 cubic feet.

(Ord. No. 3168, Sec. 1, 4-28-92; Ord. No. 3326, Sec. 2, 5-9-95; Ord. No. 3834, 5-24-05; Ord. No. 3956, 06-10-08)

(4) For those users whose wastewater has a greater strength than maximum normal domestic wastewater, a surcharge in addition to the normal user charge will be collected. The surcharge for operation and maintenance, including replacement is listed in Appendix Q.

(Ord. No. 3526, 6-22-99; Ord. No. 3919, 06-12-07)

(5) (a) The City shall determine which users have wastewater discharges with strengths greater than maximum normal domestic wastewater. All costs associated with surcharge sampling or evaluation will be assessed to the user. Based upon this initial determination, the City shall notify the user of the surcharge rate to be charged each month during the next six months or until the next time the surcharge rate is calculated.

(b) Any user so identified by the City shall provide for the analysis of at least three successive composite samples for each discharge point. The samples shall be analyzed for pH, COD (or CBOD₅), TSS, and TKN (or NH₃). The user may request that the city laboratory staff provide this service at cost. Samples taken for facilities with less than two years of historical data containing surcharge parameter analyses must be collected in as close a time frame as possible. Samples collected for other purposes, containing the required information, may be used. When requested by the user, on a case-by-case basis, the City may allow the use of a single composite sample for the purpose of determining a monthly surcharge rate.

(c) Any user may have more samples analyzed than required. The additional data may be used to modify or revise the surcharge rate as appropriate; however, the surcharge rate will not be revised more frequently than once every six months unless significant process changes have occurred. All costs for the additional sampling shall be the responsibility of the user.

(d) All sample collection and analytical work shall be done by competent individuals or firms regularly involved in wastewater collection and analysis. All samples and analyses shall comply with the procedures specified in 40 Code of Federal Regulations (hereinafter referred to as CFR) 136. Any data sets which do not meet this requirement shall be rejected.

(Ord. No. 3526, 6-22-99)

(6) Any user who discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the biosolids from the City's treatment works, or any user which discharges any substance which singly or by interaction with other substances causes identifiable increases in the cost of operation, maintenance, or replacement of the treatment work, shall pay for such increased costs. The charge to each such user shall be as determined by the Director of the Water and Pollution Control Department.

(Ord. No. 3526, 6-22-99)

(7) The City will review the user charge system at least every three years and revise user charge rates as necessary to ensure that the system generates adequate revenues to pay the costs of operation and maintenance including replacement and that the system continues to provide for the proportional distribution of operation and maintenance including replacement costs among users.

The City will notify each user at least annually, in conjunction with a regular bill, of the rate being charged for operation and maintenance including replacement of the treatment works.

(Ord. No. 3526, 6-22-99)

(8) (a) Where a customer wishes to use water for watering a lawn or garden, filling a swimming pool, or for existing single-pass air conditioning or other such use and that water does not reach the sanitary sewer system, the customer may at his option apply for and have installed a 'yard meter'.

(b) A 'yard meter' is defined as a second water meter or sub-meter on the premises installed downstream of the first or master water meter. It will be so placed as to meter outdoor water use described above which does not reach the sanitary sewer system. The 'yard meter' shall have a remote reading register outdoors as required for the master water meter.

(c) The full cost of the 'yard meter' and any associated plumbing changes shall be the responsibility of the customer. The 'yard meter' shall be furnished and owned by the City and so located as to be

easily accessible at all times. Maintenance and replacement of the 'yard meter' shall be governed by the same requirements applying to all other water meters owned by the City.

(d) The sewer service charge will be billed only on the difference between the two water meter reading and the yard meter reading.

(Ord. No. 3326, Sec. 2, 5-9-95)

(9) Where a "yard meter" is not installed, but it appears in any month that more than one thousand (1,000) cubic feet of water was used in a way that the water did not reach the sanitary sewer, that amount of water shall be exempt from the sewer rate on application to the City Manager or the City Manager's designee. The total exemption allowed under this provision shall be granted over no more than two consecutive billing periods.

(Ord. No. 3950, 05-13-08; Ord. No. 4003, 08-11-09)

(10) The user charge ordinance shall take precedence over any terms or conditions of agreements of contracts which are inconsistent with the requirements of Section 204(b) (1) (A) of the Federal Water/Pollution Control Act and 40 CFR Part 35 dated February 17, 1984.

