

**AGENDA**  
**REGULAR MEETING OF THE AMES CITY COUNCIL**  
**COUNCIL CHAMBERS - CITY HALL - 515 CLARK AVENUE**  
**NOVEMBER 14, 2017**

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

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

**PROCLAMATION:**

1. Proclamation for “National Hunger and Homelessness Awareness Week,” November 11-19, 2017
2. Proclamation for “Small Business Saturday,” November 25, 2017

**PRESENTATION:**

3. Presentation by Public Works Department regarding Citizen Reporting Tool

**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.

4. Motion approving payment of claims
5. Motion approving Minutes of Regular Meeting of October 24, 2017, and Special Meetings of October 17, 2017; October 27, 2017; November 1, 2017; and November 3, 2017
6. Motion approving certification of civil service applicants
7. Motion approving Report of Contract Change Orders for October 16-31, 2017
8. Motion to set the following City Council meeting dates/times:
  - a. December 19, 2017, as Regular Meeting Date and canceling December 26, 2017, Regular Meeting Date
  - b. January 16, 2018, at 5:15 p.m. for CIP Workshop
  - c. February 2, 2018, at 2:00 p.m. for Budget Overview
  - d. February 6, 7, and 8, 2018, at 5:15 p.m. for Budget Hearings
  - e. February 13, 2018, at 5:15 p.m. for Budget Wrap-Up
  - f. March 6, 2018, at 6:00 p.m. for Regular Meeting and Final Budget Hearing
9. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
  - a. Class B Native Wine – Kitchen, Bath & Home, 201 Main Street
  - b. Class E Liquor – AJ’s Liquor III, 2401 “A” Chamberlain Street, Liquor Room
10. Resolution accepting Abstract of Votes for November 7, 2017, Regular City Election
11. Resolution approving Encroachment Permit for sign at 301 Main Street
12. Resolution approving preliminary plans and specifications for 2016/17 Storm Water Erosion Control Program (S. Skunk River, Carr Park to Homewood Golf Course); setting December 6, 2017, as bid due date and December 12, 2017, as date of public hearing
13. Resolution setting date of public hearing for November 28, 2017, vacating and sale of

- property adjacent to 1101 Blackwood Circle
14. Resolution approving Task Order #2 with HDR, Inc., to an existing Master Agreement for Professional Services for design services related to WPC Structural Rehabilitation Project for Phase 2
  15. Resolution approving Major Final Plat for Bricktowne Ames Subdivision
  16. Resolution approving partial completion of public improvements and reducing security for The Irons Subdivision
  17. Resolution approving partial completion of public improvements and reducing security for South Fork Subdivision, 9<sup>th</sup> Addition
  18. Resolution accepting completion of 2015/16 Right-of-Way Restoration
  19. Resolution accepting completion of 2014/15 Low-Point Drainage Improvements
  20. Resolution accepting completion of 2015/16 Arterial Street Pavement Improvements (13<sup>th</sup> Street)
  21. Resolution accepting completion of WPC Structural Rehabilitation Project - Phase 1

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

**PLANNING & HOUSING:**

22. Clarification regarding City Council's direction pertaining to limiting occupancy in rental units
23. Downtown Development issues
24. Staff Report on Story County's Request for Joint Housing Study
25. Resolution approving Depot Development Agreement with Merry Bee Properties, LLC, regarding parking
26. Motion directing staff to initiate an Ames Urban Fringe Plan Map Amendment for Timber Creek Acres

**ADMINISTRATION:**

27. Resolution approving Agreement with United Way of Story County, Inc., to manage Human Services Capital Improvements Program
28. Update on *#AlwaysAmes* campaign targeting young adults transitioning to families along I-35 Corridor

**PARKS & RECREATION:**

29. Status Report regarding Municipal Pool air quality

**PUBLIC WORKS:**

30. Resolution regarding City commitments for South Grand Avenue Extension ICAAP Grant Application

**HEARINGS:**

31. Hearing on Zoning Text Amendment to allow dog grooming as permitted use in Village Zoning District:
  - a. Motion to continue hearing to November 28, 2017

32. Hearing on Zoning Text Amendment to revise site landscape standards relating to administrative standards and other general landscape standards:
  - a. First reading of ordinance
33. Hearing on 2017/18 CDBG Public Infrastructure Improvements Program (321 State Avenue):
  - a. Motion accepting Report of Bids

**ORDINANCES:**

34. Revisions to Chapter 28, Utilities, Divisions I and II:
  - a. Motion to amend Section 28.307 of Ordinance to reference version of the *Code of Federal Regulations*, Chapter 1, Part 403, dated October 22, 2015
  - b. Second passage of Ordinance revising portions of Chapter 28 related to Division II Water Service and Division III Sewers, as amended
35. Second passage of ordinance approving changes to Appendix N relating to utility rates

**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*.**

## Staff Report

**CITIZEN REPORTING TOOL PRESENTATION**

November 14, 2017

The City Council requested the development of a mobile customer service application/tool that provides citizens the ability to report infrastructure related issues within the community from their cell phones. The Public Works staff has been working to develop a mobile, web-based reporting tool to be tested within the Public Works Administration, Operations, and Traffic Divisions and Administrative Services that will allow citizen requests/reports on water, street, sidewalk, snow/ice, and traffic issues.

**The current platform will be accessible through the City of Ames website and also a mobile hot link or shortcut that displays an icon on phones or iPads. The current tool is not available within the App or Play Store, but will look and function like an app through a shortcut icon. Staff will continue to test and develop the mobile reporting tool as an app with App Store and Play Store requirements. However, it should be understood that developing the tool as a true app requires meeting Apple and Google requirements. This can cause excessive delays when updates are desired.**

The citizen reporting tool will be designed to accept non-emergency citizen reports which do not require an urgent or emergency response. These reports will be handled through the Department's normal work process. The application will be used to track citizen requests which were previously received by phone or email thereby replacing the current system of internal emails, sticky notes, or voicemails. Staff will initially test the application, make changes, and realign business processes accordingly. However, throughout the testing phase, staff will continue to receive citizen requests from calls.

The next steps for the mobile citizen reporting tool will be the internal testing phase in which staff within Administrative Services, Operations, and Traffic division of the Public Works Department will receive training and also develop work processes to accept, assign, follow-up, and resolve citizen requests within the citizen reporting tool. Additionally, staff will continue to work on a total City brand, roll out strategy, and technology issues that arise during testing.

Staff has introduced the application to key employees who will be involved during the testing phase. Ongoing evaluations of site functionality, user interface, and usability of the application will continue during the testing period. Following the completion of the testing phase, staff will reevaluate the implementation and recommend moving forward or present modifications. Training and testing is planned to begin in December 2017 with an estimated public rollout in early spring 2018.

At the November 14, 2017 Council Meeting, the staff will present a demonstration of the new tool as currently designed. If successful, the tool can be expanded to accept additional complaint categories.



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

AMES, IOWA

OCTOBER 24, 2017

The Regular Meeting of the Ames City Council was called to order by Mayor Ann Campbell at 6:00 p.m. on October 24, 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.

**PRESENTATION:** Eric Cowles of the Iowa Chapter of American Public Works Association presented the Al Olson Excellence in Public Works Operations to Dave Cole, City of Ames Public Works Street Supervisor.

Mayor Campbell announced that the Agenda had been amended to include approval of a Class C Liquor License for North Grand Cinema; however, it has since been pulled by staff.

Council Member Betcher pulled Item No.7 (regarding parking regulations on Suncrest Drive from Cedar Lane to Red Fox Road) for separate discussion.

**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 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. 5<sup>th</sup> 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. RESOLUTION NO. 17-632 approving quarterly investment report for period ending September 30, 2017
8. RESOLUTION NO. 17-633 approving carry-over funding from FY 2016/17 to FY 2017/18 for Public Art Commission
9. RESOLUTION NO. 17-634 approving reallocation of remaining 2016/17 Capital Improvements Plan funds for new Fire Station signs
10. RESOLUTION NO. 17-635 approving request from Story County Auditor for parking waiver(s) for Election Day, November 7, 2017

11. RESOLUTION NO. 17-636 approving request from U.S. Post Office to change parking in front of new Stanton Avenue office
12. RESOLUTION NO. 17-637 approving Encroachment Permit for sign at 3407 Lincoln Way
13. RESOLUTION NO. 17-638 approving Funding Agreement with Iowa Department of Transportation for 2017/18 Arterial Street Pavement Improvements (13<sup>th</sup> Street from Ridgewood Avenue to Harding Avenue)
14. RESOLUTION NO. 17-639 approving Funding Agreement with Iowa Department of Transportation for South Grand Avenue Extension (South Grand Avenue-5<sup>th</sup> Street to South Grand Avenue to 600 Feet West of South Duff Avenue)
15. RESOLUTION NO. 17-640 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
16. RESOLUTION NO. 17-641 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
17. RESOLUTION NO. 17-642 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
18. RESOLUTION NO. 17-643 approving contract and bond for Valve Maintenance and Related Services and Supplies for Power Plant
19. RESOLUTION NO. 17-644 approving contract and bond for 2015/16 and 2016/17 Bridge Rehabilitation Program - East Lincoln Way and Dayton Avenue
20. RESOLUTION NO. 17-645 approving Plat of Survey for 502 and 512 Douglas Avenue
21. RESOLUTION NO. 17-646 certifying completion of 2013/14 Shared-Use Path System Expansion (Skunk River Trail Extension, Phase 2)

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

**DRAFT ORDINANCE REGARDING PARKING REGULATIONS ON SUNCREST DRIVE FROM CEDAR LANE TO RED FOX ROAD:** Council Member Betcher questioned where else could people park in that area. Public Works John Joiner stated that the neighborhood out of safety concerns asked to have that street looked at for no parking on the south side of the road. Currently there is no parking on the north side of the road. Staff did take a look at the road, due to the curves and parking they deemed it was truly a safety concern. The neighborhood representative forwarded a survey that staff created to residents from Cedar Lane to Red Fox and Suncrest to Southern end of subdivision. There was an overwhelming 90 responses, about 80% was to have no parking on both sides of the street. A possibility is that the Southern part of an apartment complex is near Suncrest, so out of convenience residents park there. The intended parking lot for residents is on the north, which was not full.

Moved by Betcher, seconded by Gartin for approval to direct staff to draft an ordinance regarding parking regulations on Suncrest Drive from Cedar Lane to Red Fox Road.

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

**PUBLIC FORUM:** Mayor Campbell opened Public Forum.

There being no one else wishing to speak, the Mayor closed Public Forum.

**OPTIONS FOR LIMITING OCCUPANCY FOR RENTAL UNITS:** Sara Van Meeteren, Building Official and Codes Liaison, reminded the Council about the recent change in the state law prohibiting cities from limiting occupancy in rental units based on non-familial status. The City Council directed staff in a list of actions to complete. The Council did authorize the addition of one Rental Housing Inspector position to be hired in FY 2017-18 to engage in proactive enforcement and perform annual inspections for the single-family dwelling units in the four neighborhoods around campus. The motion requesting a memo regarding options to incentivize the transition of rentals to single-family dwellings is on the back burner since it is not necessary to have completed during the moratorium.

Mark Lambert, InterimCity Attorney, presented the idea of limiting occupancy to no more than three students. First there needs to be a definition for a student. A possible suggestion is “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 the City could 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. The Rental Code would need to require landlords to maintain records of all occupants of a dwelling and their enrollment status, and require that to be available for review by City staff upon request.

Council Member Orazem asked about enforcement. Mr. Lambert responded enforcement is a real issue; there would need to be a requirement of landlords to maintain records.

Ms. Van Meeteren presented the option of limiting occupancy by building size. The number of adult tenants, (any individual 18 years of age or older) living or sleeping in a building, or having possession of space within a building, by a specified amount of square feet of finished area in one-two family dwellings. There would be a maximum of three adults in a dwelling up to 1,000 square feet. Four adults up to 1,500 square feet, five up to 2,000 square feet, six up to 2,500 square feet, seven up to 3,000 square feet, eight up to 3,500 square feet, nine up to 4,000 square feet and ten over 4,000 square feet.

According to staff there is an option of limiting occupancy by bedroom size. This would mean the occupancy would be limited to the number of adult tenants by a specified amount of square feet in each bedroom. An example of this would be the requirement by the International Property Maintenance Code for seventy square feet for the first occupant of a bedroom, with an extra fifty square feet for each additional occupant in the room. Another option is to limit occupancy by number of bedrooms. There are four different possibilities within this option:

1. Limit occupancy of adult tenants in one and two family dwellings to 1 per bedroom.
2. Limit occupancy of adult tenants in one and two family dwellings to 1 per bedroom, up to a specified maximum number of tenants.

3. Limit occupancy of adult tenants in one and two family dwellings to 1 more than the number of bedrooms.
4. Limit occupancy of adult tenants of one and two family dwellings to one more than the number of bedrooms, to a specified maximum number of tenants, with a cap.

Director of Planning and Housing Kelly Diekmann advised the Council on the option of limiting occupancy by the number of off-street parking spaces. This option could require one off-street parking space per tenant, one off-street parking space per tenant with a minimum of two parking spaces, or requiring a minimum of two off-street parking spaces and one additional parking space for every tenant over three. Mr. Diekmann added that staff is not proposing to change parking requirements for apartments or dwelling houses that are typically one parking space per bedroom. Using this option, the City Council would have to decide how to apply requirements for parking spaces. If either option, is chosen the Council will have to address flexibility on stacked parking for rentals and allow for additional stacked spaces. The Council will also need to clarify if all parking on site must conform to zoning standards for location, paving, access, and dimensions. Another main issue that the Council will have to decide on is how to account for parking to meet the standard and how to count for stacked parking. Direction will also need to be given on where parking is, driveway parking, and the kind of surface for that parking area.