(Ord. No. 2714, Sec. 2, 4-24-79; Ord. No. 2894, Sec. 1, 5-26-84; Ord. No. 2924, Sec. 1, 5-28-85; Ord. No. 3013, Sec. 1, 6-14-88; Ord. No. 3049, Sec. 1, 5-23-89; Ord. No. 3199, Sec. 1, 9-24-92; Ord. No. 3209, Sec. 1, 12-8-92, Ord. No. 3648, 2-12-02)

(11) For those users which operate Food Service Establishments licensed by the State of Iowa, a Restaurant Surcharge, Restaurant Fee, or High-Strength Surcharge Rate, in addition to the normal user charge, shall be collected. The Restaurant Surcharge, Restaurant Fee, and High-Strength Surcharge Rate shall be listed in Appendix Q.

(a) Users which are billed for sewer usage shall be assessed the Restaurant Surcharge.

(b) Users which are not billed for sewer usage or whose sewer usage is not representative of the facility's food service activities shall be assessed the Restaurant Fee.

(c) Users whose sanitary sewer discharge flows through an outfall monitored by the City of Ames Industrial Pretreatment Program shall be assessed a High-Strength Surcharge Rate that includes the surcharge for Oil and Grease as calculated based on their sampling results. *(Ord. 4199, 11-25-14; Ord. No. 4263, 6-28-16)*

Sec. 28.305. SEWER SERVICE, CONNECTION CHARGE.

(1) There is established hereby, as a fee for connection to the sanitary sewer main, such charge as the City Council shall by resolution set for the property served by and adjacent to the main, provided that no sanitary sewer utility special assessment has been made previously with respect to said adjacent property and the sanitary sewer was financed with funds of the city.

(Ord. No. 2928, Sec. 1, 7-2-85; Ord. No. 3199, Sec. 1, 9-24-92; Ord. No. 3204, Sec. 1, 12-8-92; Ord. No. 3209, Sec. 1, 12-8-92; Ord. No. 3565, 5-23-00)

Sec. 28.305(A). OWNERSHIP AND REPAIR, SANITARY SEWER LATERAL.

All service connections with the City sewage collection system beginning at the sewer main and extending to the building or structure, including the wye connection at the sewer main, shall be installed and maintained at the expense of the property to be served. Ownership of the entire service connection remains with the property.

(a) Whenever any part of the sewer lateral between the main and the building or structure develops a leak or otherwise becomes out of repair, it shall be the duty of the property owner to repair the defect.

(b) Any repairs or replacement shall be made with approved materials.

(c) The Administrative Authority may require the complete replacement in lieu of allowing a repair to damaged sewer laterals made of non-approved materials if it is determined that the condition of the service line presents safety or sanitary concerns.

(d) To prevent or reduce damage to public or private property, the City Manager or his designee shall, if the owner or consumer does not act to correct the defect within 14 calendar days after notice, cause the discontinuance of sewer service to the premises. The City Manager is authorized to discontinue service or repair service damage without prior notice to the property owner or tenant in emergency situations to prevent service interruption, damages, or injury to others. Any costs incurred by the City for excavation and replacement, and repair of damages to property caused by such, shall be charged to the owner and may be assessed as a lien against the property as provided in Sections 384.62 and 364.12 Code of Iowa.

Sec. 28.306. GENERAL PROHIBITIONS FOR WASTE DISPOSAL IN THE SEWER.

No utility customer shall place, throw, dump, empty or deposit into the municipal sewerage system any of the following: (1) Any liquid, solid or gases which may cause fire or explosion either alone or in combination with other substances, or any waste streams with a closed cup flashpoint of less than 140°F using the methods in 40 CFR 261.21.

(2) Solid or viscous substances which may cause obstruction to the flow in the sewer or other interference with the operation of the treatment facility;

(3) Any wastewater which has a pH less than 6.0 or higher than 10;

(4) Any wastewater containing anything in liquid, solid or vapor form, in sufficient quantity, either singly or in combination, to inhibit or interfere with any wastewater treatment or biosolids disposal process, constitute a hazard to humans or animals, create toxic gases, vapors or fumes that may cause acute worker health and/or safety problems, create a toxic effect in the receiving stream, or by "pass through" exceed any standard set by the Iowa Department of Natural Resources or the U.S. Environmental Protection Agency.

(Ord. No. 3526, 6-22-99)

(5) Any substance which either singly or in combination is sufficient to create a public nuisance or hazard to life or interferes with the possible reclamation or reuse of the wastewater or biosolids.

(Ord. No. 3526, 6-22-99)

(6) Any trucked or hauled pollutants, except at discharge points designated by the City when delivered by licensed haulers.