Council Member Betcher wanted clarification on where the City has a cap of one person per bedroom up to five. Ms. VanMeeteren responded that is in dwelling houses and apartments in any zone that it is allowed. Director Diekmann added that it is in RM and RH. Single-family homes are a family, no matter the number of bedrooms. Council Member Betcher inquired that RL doesn't currently allow dwelling homes or apartments. Director Diekmann stated that was correct, a dwelling house is a single-family detached home with special allowance to go up to five unrelated people. They are only allowed in RM or RH and a mixed commercial medium density district. Council Member Betcher then asked if it was fair to distinguish between zones by making the cap below five. Mr. Diekmann stated the staff suggestion would be to leave the way it is now. It is workable and the change that would be made would be the wording from unrelated people to adults.

According to Director Diekmann a rental concentration restriction could be established on a specified geographic area. The City Council would need to provide direction on what are acceptable boundaries and what percentage of rental concentration would be acceptable in these areas. Boundaries can have a significant effect on either reducing or increasing the percentage of rental properties in a given area. Through review of other communities, and calculated off the zoning district, staff believes a 20% rental threshold would be appropriate. If rental concentration exceeds twenty percent the City would no longer issue rental registrations for new rental properties in the chosen area. The boundaries and percentage should be identified at the time the City adopts an overlay.

Mr. Diekmann stated that direction will be needed from Council on allowing previously registered rentals to renew their registration when an area exceeds the limitation. A rental property would not be able to renew if the property owner failed to maintain their licensing and a transitional licensees would not be eligible, because they would need a new license. When a registered rental dwelling

is torn down, the newly built structure would be required to register as a new rental and would come under the occupancy concentration limits. Locking in properties that have buildings on it right now that is rented. An owner can maintain, but can't take it down and rebuild something else. Council Member Gartin clarified that you could sell the property and it could stay, but if there were a fire it would be under occupancy concentration limits. Mr. Diekmann confirmed that was the direction that is being reviewed.

Council Member Orazem asked about the area that is 90% rental. Mr. Diekmann stated that is a unique situation that is close to campus that may be RL zoning but nearly every property is a rental. The Council does not have to include every area. The overlay does not need to be in effect by January 1, but should be in affect before the moratorium is over. There are only five neighborhoods included in the moratorium. If you want this done in other neighborhoods you will have to make a decision. Ms. VanMeeteren added the overlays do affect where the annual inspections are and affect the staff work load and dependent on where the overlays are.

Council Member Orazem added that the Council needs to make sure it is viable for the percentage of rental. Council needs to make good judgement of where to put these in place. Closer to the 20% rental is less of a problem, it is the higher rental percentages that will be affected, because of how long it will take to get down to that twenty percent that it will freeze the ability for people to sell the properties. Mr. Diekmann commented that the percentages in the areas are accurate for registered rentals that are required to be registered with the City. Mayor Campbell added that the numbers are accurate for what the City requires, but it may not be accurate as the reflection on the neighborhood.

Director Diekmann pointed out that the Council Action Form stated ways to deal with penalties for multiple code violations. Staff proposed 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, not 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 Letter of Compliance (LOC)

Suspension of an LOC allows the property to remain registered, but not be rented for the specified amount of time. Staff's goal is for the incentive to be enough to maintain a property so annual inspections in the Council established neighborhoods would not be warranted.

Staff proposed a similar plan to enforce the suspension of LOCs on properties with multiple violations to the Property Maintenance Appeals Board. The feedback that came from the Property Maintenance Appeals Board was not supportive of the plan. They felt the consequences were too severe and did not match the severity of the violation. The Board also expressed concern for annual inspections of rental properties. They felt this was penalizing all property owners. Instead, they would like to see more of a reward system in place. This is consistent with the philosophy reflected in the current Rental Code which rewards routinely compliant property owners with less frequent

inspections.

Sandra McJimsey, 2236 Storm Street, Ames, represented the South Campus Area Neighborhood (SCAN) board. Her neighborhood endorses and encourages the two-step process set by staff of using Council meetings to set policy for determining occupancy limits and using the moratorium. SCAN is zoned a low density area where there are to be fewer residents. In Ames older residential areas are a crucial element in the City's spectrum of low-density residential offerings. These areas contain the housing stock that is most affordable for first-time buyers. These areas contain aspects of historic significance, they have a diversity of housing styles, they already have some combination of owner-occupied and rental housing uses, they offer a pleasant and hospitable quality of life combined with housing affordability. The purpose of SCAN is to maintain and sustain this low density neighborhood.

Ms. McJimsey added that the SCAN neighborhood proposed a layered standard with number of bedrooms and parking both linked to an occupancy limit. The number of adult tenants can be no more than the number of legal bedrooms in the house. The number must be frozen to match the number on record with the City as of January 1, 2018. The number of bedrooms being frozen will prevent the addition of bedrooms that would increase the neighborhood density.

Ms. McJimsey continued presenting the SCAN proposal. In Step 2, it is crucial for low-density neighborhoods like SCAN to have an overlay designation that specifies a reasonable percentage cap on rentals, 20%. Areas that the City needs to be considered in an overlay are enforcement, automatic LOC renewals, extended LOC terms, demolition of a dwelling, and others that are in the Staff report. The City should consider redefining what constitutes an owner-occupied dwelling.

John Wolseth, 241 Village Drive, Ames, and Co-Chair of College Creek-Old Middle School Neighborhood Association stated they're in support for the SCAN proposal. The need for the overlay is to ensure people can afford to live and work in Ames. Mr. Wolseth would like to see incentive money go to neighborhoods, such as his own, to convert rental-occupied units into single-family-occupied units to reduce the percentage of rental units to the 20%. He also stated that if a rental license were to lapse it would not be automatically renewed upon the sale. This would ensure that it goes back to owner occupied until the twenty percent requirement is met. Mr. Wolseth added that it is necessary to maintain a yearly rental inspection. Only with constant vigilance will you know what is going on inside and outside of a unit. A renter may not say anything about an issue for fear of a rent increase then the issue is left for the next renter. Health and safety of renters can depend on it.

Alex Galyon, 2928 Ross Road, Ames, is a local developer that disclosed that he owns two properties on Oakland that may be impacted by this occupancy issue. Mr. Galyon stated that the Council needs to be careful of unintended consequences. He stated examples of possible issues that come with smaller units, such as one bedroom house being limited to one person when many times there are a couple in a one bedroom or an older couple that wants to have their adult children to live with them to take care of them. It will be difficult to have a blanket requirement will have some real issues for smaller units.

Kody Olson, 2132 Sunset, Ames, said that he is a Senior at ISU and a member of Student Government. Mr. Olson gave his personal comments that the Council needs to look at the impacts this will have on students and their ability to come to college. He stated that limitation of students for occupancy makes students not feel valued. He also added that he is in support of limiting occupancy by square footage or number of bedrooms.

Al Warren, 3121 Maplewood Road, Ames, represented the small/medium landlords. Mr. Warren stated that he has torn down and rebuilt a house to conform to the neighborhood. When this was done it added value to the houses around. Mr. Warren added that the current inspectors are doing a great job of assessing situations of houses that are falling apart or have structural issues and taking care of that situation in a timely manner. There should not be yearly inspections. Under the Rental Housing Code Chapter 13 there are renewals for 1,2,3, and 4 year inspections based on a criteria. A good landlord and a bad landlord can not be treated or rewarded the same. There would be no incentive to improve a house. The main reason behind the codes is to enter these houses for safety, not for targeting. The City should follow Chapter 13. This includes what is written concerning the parking space issues. One of the big loop holes the City has is allowing owner occupied houses to not be inspected. Parents are purchasing homes for their children to live in and others move in. They fly under the radar as far as inspections.

Steve Bock, 661 Xandu Place, Ames, owner of rental properties, part of the Ames Rental Association, and Real estate agent. Mr. Bock has properties in the affected areas. Mr. Bock stated that property values would be impacted to anyone that would want to sell. When talking about having peace in our neighborhoods is related more to an enforcement issue. Some of the issues are not students, but could be anyone in the community. Enforcement of rental properties should be across the board.

Kelly Excell, 5603 Hickory Hills Drive, Ames inquired that she did not know the deadline. Mayor Campbell clarified that January 1 is the deadline. Ms. Excell stated that people in rentals are panicking. None of the landlords that she represents or clients that she helps purchase investment property want an over occupied property. Over occupied property is detrimental and defeats the purpose of a rental investment. Ms. Excell stated that it is difficult for students to afford rent and go to school here. The City is trying to avoid some issues, but that is not necessarily caused by the number of students living in a house.

Council Member Orazem stated that he was impressed with the proposal from SCAN. He believes that the Council will need to tie bedrooms to occupancy and tie parking to occupancy. Ms. VanMeeteren added the definition of a bedroom that is anything at least 70 square feet and meets the definition of bedroom in the Building Code and has to have egress. Mayor Campbell agrees with tying the bedroom to parking spaces.

Moved by Orazem, seconded by Corrieri, to direct staff to tie number of bedrooms to the number of adult occupants plus one.

Council Member Betcher commented that she thought the cap should be set at four, because RL is

to be fewer people in rental houses than in RM or RH. The number in RM or RH is five and should be a smaller number in RL rental houses.

Motion to Vote: 6-0. Motion carried unanimously

Moved by Orazem, seconded by Beatty-Hansen, to direct that the number of off-street parking space is equal to the number of bedrooms.

City Manager Steve Schainker inquired if the motion was to tie occupancy to the number of parking spaces. Council Member Orazem responded that the number of bedrooms is visible, but the number of occupants at the time of inspection is not. In order to define the cap, there is a need to have as many parking spaces as bedrooms. Mr. Schainker also asked about the plus one. Council Member Orazem stated that the City would not know there is a plus one at the time of inspection and it has to be enforceable.

Council Member Betcher asked to clarify what is determined as parking. Parking would be the garage and driveway, but not the alley. Ms. VanMeeteren added there could be a parking pad off the alley that is legal. Director Diekmann stated that a parking space off an alley, not in an alley, is a tenant's rear yard. Anyone that has access from an alley to parking behind their house is in their rear yard. Council Member Betcher is concerned about the language of parking in the rear yard because of taking away some grass space that a homeowner would want. Mr. Diekmann added that a requirement of a certain distance of an alley and a limitation to the number of spaces from an alley could be set.

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

Council Member Nelson inquired about the City having an accurate way of measuring the number of bedrooms for existing property versus new conversions via permitting process, assessor site, or annual inspection that is verified. Ms. VanMeeteren responded that it has not been something that has had to be done before. A new process will have to be started during inspection and that will be to count the number of bedrooms to keep a good record. The assessor site is also a good resource, but their inspections are not as frequent. The records will need to match the building permits.

Moved by Orazem, seconded by Beatty-Hansen, that the smaller number of the off-street parking places and number of bedrooms will be the cap on the occupancy.

Council Member Betcher gave a scenario of a six bedroom house with six parking spaces in a residential low density neighborhood. Council Member Orazem stated that would be fine because they are not adding to congestion on the street and meeting safety requirements of occupancy. Council Member Betcher added that would be double what is allowed now in a RL. It would become difficult to tell the difference between the low density neighborhood and a RM or RH neighborhood.

Moved by Beatty-Hansen, seconded by Orazem to amend the motion.



Moved by Beatty-Hansen, seconded by Corrieri, amend the motion to state the cap would be the lesser of the bedrooms plus one or the parking spaces available.

Ex-Officio Bingham gave a scenario of three people living in a two bedroom house. There are two parking spaces so the plus one becomes irrelevant. Only two people could live there because there are only two parking spaces.

Council Member Orazem withdrew the motion.

Council Member Gartin stated that the discussion was about having a finite cap. It would make it easier to have a cap of five. Council Member Betcher clarified that is tied to the bedrooms. Council Member Orazem confirmed that the bedrooms are still active so there has to be at least four bedrooms to have five people and no fewer than 4 parking places to have five people.

Moved by Beatty-Hansen, seconded by Orazem, to establish a cap at five adults in a low density residence.

Council Member Gartin asked Interim City Attorney Lambert, based on what the legislature has done if he sees how five would run foul with the legislature. Mr. Lambert stated that he did not believe so because the concern of the legislature is familial status. Council Member Gartin asked, as far as being enforceable does having a number help. Ms. VanMeeteren stated that it will make it manageable.

Vote on Motion: 4-2. Voting Aye: Beatty-Hansen, Gartin, Orazem, Nelson. Voting Nay: Betcher, Corrieri. Motion carried.

Moved by Betcher, seconded Gartin, to direct that the parking spaces will be in the garage, driveway, or existing legal parking spaces as of January 2018.

Ms. VanMeeteren clarified that meant no new parking spaces off of the alley. Council Member Betcher confirmed that it is for already existing parking pads in a backyard or existing parking spaces off an alley.

Vote on Motion: 4-2. Voting Aye: Betcher, Gartin, Orazem, Nelson. Voting Nay: Beatty-Hansen, Corrieri. Motion carried.

Council Member Beatty-Hansen inquired about a house becoming a rental if elderly parents come to live with their children. Ms. VanMeeteren stated that if there was not an exchange of money, it would not be a rental, but if the parents paid the children money, it would be considered a rental.