(7) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through.

(8) Heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the temperature at the POTW exceeds 40°C (104°F).

(9) Any pollutant, including oxygen demanding pollutants (BOD, etc.) released in a discharge at a flow rate and/or concentration which will cause interference with the POTW.

(10) Any wastewater which the Director of the Water and Pollution Control Department determines to be unacceptable based on a case-by-case analysis. Any violation of this section is a municipal infraction.

(Ord. No. 3003, Sec. 38, 2-23-88; Ord. No. 3199, Sec. 1, 9-24-92; Ord. No. 3209, Sec. 1, 12-8-92)

(11) Any additive or emulsifier designed for the purpose of reducing the accumulation of Fats, Oils, and Grease in plumbing, grease interceptor equipment, or the POTW, except those additives or emulsifiers that have been approved for such use by the Director of Water and Pollution Control.

(Ord.No. 4199, 11-25-14; Ord. No. 4263, 6-28-16)

(12) Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye or pigment wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent.

Sec. 28.307. INDUSTRIAL PRETREATMENT REQUIREMENTS.

All discharges of wastewater, gases, or solids which are not similar to domestic sewage shall meet the following pretreatment requirements.

(1) City of Ames Industrial Pretreatment Program as adopted and amended from time to time by city council resolution.

(2) This section adopts by reference the following sections of the General Pretreatment Regulations for Existing and New Sources of Pollution promulgated by the United States Environmental Protection Agency, 40 Code of Federal Regulations, Chapter I, Part 403 as published through July 1, 1989 as amended on October 17, 1989 and July 24, 1990 as the City's pretreatment regulations. These sections included 403.2, 403.3, 403.4, 403.5, 403.6, 403.7, 403.8, 403.12, 403.15, 403.16 and 403.17.

(Ord. No. 2857, Sec. 1, 8-30-83)

(a) This section adopts by reference the categorical pretreatment standards set out in 40 CFR 405-471.

(b) This section adopts by reference the testing procedures for wastewater analysis set out in 40 CFR 136.

(c) This section adopts by reference sections 307(b) and (c) and 402(b)(8) of the Federal Water/Pollution Control Act as amended through July 1, 1990.

(3) Any industrial, commercial or other utility customer which discharges any wastewater, industrial waste or other waste to the municipal sanitary sewer system shall comply with all regulations or requirements of the Iowa Department of Natural Resources and/or the U.S. Environmental Protection Agency. Where regulations have not been set by those agencies, the Director of Water and Pollution Control shall establish pretreatment requirements to obtain the following objectives:

(a) To prevent the introduction of pollutants which will interfere with the treatment plant operation or contaminate the resulting biosolids;

(b) To prevent the introduction of pollutants which will pass through the system, inadequately treated, into the receiving waters or the atmosphere or otherwise be incompatible with the system; and

(c) To improve the opportunity to recycle and reclaim wastewaters and biosolids from the system.

(Ord. No. 3526, 6-22-99)

(4) Any costs for pretreatment flow measuring, or monitoring facilities or analytical systems or tests to meet the pretreatment regulations shall be the responsibility of the customer.

(5) Any cost to the city including increased operation or maintenance expenditures or fines levied by the State or Federal agencies which result from the discharge from any utility customer shall be assessed to that customer. In the event more than one utility customer is responsible, the cost shall be prorated among those responsible.

(6) No utility customer may expand their process or operation if that expansion results in a discharge which exceeds any limitation established for their discharge or results in the discharge of some other substance which will violate any provision of the pretreatment regulations unless their plans for expansion are approved by the Director of Water and Pollution Control at least 6 months prior to the planned expansion.

(7) All users who are significant or minor industrial users as defined in the revised Ames Industrial Pretreatment Program shall have obtained a permit from the city pursuant to said program before discharging non-domestic wastewaters. Any contributor now discharging pursuant to a contract shall be issued a permit within six (6) months of approval of the revised Ames Industrial Pretreatment Program.

(8) Failure to meet the standards and requirements of this section or of section 28.306 shall be a municipal infraction punishable by a penalty of up to \$1,000 for the first and each subsequent violation. Each occurrence of prohibited discharge is a violation. The Director of the Water and Pollution Control Department shall be the City Manager's designee to administer and enforce the provisions of Sec. 28.306 and 28.307, which shall include the authority to conduct related inspections, surveillance and monitoring; and to terminate city sewer service for non-compliance with the City Code.

(Ord. No. 3199, Sec. 1, 9-24-92; Ord. No. 3209, Sec. 1, 12-8-92; Ord. No. 3526, 6-22-99)

Sec. 28.308. FATS, OILS, AND GREASE CONTROL PROGRAM.

The purpose of this section shall be to aid in the prevention of sanitary sewer blockages and obstructions from contribution and accumulation of Fats, Oils, and Grease (FOG) into the POTW. Such discharges from commercial kitchens, restaurants, and all other food service establishments, where FOG of vegetable or animal origin is discharged directly or indirectly into the POTW, can contribute to line blockages and/or spills in violation of Title 40, Code of Federal Regulations 40 CFR, Part 403, as it may be amended from time to time.

(1) Any customer which operates a Food Service Establishment or Mobile Food Unit licensed by the state of Iowa, and which is connected to the City's Treatment Works, shall be subject to the FOG Control Program.

(2) Any costs for compliance with the regulations set forth in the FOG Control Program shall be the responsibility of the customer.

(3) FSEs subject to the FOG Control Program may apply for exemption from the Restaurant Surcharge/Restaurant Fee. Exemptions shall utilize evidence gathered in the preceding six (6) month period to determine whether an FSE is exempt from the Restaurant Surcharge/Restaurant Fee for sewer bills mailed during the following six (6) month period. Exemption periods shall be from January to June and from July to December.

(4) The use of any additive into a grease interceptor, grease trap, or other on-premise plumbing for the purpose of "treating" FOG shall be prohibited unless prior approval is granted by the Director of Water and Pollution Control.

(a) FSE's who wish to use any additives must submit a request in writing. Each site wishing to use a product must obtain separate approval. Approval is not granted to use any product unless and until written approval is granted by the City.

(b) A Safety Data Sheet (SDS) must be submitted to the Director for approval of the product. The SDS, or other information submitted, must identify all active and inactive ingredients of the products. Materials that include “confidential” or “proprietary” components will not be approved.

(c) To be approved, products must be composed of non-emulsifying active biological additives designed to decompose the grease in the grease trap or grease interceptor.

(i) Products that serve to simply “disperse” FOG, or that act by allowing FOG to be more easily discharged from FOG control devices will not be approved.

(ii) Examples of products that are not approved are those that include, but are not limited to, the following types of components:

(a) Enzymes

(b) Solvents

(c) Surfactants

(d) Dispersants

(e) Other products that act on grease “chemically” as opposed to “biologically”

(f) Other components that are deemed to be otherwise incompatible with the purpose of the FOG Control Program or the municipal sewerage system as described in Section 28.306.

(d) Approval of a product may be revoked by the Director if pass-through of FOG or other problems in the collection system of treatment plant occurs.

(e) Aeration, agitation, or stirring of grease traps or grease interceptors shall not occur at any time.

(f) Approval of any additive shall not be construed as approval to modify any plumbing. Any changes or modifications necessary shall be conditioned upon receipt of a plumbing permit from the City.

(g) Approval of any additive shall not be construed as an endorsement by the City of the effectiveness of the product. The FSE assumes all responsibility for the performance and effectiveness of the product.

(h) Servicing frequencies for grease control equipment must still comply with the other requirements of this ordinance.

(i) Should the make-up or composition of any approved product change, a new approval must be granted by the Director.

(5) The Director of Water and Pollution Control, or designee, may exempt an FSE from the Restaurant Surcharge/Restaurant Fee for a six (6) month period if one of the following criteria is met during the preceding six (6) month period:

(a) Submission of records of grease interceptor cleanings occurring in the previous six (6) months. If a grease interceptor is not cleaned during the previous six (6) months, the reason(s) for this must be submitted to and approved by the Director of Water and Pollution Control or designee. Such records shall include the following information:

(i) The name and employer of the individual performing the grease interceptor cleaning(s).

(ii) The date(s) on which grease was removed from each grease interceptor controlled by the customer.

(iii) The quantity of grease removed during each cleaning.

(a) In the case of a gravity-flow grease interceptor, the quantity of grease shall be calculated by comparing the depth of the floating fats, oils, and grease, plus the depth of the accumulated solids, and dividing that depth by the total depth of the unit (the design liquid level), expressed as a percentage. The measurements shall be taken in the compartment nearest the inlet of a multi-compartment grease interceptor and in the interceptor immediately preceding connection to the sanitary sewer when more than one interceptor is installed in series, and in all interceptors when more than one interceptor is installed in parallel. In instances where an interceptor requires cleaning multiple times during the six (6) month review period, records shall be submitted for each cleanout. The owner or operator of the FSE shall require the grease interceptor to be cleaned when FOG and solids reach 25% or less of the design liquid level of the grease interceptor. When multiple cleanouts are required during a review period, the level of FOG and solids from each cleanout shall average 25% or less and no single instance shall equal or exceed 35%.