Council Member Beatty-Hansen asked about restrictions on the addition of bedrooms. Council Member Orazem stated that, right now, it is set based on what the house looks like as of January 1, 2018.

Moved by Beatty-Hansen, seconded by Gartin, to direct for staff to bring back to Council over the period of the moratorium options for limiting the addition of bedrooms.

Council Member Corrieri commented that the Council needs to be careful about discouraging people from reinvesting in their property.

Vote on Motion: 5-1. Voting Aye: Beatty-Hansen, Betcher, Gartin, Orazem, Nelson. Voting Nay: Corrieri. Motion carried.

Moved by Betcher, seconded by Gartin, directing staff to prepare a report on options regarding penalties for code violations, the situation of airbnb in relation to rentals and unregistered rental properties and how the City will know about them.

Vote on Motion 6-0. Motion carried unanimously.

Mayor Campbell called a recess at 8:01 p.m.

Mayor Campbell reconvened at 8:11 p.m.

**AQUATIC FACILITIES:** Mayor Campbell stated that she received a phone call from the President of the School Board stating that the high school would not be able to legally participate in the Healthy Life Center because it would be off of school property. There is a possibility of having to look at a bond issue. The school did say if the City's bond issue did not pass the school would preserve land for a recreational pool on school property.

Keith Abraham, Director of Parks and Recreation, informed the Council of what would be included in the Healthy Life Center as far as aquatics in Option A as listed in the Council Action Form. These will be preliminary numbers but will come back to Council when the planning study is done and final report from RDG is in.

**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 and recreation pool. Some of the uses would be for low level therapy, swim lessons, play structure, and exercise. This pool will not support competitive swimming or diving or true lab swimmers. This pool does support most community aquatic needs. This option has the best cost recovery potential as it will attract the highest overall use. It would include a total of 31,000 square feet of aquatic structure.

Mr. Abraham stated that the capital estimate is \$13.5 million dollars and approximately \$1.1 million for operating costs. The forecasted revenues are just under \$700,000; this would leave about \$400,000 in subsidy with a cost recovery of 63%. The entire facility with shared space with Heartland Senior Services, and Mary Greeley, and possibility of Boys and Girls Club will be 132,000 square feet. 40,000 of that will be on the second floor for walking track. The possible total cost is just under \$51 million. That includes the contingency and site cost. Council Member Betcher asked if the construction cost is what was expected. Mr. Abraham stated it is a bit higher,

but the cost is also inflated to two years out. There has been a conversation with the Boys and Girls Club CEO and Board. They have asked to still be involved. Within the \$51 million is dedicated space to the Boys and Girls Club. The construction alone for that space would be about \$1 million, that does not include contingency or anything else. Something that needs to be decided is if we continue with the dedicated space to the Boys and Girls Club or treat them as a user only stand point.

Mayor Campbell inquired that when looking at the potential of dedicated space to the Boys and Girls Club, is the City looking at what the players can bring in capital and operating rent and if there was any indication of capital capacity. Mr. Abraham responded that the Boys and Girls Club just wanted to be involved to see the numbers, but have not indicated capital capacity at this time.

City Manager, Steve Schainker added that the tax payers of Ames should not think they are paying 100 percent of the bill. Heartland Senior Services, Mary Greeley, City of Ames, possibly Boys and Girls Club, and perhaps Story County Government. Each party has agreed to pay for their own square footage for space used directly by them. There will be a discussion on how to split up the cost for capital and operating cost of the shared use space. An example of shared use is the gymnasium. A major part in this will also be a private fund raising campaign. There will be a lot of work in our discussions to be finding a financial plan, but it won't be through a \$50 million dollar bond. Strong numbers will have to come to begin that process.

Council Member Corrieri stated that the Council will need to have a discussion concerning private versus public partners. Ms. Corrieri is looking for formal board resolutions from boards of directors, some verification of capacity to contribute to operation and capital expenses, whether that is financial statements or money in reserve, and what capacity would that entity have to pay in some unforeseen circumstance.

Mr. Schainker added that he believed there should probably be a continued partnership with the high school because of the need for continued programming of cold water activities and scuba diving, which the City usually provides. The City would pay \$25,000 annually for that plus access to gymnasiums. In addition to that, there will be a demolition of the municipal pool. To continue the partnership in good faith, Mr. Schainker said he will recommend to the Council that the City share half of that cost. If the Healthy Life Center should not come to be, the City would at least have a site reserved on the high school property for a warm-water recreational pool.

Mr. Abraham added that, now that a decision has been made on the competitive pool, RDG will be able to move forward with numbers. The City will be looking at the agreements with the other entities, how the expenses will be shared, and who brings what to the table. Consultants will be in Ames November 13 and 14 for another workshop to show the City some preliminary designs, and decisions will be made on the layout. The consultants will go back and put a final report together. RDG is hoping to get with the City by mid-December.

Council Member Correiri cited her concern about the timing in which the Council should make decisions on partnerships. Mr. Schainker reminded the Council to be cognizant of completing this

project as soon as possible. The consultant is also on a tight schedule. If the Council would decide to wait for negotiations, that could put the project back many months. The City will make the decision on the design and will own the building. Council Member Correiri explained that it isn't the concern of the entity having the capital, but who knows what will happen down the road. The City should not be at risk. Mr. Abraham stated that the City could go right to the Boys and Girls Club and speak to them about being able to come up with the operational expenses. Council Member Correiri added that this conversation needs to be done with all private entities. Gartin agreed that those conversations are vital.

**STATUS OF THE DEPOT DEVELOPMENT AGREEMENT AMENDMENT:** Planning and Housing Director Kelly Diekmann reminded the City Council about the direction of an amendment to the Depot development at 500 Main Street. The City staff is working on negotiating with the purchaser of the property regarding parking. The main part to the amendment is so the purchaser could secure private management of a portion of the parking on the side and the rest would be retained by the City for public parking. Staff was originally directed to work with the property owner 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. The AGR would be extended to 2067. Along with that there was language pertaining to the view of the Depot from Main Street and maintaining the historic facade of the Depot building. The proposed amendment by Mr. Torresi would restate the Agreement and only include relevant provisions going forward. The original exhibits for the site layout and building architecture would be deleted because the site has been developed. The amended AGR would retain language concerning changes to the Depot building and a view corridor from Main Street.

Mr. Diekmann stated that staff recommended that any amendment to the Agreement must retain the expectation for building entrances along public streets. The original Agreement for the development was intended to support Downtown with new street-facing commercial space and retain the Depot building. Therefore, staff believes there is a need to add one section to the proposed amendment requiring the property owner to maintain active entrances to tenant spaces along public streets. Mr. Diekmann stated that staff needed direction on the continuation to negotiate with the Agreement and the position of the Council to insist on entrances maintained as they are today. Entrances are important because of the expectation in a walkable environment. People are more interested in visiting a site when multiple destinations or things of interest are along the way. Typically there are downtown design guidelines and zoning requirements to maintain streetscapes with entrances and storefronts and to open up facades.

According to Director Diekmann, The Board of the Main Street Cultural District was asked for its recommendation. The Board expressed support for the City to convert up to 50% of the parking for private use. The State Coordinator of Main Street Iowa advocated that pedestrian entrances along the street should remain in order to promote an active streetscape.

Alternatives presented to the staff included:

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 facade, and the protected view would remain.

2. Direct staff to address only the number of spaces, their locations, the historic facade, and the protected view of the Depot from Main Street with an amendment to the development agreement.

Mayor Campbell stated that when negotiations were being done for this, the whole notion was that Main Street would be extended to make it walkable; the buyer got a bargain to maintain those guidelines.

Council Member Nelson wanted clarification on recommendation whether to maintain all entrances or if each tenant space needed an entrance. Director Diekmann responded that each tenant space needed to have an active entrance where the public would enter even if it doesn't have a lot of public visitors.

Attorney Brian Torresi, Davis Brown Law Firm, advised that he represented the current title holder to the property, Merry Bee, LLC. Mr. Torresi claimed that the City quick claimed all interests including contractual interests to Hubbell, except reserved for parking provisions. The parking provisions were in exchange for the extension of another 50 years the new owner would like the number of spaces owned by the City to be reduced. It is the position of the new owner that the future tenants will dictate where their front is and where their back is and where to park. Mr. Torresi added that this is intended to be a Tech Park, not a retail business.

Planning Director Diekmann added that the City is trying to dictate that entrances are important for commercial businesses on Main Street. If the agreement would change there is no guarantee the Hy-Vee Drug store corner entrance, as a retail space stays open. If the provision is not in the next agreement to mandate the entrances exist the Hy-Vee retail corner can close tomorrow. It is about what the operations are today. It has been important to the City and to this project since 1993. In the next Agreement, it should clarify that the entrance is an obligation of the property owner and tenants.

According to Attorney Torresi, the property owner would prefer the amendment not include the stipulation for entrances facing the street. Mr. Torresi indicated that the owner believes that this condition would limit options for potential tenants by mandating access requirements. The owner would like to amend the agreement with no language about buildings other than the Depot.

Council Member Gartin asked for Interim City Attorney Lambert's legal opinion on whether the City has any rights to the building after the Quick Claim Deed. Mr. Lambert stated that he does not believe the City retained any rights besides the parking. Mayor Campbell added there were strict guidelines architecturally because of the historic preservation aspect. The RFP included a provision that the developer would abide by those guidelines.

Council Member Beatty-Hansen commented that perhaps there would be a possibility of giving up more parking for the door requirement. Council Member Betcher stated that the active entrances

really are not promoting a pedestrian walk. People that are walking that way are choosing a destination. The new tenants are probably not going to do brick work to fill in the doors and windows because of the expense.

Mr. Torresi stated that the doors will probably still be there. The issue pertains to the doors being “active”. Director Diekmann stated that an “active” door would be operational.

Director Diekmann stated that there is public parking and no-on street parking; that was the main justification for the corner entrance to Clark and Main. The parking lot was out of consideration for the Depot being there; it was a compromise to not build in front of it. The most important entrance is the Clark and Main entrance; every business whether retail or not would want that as an entrance because it would show relationship to the rest of your neighbors. If there is only one entrance, that would be the one.

Mr. Torresi commented that the Council would need to decide on the requirements that are to be put on the building and that would determine whether his client retains the Depot as a historic site and increases parking spaces for 25 more years or live with the parking as is.

Council Member Gartin is concerned that the City has relinquished the ability to require that. Council Member Corrieri inquired about this being a new agreement. Director Diekmann concurred, but also stated that he was not sure that staff had dug into how the Agreement had survived so a statement was added at the end to clarify and restate provisions going forward. Council and staff were not prepared to say how it would all work in May. Council Member Gartin inquired about the legal right to require anything of the new owner. Interim City Attorney Mark Lambert stated that the City is not requiring anything, the City is negotiating a new agreement.

Moved by Beatty-Hansen, seconded by Orazem, to approve Alternative 1, except giving the applicant its original request with the public parking spaces staying in the middle of the parking lot.

Director Diekmann clarified that if that motion passes, there would be 99 public spaces, which would continue to be located in the middle of the lot, and 99 private spaces.

Council Member Gartin questioned the legality of any new requirements being placed on the proposed developer. Interim City Attorney Lambert pointed out that there is no agreement still in place; this is negotiating a new agreement.

Moved by Beatty-Hansen, seconded by Orazem, to amend the motion to require a functional entrance at Clark and Main.

At the inquiry of Council Member Betcher, Ms. Beatty-Hansen clarified that that would mean one active entrance per tenant plus the Clark and Main entrance. Director Diekmann stated that if there was only one tenant, the Clark and Main entrance would suffice as the one entrance.

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

Vote on Motion, as Amended: 6-0. Motion declared carried unanimously.

Council Member Betcher needed clarification on the motion being one active entrance per tenant or one active entrance per tenant plus the Clark and Main entrance. Council Member Beatty-Hansen read back her motion to include 1 active entrance per tenant as stated in Alternative 1 plus the Clark and Main entrance.

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

**CDBG HOMEBUYER ASSISTANCE PROGRAM RESALE AND RECAPTURE PROVISIONS IN CONNECTION WITH DEVELOPMENT OF 321 STATE AVENUE:**

Vanessa Baker-Latimer, Housing Coordinator, reminded of the partnership with J-Corp Inc. to proceed with development of a 37-lot subdivision at 321 State Avenue in partnership J-Corp Inc., as the developer of the site. This is a combination of 20 affordable homes to low- and moderate-income homes and 17 market-rate homes.

The City's previous Homebuyer Assistance Programs have included program guidelines for resale/recapture provisions regarding down-payment and closing-cost assistance. This year \$200,000 has been set aside for the Down Payment Assistance Program Annual Action Plan. Some things that would trigger this would be the sale, transfer, or lease of other disposition of the property by the buyer within various time frames.

Ms. Baker-Latimer proceeded with explaining this development would occur in two phases. The first phase would be to get public infrastructure bids out to get to some negotiating spots before finalizing the development agreement and bringing it to Council to approve. The second phase is the recapture provisions for the first-time homeowners.

Ms. Baker-Latimer shared that there is a fine line for affordable housing. The housing needs to be affordable, but not to where someone would come in and flip the house to make a huge profit. At this time, it is difficult to say the prices, but on November 7, the bids for the infrastructure are due and then there will be an idea of where the budget is for the cost of the homes.

Council Member Orazem asked about the possibility of a family needing to get out of the house loan and what the provisions might be. Ms. Baker-Latimer responded that would be negotiated with Council as a case-by-case basis.

Planning and Housing Director Diekmann reminded the Council that it was directed to invest almost \$1,000,000 of CDBG finds in creation of 20 lots for affordable housing plus first-time home-buyer assistance. The subsidy of would be \$70,000 for each one.

Duane Jensen, JCorp, PO Box 159, Huxley, encouraged the staff and Council to move from the use of penalty but more toward the positive. He prefers to incentivize them to be homeowners, active citizens of the community, and build equity to promote the program. Option 2 is causing a lot of

grief to the first time home owner to carry a 25% penalty over 20 years; a grant would look better.

Mr. Jensen continued with Option 1. The percentages are much lower, but the banks would rather see a grant versus a loan. Council Member Gartin stated that was a good point; lenders don't normally like it when a borrower comes to borrow the down payment. Mr. Gartin asked Ms. Baker-Latimer if a relationship had been established with lenders that are comfortable in doing that. Ms. Baker-Latimer stated that in the past the down payments have been loans. Some of the loans have been in-house and others have been sold to secondary market as a partner.

Mr. Jensen shared an idea he had for an Option 3. If the property is resold prior to the end of 20 years, there will be a ten year payback at ten percent a year for assistance given by the City and a land value of \$40,000 assigned to the ground that will be paid back straight line over a twenty year period. This will show the home buyer every year they live in the house they are paying down principal, and also receiving back \$2,500 for assistance and \$2,000 for the land. So they are paying down on the \$65,000 assistance from the City at a rate of \$4,500 per year. Director Diekmann added that Option 3 at Year Ten is by far the best option.

Moved by Gartin, seconded by Beatty-Hansen, to table this discussion until after the bids are received.

Vote 6-0. Motion declared unanimously.

**HEARING ON ZONING TEXT AMENDMENTS PERTAINING TO TABLES 29.701(2) AND 29.703(2):** Mayor Campbell opened the public hearing. She closed the hearing after there was no one wishing to speak.

Moved by Corrieri, seconded by Nelson, to pass on first reading an ordinance making 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.

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

Moved by Corrieri, seconded by Nelson, to suspend the rules necessary for the adoption of an ordinance.

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

Moved by Nelson, seconded by Betcher, to pass on second and third readings and adopt ORDINANCE NO. 4326 making 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.

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

**HEARING ON MAJOR SITE DEVELOPMENT PLAN (MSDP) FOR TWO EIGHT-UNIT APARTMENT BUILDINGS TO BE LOCATED AT 3305 AURORA AVENUE AND 3315**



**AURORA AVENUE:** Mayor Campbell opened the public hearing. She closed the hearing after there was no one wishing to speak.

Moved by Gartin, seconded by Corrieri, to adopt RESOLUTION NO. 17-647, to approve Alternative 1 approving the Major Site Development Plan for two eight-unit apartment buildings to be located at 3305 Aurora Avenue and 3315 Aurora Avenue.

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

**HEARING ON VACATION OF ELECTRIC UTILITY EASEMENT LOCATED AT 4506 LINCOLN WAY:** Mayor Campbell opened the public hearing. She closed the hearing after there was no one wishing to speak.

Moved by Corrieri, seconded by Betcher, to adopt RESOLUTION NO. 17-648 approving the vacation of an electric utility easement located at 4506 Lincoln Way.

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

**ORDINANCE MAKING REVISIONS TO CHAPTER 28, UTILITIES, DIVISIONS I AND II:** John Dunn, Director of Water Pollution Control, stated a couple of changes were made from last week on the Council Action Form: Section 28.205 has been reworded and the table that was proposed to be included in the adoption of the ordinance for local limits in the pretreatment program has been pulled. Mr. Dunn received confirmation earlier from the Department of Natural Resources that the table will require public notice and a formal public comment period.

Mr. Dunn was able to meet with the USDA and feels that they have a path forward to address the confidentiality issue. The concern that was mentioned from Ms. Tebben last week had to do with the section about the sewer service line ownership. The USDA doesn't have a normal service line, they have a pump station and metering infrastructure. There is an agreement on how to define, in writing, the ownership, operation and maintenance. The City believes it can be done so it doesn't conflict with the language being adopted. If there were to be an issue, the City can modify the Ordinance; and with that understanding, the USDA is comfortable with the adoption of Chapter 28.

Moved by Betcher, seconded by Gartin, to pass on first reading an ordinance making revisions to Chapter 28, Utilities, Divisions I and II.

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

**ORDINANCE APPROVING CHANGES TO APPENDIX N RELATING TO UTILITY RATES:** Moved by Corrieri, seconded by Gartin, to approve changes to appendix N relating to utility rates.

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

**ORDINANCE ESTABLISHING A MORATORIUM ON NEW RENTAL OCCUPANCY PERMITS FOR SINGLE- AND TWO- FAMILY HOMES WITHIN BOUNDARIES:** Moved

by Betcher, seconded by Gartin, to pass on third reading and adopt 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 are that would enlarge the building by adding additional bedrooms.

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

**COUNCIL COMMENTS:** Moved by Orazem, seconded by Betcher, directing staff to prepare a memo regarding visibility on the west end of Campus Parking Lot 3.

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

Moved by Orazem, seconded by Betcher, to refer to staff for a memo the request from Main Street Cultural District for no-parking hours on the public land on south side of Main Street.

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

Moved by Corrieri, seconded by Nelson, to refer to staff for a memo the request for a Fringe Plan Amendment for Timber Creek Acres.

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

Moved by Betcher, seconded by Beatty-Hansen, to request the City Manager to give a recommendation on when to and in what form to come back with a report on the various boards the Council Members sit on.

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

Moved by Gartin to adjourn the meeting at 10:00 p.m.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor

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Stacy Craven, Recording Secretary

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

**AMES, IOWA**

**OCTOBER 17, 2017**

The Ames City Council met in Special Session at 6:00 p.m. on the 17th 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, Amber Corrieri, Tim Gartin, Chris Nelson, and Peter Orazem. *Ex officio* Member Robert Bingham was absent.

**REQUEST FOR “OVER THE EDGE” EVENT ON FRIDAY, OCTOBER 27:** Ericka Peterson, CEO of the Boys and Girls Club of Story County, stated that this event is a fundraiser for the Boys and Girls Club. The event will be held on Friday, October 27, from 9 a.m. to 5 p.m. at the Edge building in Campustown. Ms. Peterson described several of the activities that will be available during the event.

Moved by Orazem, seconded by Gartin to approve the following:

- a. Motion approving blanket Temporary Obstruction Permit for the closed area
- b. RESOLUTION NO. 17-630 approving closure of Chamberlain Street, from Stanton Avenue to the entrance of Municipal Parking Lot Z, from 6:30 a.m. to 5:00 p.m
- c. RESOLUTION NO. 17-631 approving closure of 57 metered parking spaces and suspension of parking regulations within the closed area.

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

**CRIMINAL JUSTICE BRIEFING FOR AMES AND STORY COUNTY:** Jessica Reynolds, Story County Attorney, reported that Story County has 14 attorneys and ten staff. Eleven of those attorneys are in the Criminal Division. The Criminal Division prosecutes state crimes - simple misdemeanors to Class A felonies, and County Ordinance violations. The Civil Division has one attorney for hearings, employment law, to defend lawsuits, and to sue on behalf of Story County. The Juvenile Division has two attorneys for child-in-need-of-assistance cases, delinquency cases, and mental health and substance abuse committals. The Story County Attorney’s office has two location: one in Ames and one in Nevada. Ms. Reynolds described the County Attorney’s Community Outreach program and the law enforcement liaison training.

City of Ames Police Chief Chuck Cychosz told the Council that training to work in a diverse community actually begins with whom and how the City hires. He noted that the Ames Police Department looks for individuals who may have had experience in diverse communities. Training on diversity continues at the Iowa Law Enforcement Academy. Diversity training is attended by the entire Department, not just officers. Chief Cychose also described some of the individual training attended by members of the Department: Teaching Diversity, Cultural Diversity/Racial Profiling; Beyond Cultural Sensitivity; Community Conversations/Diversity Roundtable. Statistics were given

on neighborhood quality-of-life complaints, e.g., parties and loud noise and trespassing.

Council Member Beatty-Hansen inquired whether the Crime-Free Housing program was having an effect on the trend. Chief Cychosz responded that Crime Free Housing started in 2009 as a certification process that looks at how housing is managed. More property managers are willing to include expectations and penalties into their leases. The Safe Neighborhoods initiative has also contributed to this success. According to the Chief, the Police Department also provides information to developers on what makes for safer living conditions. In addition, the Dean of Students from Iowa State is giving a call as a follow-up with students help to reinforce safe behavior. Chief Cychosz commented that Ames is trying to be on a path to that crime-free status.

Chief Cychosz stated that personal crimes (homicides, robberies, assaults, and abuse) also showed a pretty flat line. Generally investigators spend a lot of time working on these crimes. Many of those crimes have drugs and or alcohol involved. The action that is taken by the Police Department involves investigators, the Drug Task Force, SAT, DART, and Victim Witness support. Responsive teams, commitment to victim support, and partnering with the nurse examiner and the advocate are the driving forces. It was noted that the report did not include incidents that occur on campus.

Ms. Reynolds stated that her office treats domestic violence cases as a main priority. Studies have shown early intervention in these cases can possibly stop a murder. She commented that the law enforcement offices within the County collaborate as a team from the start of the investigation.

Mr. Cychosz advised that property crime, such as theft, burglary, or financial crimes, have stayed pretty much level. Efforts to take action on these crimes comes from the Drug Task Force, restitution/recovery, electronic resale monitoring, ID theft, scam alerts, and regional retail collaboration. It was noted by Chief Cychosz that the City Council put an ordinance in place requiring electronic resale monitoring, which stops using pawn shops to stolen goods to because the item will pop up on the tracker. However, ID theft is running ramped. There are tools the Police Department uses to help with this, but it is more and more difficult to keep personal information private. According to Chief Cychosz, the Police Department works with the University and community to get information out on scams that are going around.

Chief Cychosz commented that early intervention/contact with a police officer is the beginning of the process, not the end. The Police Department wants it to be a positive and life-changing experience. He noted that underage drinking is a prime opportunity for such intervention.

According to Chief Cychosz, the work of the City's Mental Health Advocate in responding to a crisis situations involves organizing services, connecting family members, and identifying community resources to help the individual live a normal life and avoid subsequent consequences. Early intervention with domestic violence happens when a police officer talks with people when a loud argument is happening, before it becomes violent. The drug crisis in Ames is methamphetamine. It is cheap and widely available. Opioid and heroin use is on the rise, but the biggest issue is methamphetamine. Council Member Gartin asked Chief Cychosz about his involvement with the Opioid Task Force. Chief Cychosz responded by saying the Task Force was

organized by social service agencies and interested parties across the community. It was a collective thought to get together early and learn from other communities on what may be coming, so as to protect the community.

Ms. Reynolds added that methamphetamine is the County's biggest battle. It is important to provide drug treatment to those addicted as soon as possible. She said she has and will continue to apply for a grant from the Department of Justice for a drug court. Some drug courts have been used as a prison diversion program that has been highly effective. According to Ms. Reynolds, treatment up-front must occur to keep some crimes from happening.

Council Member Gartin asked Chief Cychosz about possible gang activity. Chief Cychosz responded that it does happen, but Ames does not have a big gang footprint to deal with. The Chief noted that all are affected by guns that are readily available to our young people.

Interim City Attorney Mark Lambert addressed the difference between the Ames City Attorney and Story County Attorney. He stated that it is similar, but the City Attorney prosecutes the simple misdemeanors and ordinance violations in the City. Mr. Lambert also stated that the City Attorney also tends to have more civil work. The two offices do work together frequently and have a positive working relationship.

Chief Cychosz advised that public events take a homeland security mentality to think like a Boston or Chicago. Ames is also home to federal and state research labs that must be protected. The Chief stated that there is a lot of planning, security analysis, and communication to develop response plans. Council Member Orazem asked about the coordination with the University since many public events are around the University. Chief Cychosz stated that there is a long history of the City working with the University. He pointed out that the City and the University has to share people for certain events to plan and manage for those events. Most of the time the County and University are a part of the plan. There is a strong partnership between the City and Iowa State University, which is highly valued.

Ms. Reynolds stated that there was a law change in 2009 that allowed County Attorney Offices to recover delinquent fines, victim restitution, and sheriff's fees. The Fines Recovery Program has deposited \$1,892,269.67 into Story County's General Fund since the Program began in 2009. These funds benefits the crime victims because they get their restitution first; defendants are able to get on a monthly payment plan, and if compliant with the plan, the County Attorney can help reinstate their driver's license. It also benefits taxpayers because the money goes back to the County. The Truancy Task Force was created this year as a collaboration of the public schools, County Attorney's Office, Department of Human Services, and Juvenile Court System. As part of this Program, the team meets with the child and his or her family to prevent court actions for truancy. According to Ms. Reynolds, Story County has about one murder case a year. Oftentimes, there is a connection with drugs on those cases.

Council Member Gartin inquired about recidivism. According to Chief Cychosz, the rate is highest the first year out of prison. He stated that research shows that after seven years, they are no more

at risk to commit a crime than someone who has not been in prison. He also commented that people are less likely to commit a crime again if they have a job, sense of support, and a sense of local accountability (know their neighbors).

Mayor Campbell called a recess at 7:24 p.m.

The meeting reconvened at 7:29 p.m.