(b) In the case of a hydromechanical grease interceptor, the quantity of grease shall be calculated by comparing the depth of the floating fats, oils, and grease, plus the depth of the accumulated solids, and dividing that depth by the total depth of the unit (the design liquid level), expressed as a percentage. The measurements shall be taken in the compartment nearest the inlet of a multi-compartment grease interceptor, in the interceptor immediately preceding connection to the sanitary sewer when more than one interceptor is installed in series, and in all interceptors when more than one interceptor is installed in parallel. In instances where an interceptor requires cleaning multiple times during the six (6) month review period, records shall be submitted for each cleanout. The owner or operator of the FSE shall require the grease interceptor to be cleaned when FOG and solids reach 25% or less of the design liquid level of the grease interceptor. When multiple cleanouts are required during a review period, the level of FOG and solids from each cleanout shall average 25% or less and no single instance shall equal or exceed 35%. In situations where a hydromechanical grease interceptor is not able to be measured prior to cleanout, it shall be required that the interceptor be cleaned on a monthly basis.

(iv) Verification that the place of disposal of hauled grease is a facility designed for such a purpose and is licensed or certified in accordance with local, state, and federal regulations, as appropriate.

(v) Verification that the method of transporting hauled grease is appropriate for such a purpose and complies with local, state, and federal regulations, as appropriate.

(vi) Verification that any grease interceptor from which grease is removed is inspected and found to be in proper working order. This inspection shall include verification that the sanitary “tees” on the inlet and outlet sides of the grease interceptor are not obstructed, loose, or missing, verification that any baffles are secure and in place, verification that no cracks or defects in the tank are present, and verification that lids are securely and properly seated following completion of the cleaning. If any component of the grease interceptor is not in proper working order, records shall indicate what defect(s) exist and when, how, and by whom such defect(s) are remedied.

(b) Submission of a laboratory test to determine the oil and grease content of typical wastewater discharge. Such tests shall be conducted by a laboratory certified by the State of Iowa to test oil and grease under the procedures specified in Chapter 567.83 of the Iowa Administrative Code. Laboratory tests shall conform to the following conditions:

(i) The sample shall be obtained by use of a “grab sampling” method, in which the sample flask is held under a free-flowing outfall of water from a sampling port designed for such uses.

(ii) Staff of the Water Pollution Control Department shall select the date and time during which a sample may be obtained, the timing of which shall be selected to coincide with a peak customer demand.

(iii) The sample shall not exceed 300 mg/L oil and grease.

(iv) The FSE shall also be required to meet the same requirements as defined in Sec.

28.308(5)(a).

(c) Submission of kitchen Best Management Practices records that detail the grease control activities in the FSE. Such records shall be spot-checked for compliance by the Water and Pollution Control Department staff. The records shall at all times be kept and maintained on a day-to-day basis, and records shall be kept secure at the premises of the FSE for a continuous period of at least three years. The records shall document the following activities:

(i) Each cleaning of the FSE’s grease interceptor(s). The FSE shall be required to meet the same requirements as are defined in Sec. 28.308(5)(a).

(ii) Training held for the FSE’s staff regarding practices that will reduce the introduction of FOG into the sanitary sewer.

(iii) Self-inspection for presence and proper use of drain screens, clean and grease-free nature of exhaust hood equipment, and presence of spill clean-up kits, warning signage over sinks regarding FOG practices, and informational posters regarding FOG.

(iv) Records of the date, time, quantity, and location of introduction of any additive. A copy of the approval granted by the Water and Pollution Control Department shall be kept with the logbook.

(v) Any other activities undertaken by the FSE’s staff to prevent or mitigate the introduction of FOG into the Treatment Works or into the environment.

(6) (a) Cleaning of a hydromechanical grease interceptor may be performed by food service establishment staff. Documentation of any cleaning must include all information required for compliance with the FOG Control Program.

(b) Cleaning of a gravity-flow grease interceptor must be performed by a contractor that specializes in the disposal of restaurant grease.