**STAFF REPORT ON DIGESTER GAS UTILIZATION AT WATER POLLUTION CONTROL FACILITY:** John Dunn, Director of Water and Pollution Control, said that the Council must determine if the sustainability benefits of continuing to generate electrical power from methane gas produced on-site (“co-generation”) offsets the increased capital and operating expenses when compared to simply purchasing electricity from the rural electrical cooperative.

Randall Wirtz, Strand Associates, Inc., presented results of the study on co-generation. Two of the three existing engines were put in 1989 and the third one was put in 2003. Co-generation is used at the Treatment Plant. The previous Plant used cogeneration to offset, at times, nearly 100% of the electricity needed for the plant. When the most recent Plant was constructed in 1989, cogeneration was continued. With increased electricity demands on that facility, cogeneration has been offsetting approximately 15-20% of the electricity demand. There is no gas cleaning and those engines burn very “dirty gas.” Today’s engines require much cleaner gas. Instead of cleaning the gas, it has been decided to do more maintenance. The engines have costly maintenance due to necessary frequent oil changes and overhauls. Heat is critical to the operation and the engines need to operate to provide the heat. There is not a back-up boiler and two engines cannot operate simultaneously. The safety and control functions for the generators no longer operate properly on the engines. The engines normally last 20 years. The existing High Strength Waste (HSW) Receiving Station requires improvements also and needs a lot of operation attention. The benefit of hauling waste to the digesters is the tipping fee revenue. High Strength Waste will produce more gas in the digester, which could double or triple the amount of gas produced, and that will produce more energy.

Council Member Orazem asked if there was a market to sell fats and oils. Mr. Wirtz responded that most material brought to the Plant usually is limited in value, but if it is high-quality grease waste there is a very big market for that.

According to Director Dunn, the goal of the study was to evaluate existing facilities and current gas production; estimate future loading and gas production; identify potential high strength waste sources; evaluate the potential to co-digest HSW to increase digester gas production; and develop and evaluate digester gas use alternatives under both future scenarios with or without HSW. High Strength Waste receiving equipment helps to take the trash that will travel to the digester and sift out the rock and the objectables so not to clog up the digester. Some facilities can be run 24-hours/day and seven days/week so that haulers can come at any time. There are card readers so it will know who was there, who was discharging, and who was buying the discharge. To incorporate this, better access would be needed; just for the HSW Receiving/Storage Costs, it would be over \$1,000,000. It was noted that that is a lot of money, but there is more and more interest in the

program, not only from local grease haulers, but outside entities also. When doing the study and talking with some haulers, many expressed interest because of the shorter haul distance.

Five alternatives were explained:

#### Alternative 1: Continue Using Existing Engines

- Use MG #2 and MG#3, need to use MG #1 just as a backup. The generator control system will need to be upgraded due to safety issue. This will allow the operation of two engines to run simultaneously.

#### Alternative 2: Install One New Engine

- The City would continue with co-generation without a boiler. The new engine would replace MG #1. The new engine would need a lot cleaner gas, but would be more efficient, to where it would produce up to fifty percent more electricity.
- A new building or inclosure would be needed to house the gas cleaning equipment. Gas cleaning equipment doubles the cost of the project and doubles the maintenance requirement.

#### Alternative 3: Replace with Microturbines

- Microturbines are another way to produce heat instead of using the engines. Microturbines do need even cleaner gas than the new engines and will also need an inclosed area with a roof over it.

#### Alternative 4: Discontinue Co-generation and produce pipeline quality gas

- The City would need to clean the gas all the way up to natural gas that could be injected into the pipeline. The City of Ames gas flow is not where it needs to be to do this in full measure. There maybe a possibility in five years if HSW program takes off. The City would then have the gas production to do it.
- There is Green energy, that is very valuable gas, but very expensive to create. A pipeline would need to be built to connect to the HSW. Green energy is twenty times more valuable than natural gas, but if only producing a little bit of the green energy the capital cost associated is way too much. There is also no guarantee this will stay in affect past 2022.

#### Alternative 5a: Replace Engines with Boiler and/or Co-generation

- Boilers operate using both natural gas and digester gas to provide heat for the digesters. This alternative does not require costly gas treatment. It could use the gas as it was produced. The boilers would fit inside the rooms, so no building cost.

#### Alternative 5b: Existing Engines with Backup Boiler

- This alternative would be to replace MG #1 with a boiler and keep the other two existing engines. The City would be able to use those two engines as much or as little as it chooses. Gas treatment would not be needed, but a new control system would be needed.

#### Alternative 5c: One New Boiler and One New Engine

- This alternative will need to have the cleaner gas and the gas cleaning system.

Mr. Wirtz stated the cheapest way to do things now is to keep doing what the City is doing and just replace the controls, which is about \$800,000. This does not include the High Strength Waste. Council Member Orazem wanted to clarify that the maintenance costs would steadily increase and was concerned about potential upscale costs. Mr. Wirtz responded that the maintenance costs would continue to rise, but an increase was factored in in the calculations.

The next option was to do away with the engines and put in two new boilers; this would be a cost of \$1.2 million dollars. This would actually be the cheapest over a 20-year period because the operating cost and maintenance cost would be lower. If the City were to add the HSW, it would be a total of about \$2.1 million. Council Member Gartin asked how long it would be before seeing a return on investment. Mr. Wirtz replied that with a direct payback it would be in about ten years with a return of possibly \$1.4 million.

Council Member Nelson inquired about the sustainability difference between option 5a and 5b. Mr. Wirtz responded that 5a is only using the amount of gas needed for the digesters, which is only about 40 - 50%, and 5b would use all of the gas for some beneficial use.

Council Member Gartin asked about best practices or trends of other communities the size of Ames. Mr. Wirtz stated that Ames is on the very bottom lip for the size of community for co-generation to be viable. Plants smaller may do HSW for the revenue of the tipping fee. The City of Ames does have a lot of digester capacity and low land cost of sludge, which is cost-effective.

Recommendations were described based on certain factors:

#### If Green Electricity Is Not Paramount:

- Implement Alternative 5a, with boilers only.
  - Lowest total present worth cost - with and without HSW
  - Highest non-monetary score (operational complexity, expandability, sustainability, air emissions, and constructability)
  - \$1.3 million without HSW
- The City could consider bringing in HSW. Implement minor upgrades to receiving facility and evaluate before putting in a large amount of capital improvement funds. Make sure that the program is sustainable in 2-3 years.

#### If Green Is Paramount:

- Alternative 5b initially, which is working with existing co-generation and putting in a new backup boiler. This will improve the reliability and provide time to prove HSW program and gas production. The cost of the project would be around \$1.5 million. If the program is successful the City could move to Alternative C.



Director Dunn stated that staff was seeking direction from the City Council to choose one of the following paths:

- Replace the methane engines entirely with boilers to supply the necessary heat, but no electricity for the plant (\$1.25 million) or
- Choose a path that includes co-generation supplying both the heat and electricity for the plant at higher cost (\$3.1 million).
- Choose a short-term path that splits the difference, staying with co-generation in the short-term, essentially “buying time” to see how the economics might change over the next few years.

Council Member Betcher shared that she was concerned about the air emissions. Mr. Dunn explained that if the Council were to choose option 5a, that would only mean that the City would not be generating electricity at the facility, but the City would have to buy electricity from some place else. Essentially, the City’s air emission may improve, but someone else will have to generate emissions on the City’s behalf. It is not improving the emissions, just changing who generates them.

Council Member Gartin asked about staff implications. Mr. Dunn responded that it would depend on how much waste the City would receive and the type of waste. There is a possibility that the City would need to spend the capital improvement money to avoid putting on additional staff to “babysit” a system like that.

Council Member Orazem wanted to know more about the potential for HSW between Options 5a and 5b, and how they would compare 20 years from now. Council Member Beatty-Hansen clarified that Alternative 5b would still be generating electricity and that is where the HSW makes the savings. The boilers will eventually max out in their effectiveness. Mr. Wirtz clarified that only one boiler and a backup would be needed. If the City were to go with the boiler-only option and bring in a lot of HSW, that would just flare more gas.

Council Member Gartin asked about safety between the two options. Mr. Wirtz did not believe there was a difference. Christina Murphy, Assistant Water & Pollution Control Director, stated as long the City addresses the switch gear and controls problem, it would put the City on better footing. She also noted that the City is addressing the new Code requirements as it goes through the Capital Improvements Plan.

Moved by Beatty-Hansen, seconded by Orazem, direct staff to pursue Alternative 5b.  
Vote on Motion: 6-0. Motion declared carried unanimously.

**STAFF REPORT ON PROPOSED REVISIONS TO CHAPTER 28 DIVISIONS II AND III AND APPENDIX N:** According to Director Dunn, this presentation is informational only. He commented that if the Council is comfortable with the proposed changes, no action will be needed at this meeting. Staff will bring the Chapter 28 changes and small change to Appendix N to the City Council in ordinance form on October 24 for the first of three readings. There were a couple changes related to the Industrial Pretreatment Program US EPA that staff asked to have added to the Code and adopted by December 15. Director Dunn; David Blumer, Supervisor for the Water Meter

Division; Justin Albrecht, Environmental Specialist, and Assistant Director Murphy gave the presentation on the Chapter 28 revisions.

**STAFF REPORT ON PROPOSED REVISION TO INDUSTRIAL PRETREATMENT PROGRAM DOCUMENT:** Environmental Specialist Albrecht presented information on the revisions to the Industrial Pretreatment Program. He stated that all communities with wastewater treatment facilities designed to receive more than five million gallons-per-day of wastewater flow must implement an industrial pretreatment program consistent with the federal requirements. The goals of the Program are to protect water and pollution control facilities, the personnel working in those facilities, the environment, and to ensure that the City remains in compliance with the NPDES permit. Mr. Albrecht explained the reasons for the revisions. The previous versions are outdated and no longer aligned with current practices. The EPA audit that took place a year ago identified a couple of areas that needed attention. The City also had an outdated enforcement plan and did not require all industrial users to perform self-monitoring of their waste water discharge. According to Mr. Albrecht, the City's Industrial Pretreatment Program has been completely revised so that it mirrors that of a model provided by the Environmental Protection Agency and include suggestions from the recent audit. He also noted that the City was specifically asked to update the Enforcement Response Plan to reflect the Streamlining regulation changes made in 2010. The EPA had requested that the Program authorize the use of the Best Management Practices Permits that the City has issued in lieu of regular monitoring. The City has also implemented a Memorandum of Understanding with Iowa State University Research Park in order to better track new industries coming into the Park. Other updates include clarification of instances when two labs analyze a sample for the same parameter and how it should be handled should any parameters exceed an industries' pretreatment permit. Staff also clarified the requirement for industries to use a certified lab for analysis.

Council Member Gartin asked how many customers the revision will affect. Mr. Albrecht responded that there were eight to ten customers with about 14 Permits.

Karla Tebben, Environmental Protection Specialist for National Centers for Animal Health, 6201 North Fork Road, Ames, expressed that her agency had concerns with the Permits. Council Member Gartin asked Ms. Tebben what her concerns were, and Ms. Tebben responded that confidentiality concerns, security concerns (that people should not be able to get a hold of their maps), with the revision those could be given to whoever requests. Ms. Tebben added that a letter will be sent to the City Council with more concerns; after which, they are hoping to have some kind of dialogue.

Mr. Dunn stated that the way the Pretreatment Program addresses handling of confidential information is consistent with how the City handles any public record request. If someone indicates it should be confidential, the City would notify them of that. It is then their obligation to go to court to get an injunction to block the release of that information.

Council Member Gartin agreed with Ms. Tebben concerning the confidentiality and stated that if the City has material that puts the public at risk, it should be "off the table." Council Member Gartin also added that there should be some way to create a safe harbor for that kind of information.

Mr. Lambert clarified that even if it is someone else's record, once the City has it, it is then subject to the Open Record's Law. Council Member Orazem stated with that fact and there is a danger with the City having possession of the item, there has to be a way to accommodate the National Animal Disease Lab in a way that would not open the City up to that particular "back door" to potentially put the public at risk. Mr. Lambert responded by saying that he would look to see if there was an exception that would apply and that these issues can be discussed.

**COUNCIL COMMENTS:** Moved Orazem, seconded by Nelson, to refer to staff for a memo the email from Kurt Friedrich pertaining to having to remit cash payment for off-site improvements for Quarry Estates (instead of a Letter of Credit) that are not even contemplated in the City's Capital Improvements Plan at this time.

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

**ADJOURNMENT:** Moved by Corrieri to adjourn the meeting at 9:06 p.m.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor

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Stacy Craven, Recording Secretary

**MINUTES OF THE JOINT MEETING OF THE  
AMES CITY COUNCIL AND HOSPITAL BOARD OF TRUSTEES**

**AMES, IOWA**

**OCTOBER 27, 2017**

The Ames City Council and Hospital Board of Trustees met in joint session at 12:08 p.m. on the 27th day of October, 2017, in Mary Greeley Medical Center (MGMC) Atrium Rooms A & B. Attending were Mayor Ann Campbell and Council Members Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, Chris Nelson, Peter Orazem. Steve Schainker, City Manager; Bob Kindred, Assistant City Manager; Mark Lambert, Interim City Attorney; Susan Gwiasda, Public Information Officer; and Diane Voss, City Clerk, represented the City of Ames Administration.