(7) The Director of Water and Pollution Control may, upon finding evidence of accumulated FOG in the Treatment Works, authorize an inspection of any FSE that may reasonably be believed to have introduced that accumulation of FOG. Such inspection may occur at any reasonable time and without prior notification. Inspections shall be limited to the equipment and practices related to the introduction of FOG and waste water into the Treatment Works. The FSE shall allow the individual performing this inspection, bearing proper credentials and identification, to enter upon or into the building, facility, or property housing the FSE for the purpose of inspection, observation, measurement, sampling, testing, or record review. Upon request of the individual performing the inspection, the FSE shall open any grease interceptor for the purpose of confirming that maintenance frequency is appropriate, that all necessary parts of the installation are in place, and that all grease interceptors and related equipment and piping are maintained in efficient operating condition. Inspections may be undertaken as many times as necessary to identify the source of FOG entering the Treatment Works (Ord. 4199, 11-25-14; Ord. No. 4263, 6-28-16)

(8) Submission of incomplete records or failure to submit records as described in Sec. 28.308(5)(a-c) shall constitute a violation of Sec. 28.306(2). Violators are subject to a municipal infraction and recovery of costs as described in Appendix N.

DIVISION IV
UTILITY RETIREMENT SYSTEM

Sec. 28.401. UTILITY RETIREMENT SYSTEM ESTABLISHED.

There shall be and is hereby established a retirement system which shall be known as the Ames Municipal Utility Retirement System.

(Ord. No. 3199, Sec. 1, 9-24-92)

Sec. 28.402. PLAN AND RULES, UTILITY RETIREMENT SYSTEM.

(1) The Ames Municipal Utility Retirement System shall cease to be a defined benefit system as of 12:01 A.M. September 30, 1997 and shall become a defined contribution plan as of 12:01 A.M. September 30, 1997, the defined contribution plan to be as stated in such plan, rules, and trust agreement as the City Council shall approve, adopt, amend, or replace by resolution from time to time.

(2) The assets of the discontinued defined benefit system shall be allocated and distributed in accordance with such resolution as shall be enacted for that purpose by the Ames City Council.

(Ord. No. 2321, Sec. 2, 12-2-69; Ord. No. 2446, Sec. 1, 6-26-73; Ord. No. 2487, Sections 1, 2, 9-17-74; Ord. No. 2494, Sec. 2, 12-17-74; Ord. No. 2546, Sec. 2, 5-18-76; Ord. No. 2765, Sec. 1, 12-16-80; Ord. No. 3199, Sec. 1, 9-24-92; Ord. No. 3327, Sec. 1, 6-13-95; Ord. No. 3458, Sec. 2, 8-26-97)

Sec. 28.403. PARTICIPANT REVIEW BOARD.

(1) There is hereby established an eleven member board to monitor, review, and evaluate on a continuing basis, the performance of the Ames Municipal Utility Retirement Plan, which Board shall make a written report of its findings and recommendations to the City Council not less often than once each fiscal year.

(2) The board shall be selected as follows:

- (a) one elected from among participants employed for the city water utility;
- (b) one elected from among participants employed as water pollution control employees;
- (c) one elected from among participants employed as electric distribution work center

employees;

(d) one elected from among participants employed for the power plant;

(e) one elected from among participants employed for electric administration (which shall include the City Clerk, City Manager, inspection personnel and other non-finance administrative personnel that are participants in the plan);

(f) one elected from among participants employed for the City Finance department;

(g) one elected from among participants who are retirees

(h) the Director of Finance for the City; and

(i) City Treasurer;

(Ord. No. 3661, 4-23-02; Ord. No. 3897, 12-12-06)

(3) The term of office for the elected members of the board shall be three years. The term for the council members shall be four years. Members may be reappointed or re-elected. Terms of office begin and end on the first day of April. Special elections will be held as soon as practicable to fill vacancies in elected positions.

(4) The board shall establish its own rules with respect to voting and other meeting procedures consistent with the Iowa Open Meetings Law.

(Ord. No. 2321, Sec. 2, 12-2-69; Ord. No. 2446, Sec. 1, 6-26-73, Ord. No. 2494, Sec. 2, 12-17-74; Ord. No. 3102, Sec. 1, 10-23-90; Ord. No. 3199, Sec. 1, 9-24-92; Ord. No. 3458, Sec. 2, 8-26-97; Ord. No. 3563, 5-9-00)

DIVISION V UTILITIES GENERALLY

Sec. 28.501. UNAUTHORIZED ALTERATION OF LINES AND METERS, BYPASSING.

(1) It is unlawful for any person to interfere with, tamper with, alter or bypass any electric, water or gas meter installed for any utility in the city; or interfere with, tamper with or alter any lines, pipes or conduits installed by any utility in the City, without the express or implied authorization of such utility.