Representing the Mary Greeley Medical Center Board of Trustees were Chairperson Sarah Buck and Trustees Brad Heemstra; Mary Kitchell; and Ken McCuskey. Administrative staff from MGMC present were Brian Dieter, President and CEO; Vice-Presidents Gary Botine, Karen Kiel Rosser, and Amber Deardorff, and Micci Gillespie, Executive Assistant. Trustee Pamela J White was absent.

Welcome and Introductions. Chairperson Sarah Buck welcomed the City Council, Hospital Board of Trustees, and administrative staff members from both entities.

Behavioral Health Update. Christy Krause, Director of Behavioral Health Services at MGMC, explained the hospital's three strategies: (1) Expansion of adult beds, (2) Recruitment, and (3) Crisis stabilization and transition of care. Ms. Krause stated that Shannon Lindley, PNP, began employment at MGMC on July 1 and completed orientation in August. The Trustees and Council Members were also briefed on the progress of physician recruitment. According to Ms. Krause, there have been discussions among the region, Story County, and Mary Greeley Medical Center pertaining to a Crisis Center. There is currently a proposal under consideration to locate an eight-bed crisis stabilization and transitional care Center in Ames. It is hoped that the Center could open in Summer 2018. Julie Saxton, City of Ames Mental Health Advocate, was introduced by Police Commander Geoff Huff. Ms. Saxton described her job as a liaison between the client, the mental health care provider, and the Ames Police Department. She advised that one of the challenges is getting a signed release from the client to share information with the health care provider. Commander Huff shared that the mental health advocacy program of the Ames Police Department has been very successful.

Financial Assistance Program Review. President and Chief Executive Officer Brian Dieter stated that the Financial Assistance Program is a key component of the Community Benefit Report and allows MGMC to meet the needs of the community. It is the policy of MGMC to provide services to patients without regard for either a patient's ability to pay for those services or for the patient's insurance coverage, if any. The hospital's Program provides a mechanism to assist patients who do not meet the guidelines for other County, State, or Federal public assistance programs or have the needs beyond those provided by available public assistance programs. According to Mr. Dieter, all services provided at MGMC, other than cosmetic or other elective procedures that are not medically necessary or are not normally covered by Medicare, are eligible for the Financial Assistance Program. Mr. Dieter presented an overview of the Program, which included the amount of assistance a patient could receive based on his or her income; catastrophic medical assistance, and patients without insurance. Income qualifications were shown. An historic review of financial assistance provided by MGMC from Fiscal Year 2008 to the present was given. It was also noted how patients are made aware of the Financial Assistance Program.

Trustee and Council Comments: Trustee Chairperson Buck asked if there were any topics that the City Council would like to discuss at next year's Joint Meeting. Council Member Gartin offered that he would be interested in how the opioid epidemic was affecting Ames.

Adjournment. The meeting adjourned at 1:34 p.m.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor

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

**AMES, IOWA**

**NOVEMBER 1, 2017**

The Ames City Council met in Special Session at 4:15 p.m. on the 1<sup>st</sup> day of November, 2017, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law with Mayor ProTem Peter Orazem presiding and the following Council members present: Bronwyn Beatty-Hansen, Gloria Betcher, Tim Gartin, Chris Nelson. *Ex officio* Member Robert Bingham was also present. Mayor Ann Campbell and Council Member Amber Corrieri were absent.

**CLASS C LIQUOR LICENSE FOR NORTH GRAND CINEMA, 2801 GRAND AVENUE, STE. 1300:** Council Member Gartin commented that the prospect of serving alcohol in theaters seemed “new” to him. He asked Police Commander Geoff Huff to address the concept. Commander Huff explained that the concept is new in Ames; however, there are several theaters in Iowa who do sell alcohol. He advised that he has met with the owners, and the Police Department has no concerns. Commander Huff noted that the theater’s main sources of revenue will come from something other than alcohol. He detailed the theater’s Alcohol Compliance Plan, which has been approved by the Police Department. It was also noted that the staff of the theater will attend the training offered by the Police Department on the serving of alcohol.

Lee and Diane Akin, 225-16th Street, Ames, owners of the North Grand Cinema, were present. Ms. Akin stated that this is a big step for them; however, they are very excited to be in Ames and are anxious to open. She advised that they own two other theaters: one in Elkader, Iowa, where they have served beer and wine since 2009; and one in Prairie du Chien, Wisconsin. At the inquiry of Council Member Gartin, Mr. Akin answered that all alcoholic beverages will be served in clear cups.

Moved by Nelson, seconded by Gartin, to approve a new Class C Liquor License for North Grand Cinema, 2801 Grand Avenue, Ste. 1300, pending dram & final inspection.

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

**APPOINTMENT OF CITY ATTORNEY:** City Manager Steve Schainker gave the details of the offer that had been extended to Mark Lambert to serve as City Attorney. He noted that Mr. Lambert has accepted the offer, which is pending approval by the City Council.

Moved by Nelson, seconded by Betcher, to adopt RESOLUTION NO. 17-649 approving the Offer of Employment to Mark Lambert.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

Moved by Betcher, seconded by Beatty-Hansen, to adopt RESOLUTION NO. 17-650 approving the appointment of Mark Lambert as City Attorney.

Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**ADJOURNMENT:** Moved by Beatty-Hansen to adjourn the meeting at 4:28 p.m.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor

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

**AMES, IOWA**

**NOVEMBER 3, 2017**

The Ames City Council met in Special Session at 4:17 p.m. on the 3rd day of November, 2017, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law with Mayor Ann Campbell presiding. Council Member Gartin attended in person, and Council Members Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, and Chris Nelson were brought in telephonically as it was impractical for them to attend in person. Council Member Orazem and *Ex officio* Member Robert Bingham were absent.

**BOILER TUBE SPRAY COATING AND RELATED SERVICES AND SUPPLIES FOR ELECTRIC SERVICES:** Electric Services Director Donald Kom explained the need for a Change Order to increase the amount of square footage allowed for repair to the existing coating on the boiler tube. He said that, upon inspection of Boiler Unit #8 during the current fall outage, the contractor advised that the coating needed to be applied to more area than what was anticipated. The original contract approved in Fiscal Year 2017/18 was to cover 850 square feet of coating for Units #7 and #8. The Change Order being proposed would increase the amount of the current contract by a not-to-exceed amount of \$250,000 (bringing the total contract amount to \$550) and increase the coating coverage to approximately 1,570 square feet. The additional funding to cover the Change Order will come from the elimination of other maintenance projects that were budgeted for Unit #8, such as soot blower cleaning, air heater cleaning, and grit blasting. He noted that the invoices to be paid are based on contract rates for time and materials for services.

Mr. Kom advised that the Inconel coating provides protection for the Boiler's waterwall tubes from chemical and physical attack when burning refuse-derived-fuel (RDF). He noted that certain plastics in the RDF aggressively attack boiler tube material; however, coating the boiler tubes in certain areas can protect them from such attacks. Boiler Unit #8 is currently off-line for its fall maintenance. Staff felt it was more efficient to take care of this now while the Boiler is down and the contractor is on site. Failure to accomplish the additional work now would cause the underlying tubes to deteriorate more quickly and result in increased generator outages and higher tube repair costs at a later date.

Moved by Gartin, seconded by Betcher, to adopt RESOLUTION NO. 17-651 approving Contract Change Order No. 1 with Integrated Global Services, Inc., of Richmond, Virginia, for the Boiler Tube Spray Coating and Related Services and Supplies Contract in a not-to-exceed amount of \$250,000. Roll Call Vote: 5-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

**ADJOURNMENT:** Moved by Beatty-Hansen to adjourn the meeting at 4:28 p.m.

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Diane R. Voss, City Clerk

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Ann H. Campbell, Mayor

## MINUTES OF THE AMES CIVIL SERVICE COMMISSION

AMES, IOWA

OCTOBER 26, 2017

The Ames Civil Service Commission convened in regular session at 8:15 a.m. on October 26, 2017, in the Council Chambers of City Hall, 515 Clark Avenue. Because it was impractical for the Commission members to be present in person, Commission Members Mike Crum and Charlie Ricketts were brought into the meeting telephonically. Commission Member Harold Pike did not participate. Human Resources Director Kaila Boothroy attended the meeting.

**APPROVAL OF MINUTES:** Moved by Crum, seconded by Ricketts, to approve the minutes of the September 28, 2017, Civil Service Commission meeting as written.

Vote on Motion: 2-0. Motion declared carried unanimously.

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

Procurement Specialist I:	Amanda Moore	83
	Amy Pollard	83
	Matt Julich	79
	Mike Drottz	76
Recreation Manager:	Nicholas Woods	81
	Ryan Bulson	76
Traffic Supervisor:	Brad Becker	86
	William Gordon	73

Vote on Motion: 2-0. Motion declared carried unanimously.

**REQUEST TO EXTEND PURCHASING CLERK ENTRY-LEVEL CERTIFIED LIST:** The Purchasing Clerk entry-level list was certified by the Commission at its November 17, 2016, meeting. One of the candidates on that list was offered and accepted the Purchasing Clerk position. This individual is now competing for another Civil Service position and could potentially be promoted. If that would occur, the hiring department would like to use this current list to fill the vacancy.

Since the list will expire on November 17, 2017, it is being requested that the current entry-level list be extended for two months so that the hiring process may be completed. The expiration date of this certified list will then be January 17, 2018.

Moved by Crum, seconded by Ricketts, to grant the request to extend the expiration date of the Purchasing Clerk entry-level certified list to January 17, 2018.

Vote on Motion: 2-0. Motion declared carried unanimously.

**COMMENTS:** The next regularly scheduled Civil Service Commission meeting was set for November 16, 2017, at 8:15 a.m.



**ADJOURNMENT:** The meeting adjourned at 8:20 a.m.

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Michael R. Crum, Chair

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Jill Ripperger, Recording Secretary



## REPORT OF CONTRACT CHANGE ORDERS

<b>Period:</b>	<input type="checkbox"/>	1 <sup>st</sup> – 15 <sup>th</sup>
	<input checked="" type="checkbox"/>	16 <sup>th</sup> – End of Month
<b>Month &amp; Year:</b>	October 2017	
<b>For City Council Date:</b>	November 14, 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)
Water & Pollution Control	Engineering Services for North River Valley Park Low-Head Dam Improvements	1	\$102,499.00	River Restoration.Org	\$0.00	\$10,176.00	C. Murphy	MA
Public Works	Professional Services for Grand Avenue Extension	4	\$315,150.23	Howard R. Green Company	\$265,861.35	\$1,398.58	T. Warner	MA
Transit	CyRide - Interceptor Pit Upgrades 2016	4	\$229,915.00	Woodruff Construction, LLC	\$22,294.00`	\$15,062.90	B. Phillips	MA
Water & Pollution Control	Ames Water Treatment Plant - Contract 2	25	\$52,497,000.00	Knutson Construction Services	\$1,210,991.00	\$3,120.00	J. Dunn	MA
Public Works	2016-17 Water System Improv Program #1 - Water System Transfer (8 <sup>th</sup> St. Hayward Ave., Little St)	2	\$422,737.00	Ames Trenching & Excavating, Inc.	\$18,500.00	\$24,000.00	B. Kindred	MA
Electric Services	Engineering Services for Return to Service Repair of GT1 Combustion Turbine	2	\$188,000.00	Black & Veatch Corporation	\$18,000.00	\$10,000.00	B. Kindred	CB

<b>Department</b>	<b>General Description of Contract</b>	<b>Contract Change No.</b>	<b>Original Contract Amount</b>	<b>Contractor/ Vendor</b>	<b>Total of Prior Change Orders</b>	<b>Amount this Change Order</b>	<b>Change Approved By</b>	<b>Purchasing Contact (Buyer)</b>
Water & Pollution Control	Well Rehabilitation Project: Well Nos. 8, 14, 16, 20, & 23.	1	\$97,500.00	Northway Well & Pump Co.	\$0.00	\$955.50	J. Dunn	MA
Water & Pollution Control	Well Rehabilitation Project: Well No. 8, 14, 16, 20, & 23.	2	\$97,500.00	Northway Well & Pump Co.	\$955.50	\$6,923.50	J. Dunn	MA



# MEMO

*Caring People  
Quality Programs  
Exceptional Service*

**9a&b**

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

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

**DATE:** November 5<sup>th</sup>, 2017

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

The Council agenda for November 14<sup>th</sup>, 2017, includes beer permits and liquor license renewals for:

- Class B Native Wine - WBN000163 - Kitchen, Bath & Home, 201 Main St.
- Class E Liquor - LE0002417 - AJ's Liquor III, 2401 "A" Chamberlain, Liquor Room

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.

**RESOLUTION 18-63 – CERTIFICATION (CANVASS) OF CITY ELECTION RESULTS,  
CITY OF AMES**

WHEREAS, the CITY ELECTION was held as prescribed by law on November 7, 2017, and  
WHEREAS, the Board of Supervisors and ex-officio Board of Canvassers have canvassed the vote of said  
elections in accordance with §50.24 of the *Code of Iowa*, now therefore

BE IT HEREBY RESOLVED that we, the undersigned members of the Board of Supervisors and ex-officio  
Board of Canvassers of Story County, Iowa, do hereby certify the following TURNOUT REPORT and  
RESULTS in the CITY ELECTION, CITY OF AMES, held November 7, 2017, and that no obvious clerical  
errors were identified during the canvass.

Seven thousand five hundred twenty-three (7,523) people voted at the polls on election day.

Six hundred thirty-seven (637) absentee ballots were accepted for counting.

Four (4) provisional ballots were accepted for counting.