(Ord. No. 812, Sec. 58; Code 1956, Sec. 76-58; Ord. No. 3003, Sec. 39, 2-23-88; Ord. No. 3199, Sec. 1, 9-24-92)

(2) For rural water accounts, no person shall interfere with, tamper with, alter, or bypass any water meters, lines, pipes, or conduits installed or owned by the City of Ames outside of the Ames corporate limits without express authorization of the City. No change, modification, replacement, or other alteration shall occur to the service line from the main through the outlet of the backflow prevention device without the express approval of the City.

(Ord. No. 4010, 09-22-09)

(3) Any expense to any municipal utility incurred as a result of unauthorized relocation, alteration, or tampering of any metering device or system, or otherwise requires the municipal utility to take action to restore the proper operation of the metering device or system, shall be billed to the utility customer of record for the property.

(a) Expenses to be recouped may include: labor (including benefits), equipment, materials, and such other direct costs as may be identified by the municipal utility.

(b) Should the expense be incurred in a location where there is no utility customer of record, the expense shall be billed to the person or party determined to be responsible for such relocation, alteration, or tampering.

(c) These charges are separate and distinct from any other fees, charges, or fines that may be imposed.

Sec. 28.502. RESODDING.

(1) Any municipal or public utility excavating across a grassed, sodded or turfed street parking, or an established lawn, or through or across a grassed, sodded or turfed area of a public or private park shall resod rather than reseed the disturbed area.

(Ord. No. 2305, Sec. 1, 9-2-69; Ord. No. 2679, Sec. 1, 9-26-78; Ord. No. 3199, Sec. 1, 9-24-92)

(2) A property owner excavating or causing excavation in the lawn or the parking of a neighboring residence in a developed residential area, for the purpose of installing or repairing a utility line within a public easement, shall resod the disturbed area.

(Ord. No. 2396, Sec. 1, 4-18-72; Ord. No. 3199, Sec. 1, 9-24-92)

(3) Upon complaint of failure of the responsible party to resod a disturbed area as required herein, and after ten days notice and opportunity for hearing before the city manager, the city shall do the resodding and assess the costs to the responsible party.

(Ord. No. 2955, Sec. 1, 6-3-86; Ord. No. 3199, Sec. 1, 9-24-92)

Sec. 28.503. MUNICIPAL UTILITY SERVICE CONNECTIONS OUTSIDE CITY.

(1) No person shall make an initial service connection to any municipal utility for any building or property outside the corporate limits of the city without the express written authorization of the Ames City Manager.

(2) The city manager shall authorize such connections only in accordance with the laws of the State of Iowa and the regulations of the Iowa Commerce Commission. The city manager may require any reasonable special condition for such connection deemed necessary to insure compliance with the policies, procedures and development plans of the municipal utilities.

(3) No initial sewer service connections shall be allowed into the Skunk River Valley Interceptor, trunk sewers or Site 5 treatment plant from structures located in the flood plain of the Skunk River south of U.S. Highway 30.

(Ord. No. 2955, Sec. 1, 6-3-86; Ord. No. 3199, Sec. 1, 9-24-92)

(a) For properties outside the corporate limits where the City has previously denied a rural water association or district the right to serve the property, the City will provide service within four years of the rural water denial in accordance with Iowa Code § 357A.2 and § 364.4

(Ord. No. 4010, 09-22-09)

Sec. 28.504. METER MAINTENANCE, METER READING, AND ESTIMATED BILLING.

(1) Access to any water meter, yard meter, or wastewater flow measuring device for maintenance, repair, replacement, or testing is essential to ensure accuracy and reliability of the metering device so that bills and charges are properly determined. When requested by the Water and Pollution Control Department, each customer shall arrange for access to the metering device(s) at their location within four (4) months from the date of the city's first request.

(2) Reading of all water meters, yard meters, wastewater flow measuring devices, or remote registering devices used for determining charges to customers shall be scheduled by the City on a monthly basis. An effort shall be made by the City to obtain use data/readings on corresponding days each month. In the event access to the metering device(s) cannot be achieved, the City shall render a monthly bill based on the City's estimate of usage. However, each customer shall allow for or arrange access to the metering device(s) at their location at least once every six (6) months. The City may allow the customer to read and report use data from metering devices(s) at their location. Customers desiring to read their own meters should contact the Utility Customer Service office. A packet of five (5) cards may be obtained. These cards will be predated to correspond to monthly billing dates and shall be submitted monthly at the customer's own expense. Prior to providing each five (5) card packet to any customer, City personnel shall be allowed into the premises to obtain readings for all metering devices.

(3) Failure to arrange for and/or allow access, as described above, shall be cause for termination of service following notice and opportunity for a hearing of the city manager.

(Ord. No. 3326, Sec. 3, 5-9-95)"

...

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

COUNCIL ACTION FORM

SUBJECT: REVISIONS TO APPENDIX N

BACKGROUND:

Staff has prepared a minor change to Appendix N that includes a schedule for Municipal Infractions for Food Service Establishments (FSEs) that cause a sanitary sewer overflow due to the introduction of Fats, Oils, and Grease (FOG) into the sanitary sewer. This was discussed with Council at the workshop on the FOG Control Program on July 18, 2017 and again at the Council workshop on October 17, 2017.

The original wording simply says that a municipal infraction of "...up to \$1,000..." may be imposed. The revised version identifies a specific dollar amount for first (\$250), second (\$500), and third (\$1,000) and all subsequent infractions.

A copy of the ordinance is attached.

ALTERNATIVES:

1. Approve on first reading an ordinance to amend Appendix N.
2. Do not approve Appendix N changes at this time.

MANAGER'S RECOMMENDED ACTION:

The proposed change to Appendix N will help staff with assigning an appropriate municipal infraction should there be a sanitary sewer overflow as a result of Fats, Oils, and Grease (FOG). Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING SECTION 28.306(2), APPENDIX N AND ENACTING A NEW SECTION 28.306(2), APPENDIX N THEREOF, FOR THE PURPOSE OF REVISIONS TO WASTE DISPOSAL ; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

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

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by repealing Section 28.306(2) Appendix N and enacting a new Section 28.306(2) Appendix N as follows:

“CHAPTER 28. UTILITIES.

Sec. 28.306(2). WASTE DISPOSAL.

\$250, in addition to the actual cost of cleanup for any sanitary sewer overflow caused by an introduction of substances as described in Sec. 28.306(2), for a facility’s 1st violation, \$500 for a facility’s second violation, and \$1,000 for each subsequent violation. In the event that more than one utility customer is responsible for the overflow, the municipal infraction may be levied upon each customer, and the cost of cleanup shall be prorated among those responsible.”

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

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY ENACTING A NEW CHAPTER 13 SECTION 13.303 THEREOF, FOR THE PURPOSE OF TEMPORARY MORATORIUM ON ISSUANCE OF NEW RENTAL LETTERS OF COMPLIANCE; 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 Section as follows:

**DIVISION III
RENTAL REGISTRATION AND INSPECTION PROGRAM**

“13.303. TEMPORARY MORATORIUM ON ISSUANCE OF RENTAL LETTERS OF COMPLIANCE.

(1) The purpose of this ordinance is to provide a temporary means to protect neighborhoods by preserving the current level of rental properties in certain neighborhoods in the City while the Council considers other options to address issues regarding increasing number of rental units in certain residential neighborhoods.

(2) A moratorium on the issuance of new rental Letters of Compliance for single-family and two-family homes is established and in effect within those areas of the City described in subsection (6). Except as noted in subsections (3) and (4) below, no new rental Letters of Compliance will be issued by the City during the moratorium period.

(3) Nothing in this section shall be construed to prohibit a property owner with a current rental Letter of Compliance from renewing the Letter of Compliance during the moratorium period. Nothing in this section shall be construed to prohibit a property owner with a current rental Letter of Compliance from transferring the Letter of Compliance to a new owner if the property is sold during the moratorium period.

(4) Property owners that have filed with the City a completed rental registration application or a pre-sale inspection form prior to the effective date of this section may continue with the process, and the City may issue a Letter of Compliance in such cases during the moratorium period.

(5) During the moratorium, the City shall not issue a building permit under Chapter 5, Ames Municipal Code, which would result in an enlargement of single-family or two-family dwellings located within the area described in subsection (6). For purposes of this ordinance, “enlargement” is defined as: An increase in the volume of a building, an increase in the area of land or building occupied by a use, an increase in the number of bedrooms within a dwelling unit or an increase in the number of dwelling units. For group living uses, any alteration that allows an increase in the number of residents is considered an enlargement of the use.

(6) The moratorium is effective within the areas of the City of Ames designated on the maps located on the following website: <http://www.cityofames.org/moratorium>.

(7) The moratorium is effective until April 30, 2018, at which point this section shall become null, void and of no future effect.”

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