A total of eight thousand one hundred sixty-four (8,164) people voted.

All terms are for four (4) years unless otherwise noted.

**CANDIDATES ELECTED BY THE VOTERS OF THE RESPECTIVE CITIES:**

Ames Mayor: John Haila

Ames Council, At Large: Amber Corrieri

Ames Council, Ward 1: Gloria Betcher

Ames Council, Ward 3: David Martin


Ames City Hospital Trustees (two to be elected): Mary M. Kitchell, Beth Swenson

COPY

**CANDIDATES ADVANCING TO A RUNOFF ELECTION, TO BE HELD DECEMBER 5, 2017:**  
None; all winning candidates earned percentages that do not trigger a runoff.

DATED THIS 9th DAY OF NOVEMBER, 2017.

  
\_\_\_\_\_  
Chair, Board of Supervisors

  
\_\_\_\_\_  
Attest: Story County Auditor

Moved By: Olson

Seconded By: Chitty

Voting Aye: Olson, Chitty

Voting Nay: None

**COUNCIL ACTION FORM**

**SUBJECT: ENCROACHMENT PERMIT FOR A SIGN AT 301 MAIN STREET**

**BACKGROUND:**

The tenant in the building at 301 Main Street, Powder Studio, is seeking approval for an encroachment permit that would allow two signs to hang into the public way. The proposed signs are projecting signs mounted to the south and east façade of the building. They will extend approximately 42 inches over the sidewalk, but not affect use of the sidewalk.

The sign permit application for the proposed sign has been reviewed by the Inspections Division and complies with all regulations regarding signage. The sign permit application is pending approval contingent on the approval of the encroachment permit.

Chapter 22.3(3) of the Ames Municipal Code requires approval of the Encroachment Permit Application by the Ames City council before the permit can be issued. By signing the agreement, the owner and tenant agree to hold harmless the City of Ames against any loss or liability as a result of the encroachment, to submit a certificate of liability insurance which protects the City in case of an accident, and to pay the fee for the encroachment permit. The owner and tenant also understand that this approval may be revoked at any time by the City Council. The fee for this permit was calculated at \$25, and the full amount has been received by the City Clerk's Office along with the certificate of liability insurance.

**ALTERNATIVES:**

1. Approve the request.
2. Deny the request.

**MANAGER'S RECOMMENDED ACTION:**

It is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby granting the encroachment permit for this sign.



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: 301 main st

Type of Encroachment: Sign (If the encroachment is a sign, please apply for a sign permit through the Inspections Division.)

Total Square Feet of the Area to Encroach: 1272 6ft^2 (See attached submittal guidelines.)

Applicant is: Property Owner Tenant Contractor

Name of Applicant: Josh Duchene Phone: 515-337-5135

Mailing Address: 301 main st Email: management@powderstudio.com

Property Owner's Name: Blackbird Investment Phone: 515-232-2737 JA.com

Mailing Address: 301 main st Ames IA Email: TJ@blackbirdinvest.net (TJ Jacobs, Blackbird Investment) TJ@blackbirdinvest.com

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: [Signature] Date 9/25/17

Property Owner's Signature (If different): [Signature] Date 9/25/17

# PROOF

ATTENTION! It is your responsibility to read and check this proof carefully and thoroughly. By approving this proof, you are accepting all responsibility for undetected errors. Changes made to the proof may result in delays and additional costs. If proof is not approved within 30 days, the customer may be charged for creative time. This design is the sole property of Sign Pro. Any duplication in whole or in part without the express written consent of Sign Pro is strictly prohibited.

Order Date:  
9/21/2017

Customer:  
Powder Studio

Ordered by:

Job #:  
22782

Due Date:

## JOB NOTES



Qty: 1 finished 2-sided sign  
Qty: 2: 24"x36" Matte Black Alupanel  
White HP vinyl  
1 sided Alupanel (Installed back to back)  
Installed at 45 degree angle  
Main support will be custom black powder-coated aluminum bracket  
Installed on SE Corner of Building

# SIGN PRO

619 S. 4th Street  
Ames, Iowa 50010  
515-232-4500 • SignProAmes.com

PAGE 1/1

DESIGN: 20 Min - CH  
PRODUCTION:  
INSTALL:  
CUSTOMER CALLED:





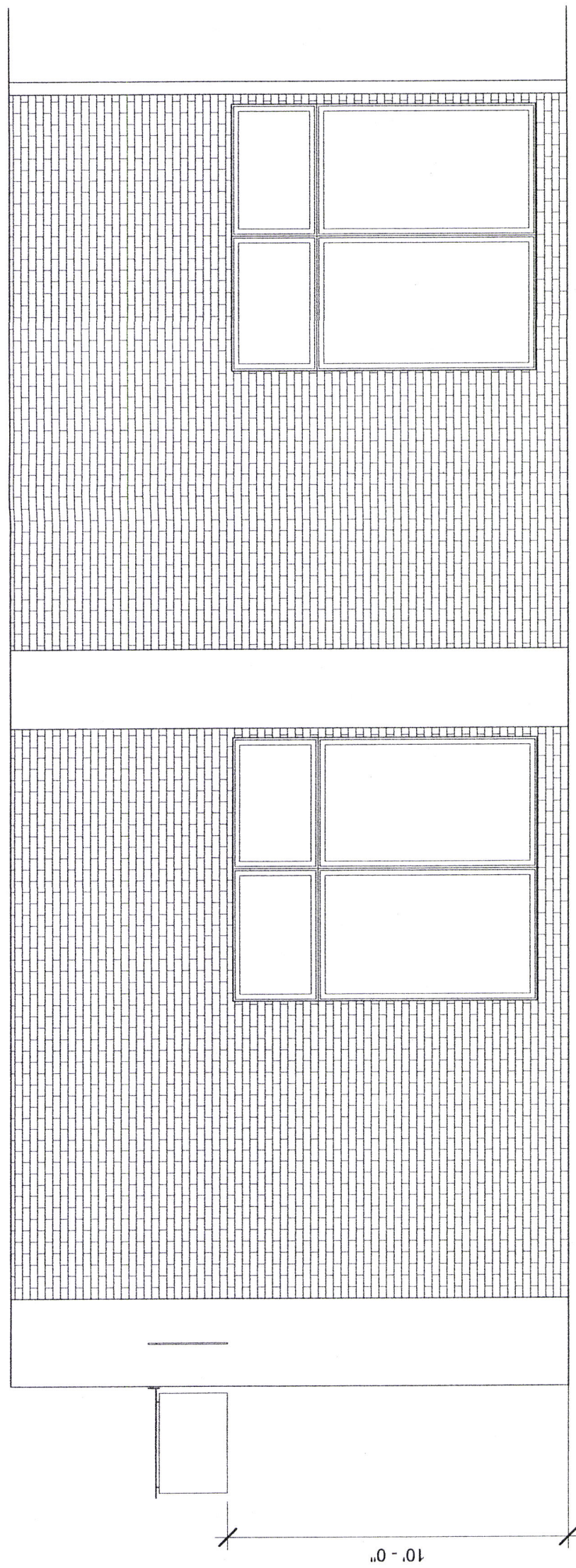
Scale 1/4" = 1'-0"

Jessie Patton

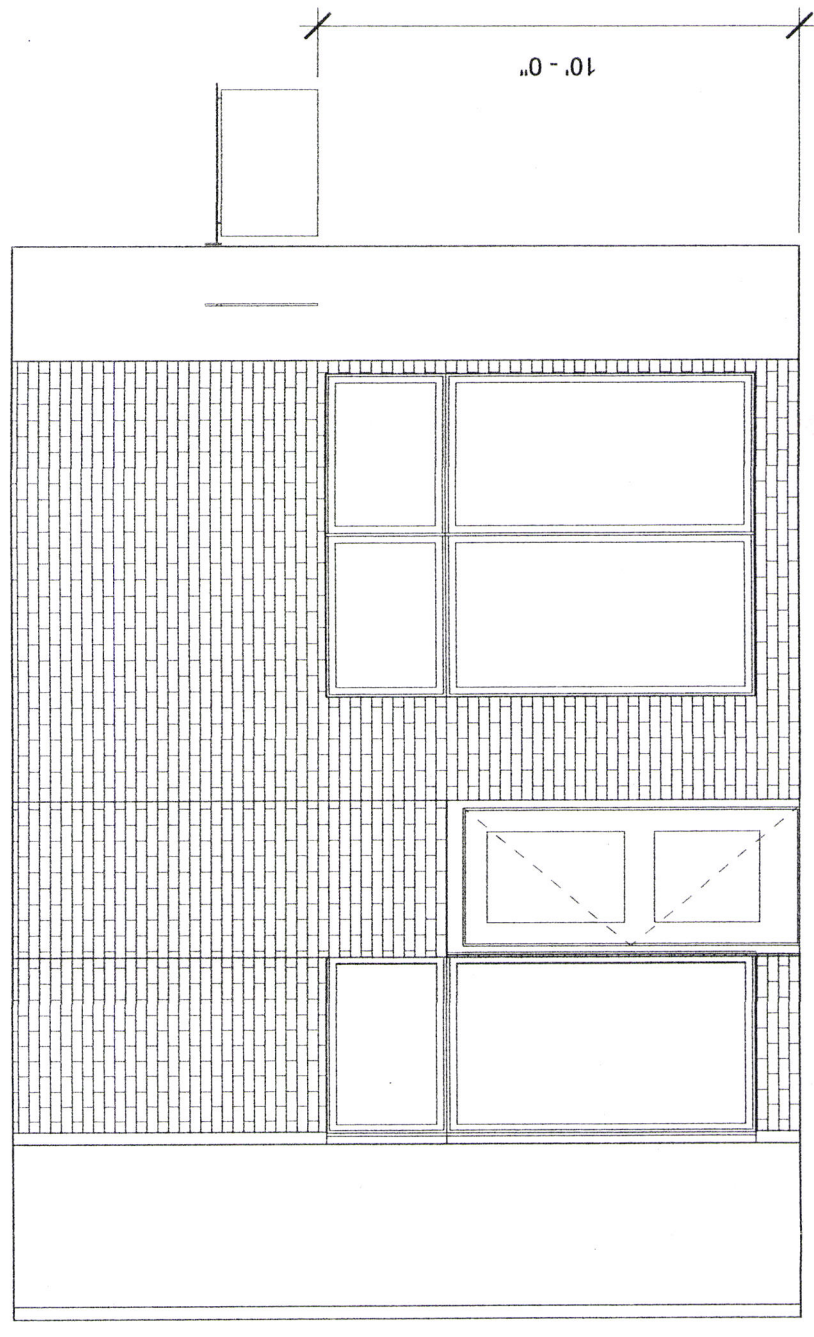
09/22/17

Make up Studio  
301 Main St  
Unnamed

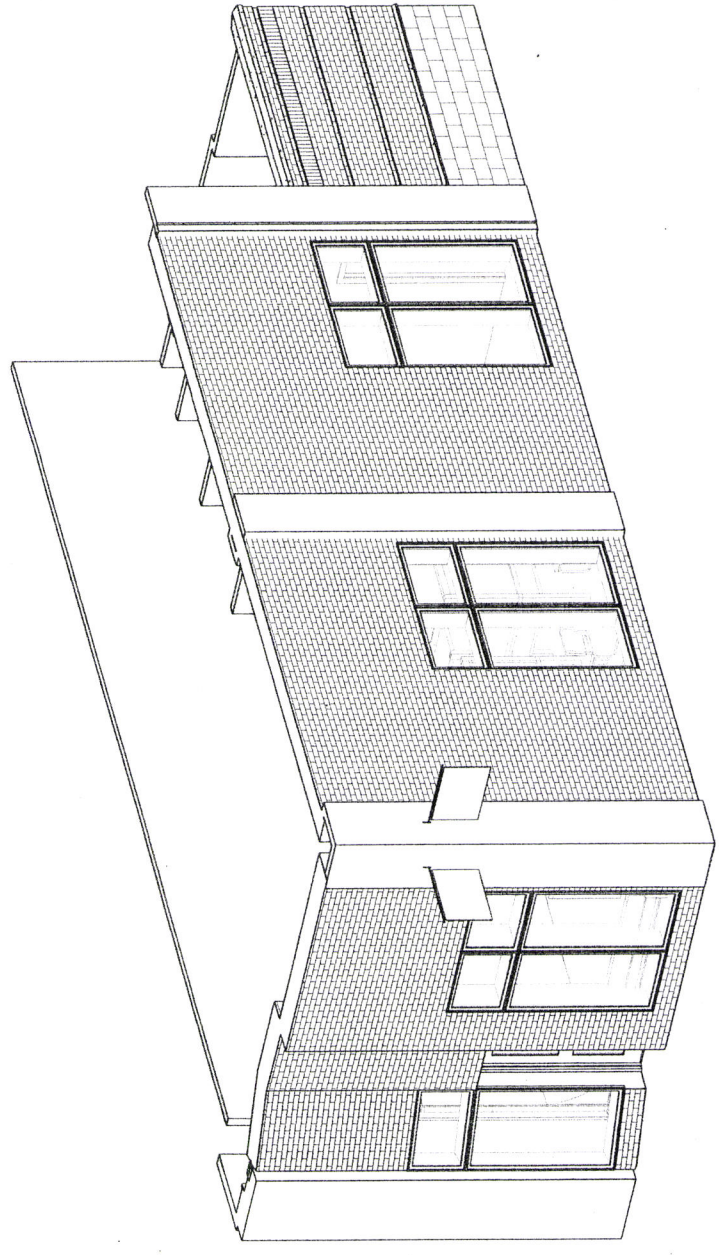
A106



1 East Elevation  
1/4" = 1'-0"



2 Front Elevation  
1/4" = 1'-0"



3 3D



**COUNCIL ACTION FORM**

**SUBJECT: 2016/17 STORM WATER EROSION CONTROL PROGRAM (S. SKUNK RIVER – CARR PARK TO HOMEWOOD GOLF COURSE)**

**BACKGROUND:**

This annual program provides for stabilization of areas that have become eroded in streams, channels, swales, gullies, or drainage ways that are part of the storm water system. The program provides a more permanent control of the erosion and will reduce recurring maintenance costs in these areas.

The location for this year's program along the South Skunk River adjacent to Carr Park, Homewood Golf Course and Inis Grove Park. The eroding river bank along this area needs to be stabilized due to failed sheet piling. The increasing erosion is negatively impacting the existing shared use path in the area through settlement, and is also putting into jeopardy the existing sanitary sewer in the same location. The slope above the shared use path is eroding and needs to be stabilized. Small drainage improvements along other portions of the shared use path also need to be made to minimize water on the path.

Staff has been working with RDG Planning & Design of Des Moines, Iowa on this project. Plans and specifications have been completed for this project which has been divided into two separate contracts to allow site restoration to be handled with a specialized contractor. The first base bid contract covers the stabilization and associated construction work at an estimated \$577,219. This first contract also includes 4 base bid alternates for various locations of trail pavement replacement. The second contract includes site restoration at an estimated cost of \$86,875. The base bids for the two contracts total \$664,094. Engineering and construction administration costs are estimated at \$132,819, bringing the **total estimated cost for the project to \$796,913**. The bid alternates are not reflected in the estimated project expenses, as they will be added only as available funding allows.

This Storm Water Erosion Control project is shown in the 2016/17 Capital Improvements Plan with funding in the amount of \$250,000 in General Obligation Bonds and \$500,000 in Storm Sewer Utility Funds. Additional unobligated General Obligation Bonds from previously completed projects in the amount of \$50,000 brings the **total funding available to \$800,000**.

Staff, along with RDG Planning & Design, has held a project informational meeting for the project. The main comment incorporated into the project design was to minimize any adverse effects the river stabilization techniques had on users of the S. Skunk River.

**ALTERNATIVES:**

1. Approve the plans and specifications for the 2016/17 Storm Water Erosion Control Program (S. Skunk River – Carr Park to Homewood Golf Course) project and establish December 6, 2017, as the date of letting and December 12, 2017, as the date for report of bids.
2. Do not approve this project.

**MANAGER’S RECOMMENDED ACTION:**

By approving these plans and specifications, it will be possible to stabilize multiple areas along the S. Skunk River and further protect our sanitary sewer in the area.

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

**COUNCIL ACTION FORM**

**SUBJECT:** VACATION AND CONVEYANCE OF BLACKWOOD CIRCLE RIGHT-OF-WAY TO 1101 BLACKWOOD CIRCLE

**BACKGROUND:**

City of Ames staff has been approached by the owner of 1101 Blackwood Circle about vacating and conveying existing City-owned land that lies between two parcels owned by the same owner.

This area was platted in 1938 and an area was dedicated to the City with the intention of providing a pedestrian connection to a future bridge over Squaw Creek. After doing research, this area has not been used as intended and existing bridges over Squaw Creek were placed each north and south of the original intended location as shown on Attachment A. Attachment B provides a map of existing conditions, including the locations for two existing bridges over Squaw Creek which currently connect to pedestrian networks and Brookside Park.

Staff, in coordination with staff from various city departments about this area, identified a need to expand the existing storm sewer easement located on Parcel D as owned by 1101 Blackwood Circle. The existing storm sewer easement is 10 feet wide and some of the existing pipe and structures are located on the easement boundary. Additionally, the existing easement is too narrow to get maintenance equipment onto as the City needs to maintain its infrastructure. **In exchange for the potentially vacated right-of-way, the property owner has agreed to convey to the City an additional 10 feet of storm sewer easement near the existing storm sewer easement.**

Staff also contacted private utility companies and this area is clear and no intention of future use was communicated from any private utility companies.

Attachment C shows the proposed right-of-way to be vacated. Attachment D shows the proposed storm sewer easement.

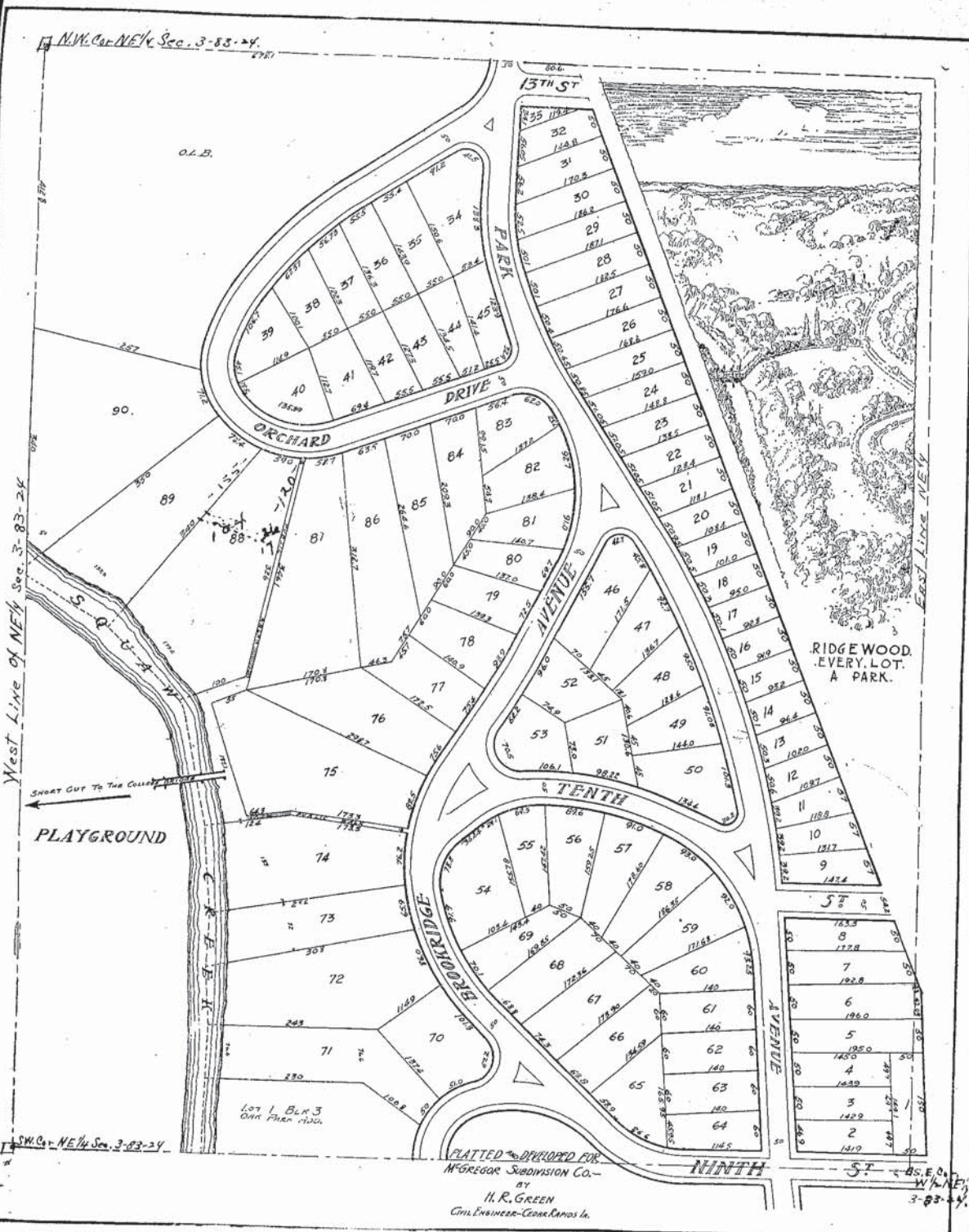
**ALTERNATIVES:**

1. Set the date of public hearing as November 28, 2017, to approve the vacation and conveyance of the Blackwood Circle right-of-way adjacent to 1101 Blackwood Circle.
2. Reconsider conveyance of the existing right-of-way.

**MANAGER'S RECOMMENDED ACTION:**

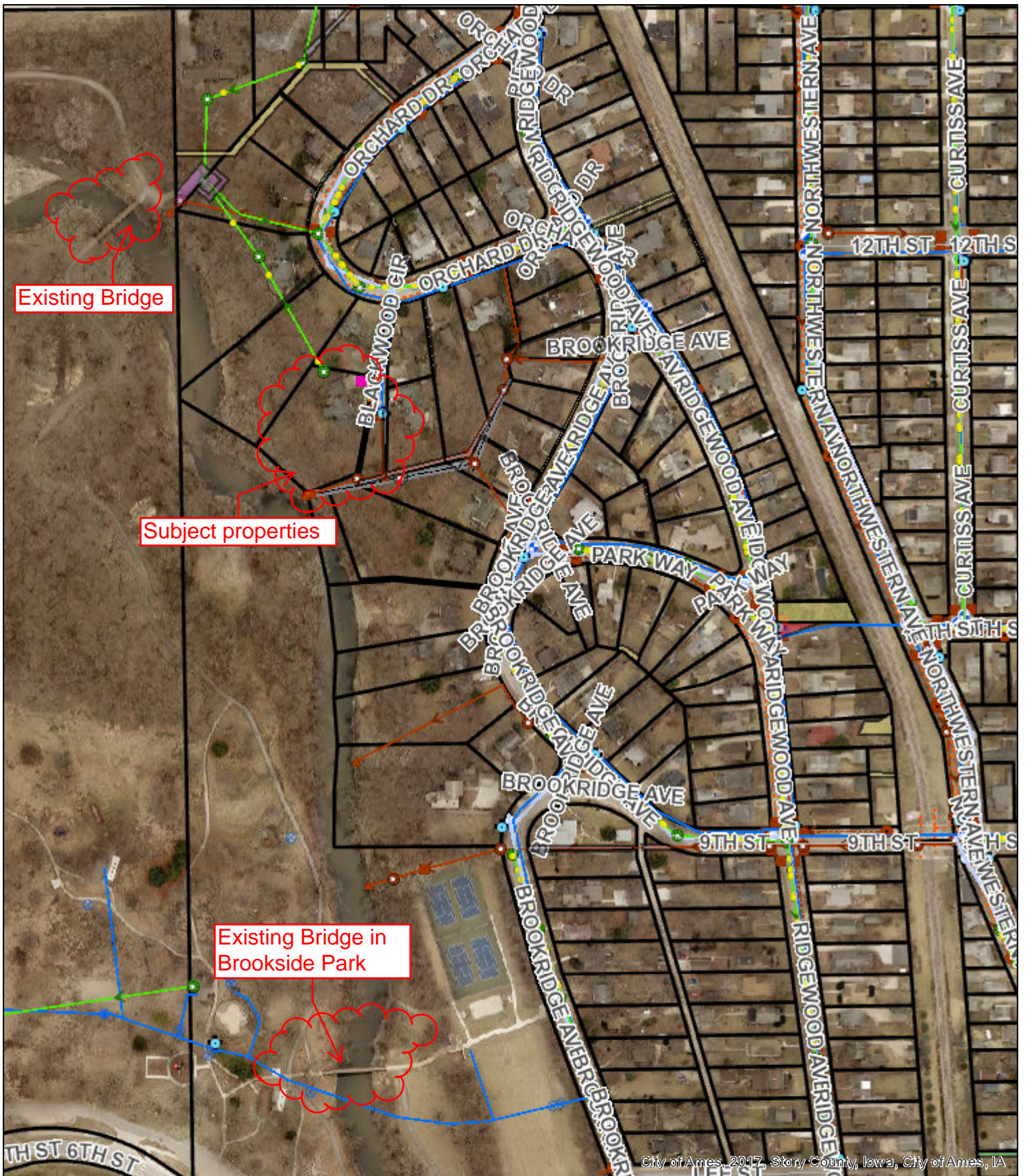
Conveyance of the existing right-of-way will allow property owner to make improvements to the existing structure. Conveyance of additional storm sewer easement to the City by the property owner will enable staff to better maintain the existing infrastructure. If this is approved, a permanent storm sewer easement will be prepared by staff and recorded once the property owner signs the document.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby setting the date of public hearing as November 28, 2017, to approve the vacation and conveyance of the Blackwood Circle right-of-way adjacent to 1101 Blackwood Circle.



Abstracters Note:- The dimensions and figures placed in ink on the above Plat locating corners, was taken from the Plat as recorded in Iron Plat deed Record 45 on Page 2 being Plat of Ridgewood. Dated at Nevada Iowa this 4th day of October 1929.  
C. A. Bateman Abstract Company  
By H. J. Sayers Abstractor.





### ArcGIS Web Map



© City of Ames, Iowa makes no warranties, expressed or implied, including without limitation, any warranties of merchantability or fitness for a particular purpose. In no event shall the City of Ames be liable for lost profits or any consequential or incidental damages caused by the use of this map.

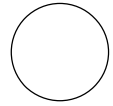
Date: 11/9/2017

1 inch = 333 feet

VACATION PLAT  
CITY OF AMES, IOWA ENGINEERING DIVISION

DATE: \_\_\_\_\_

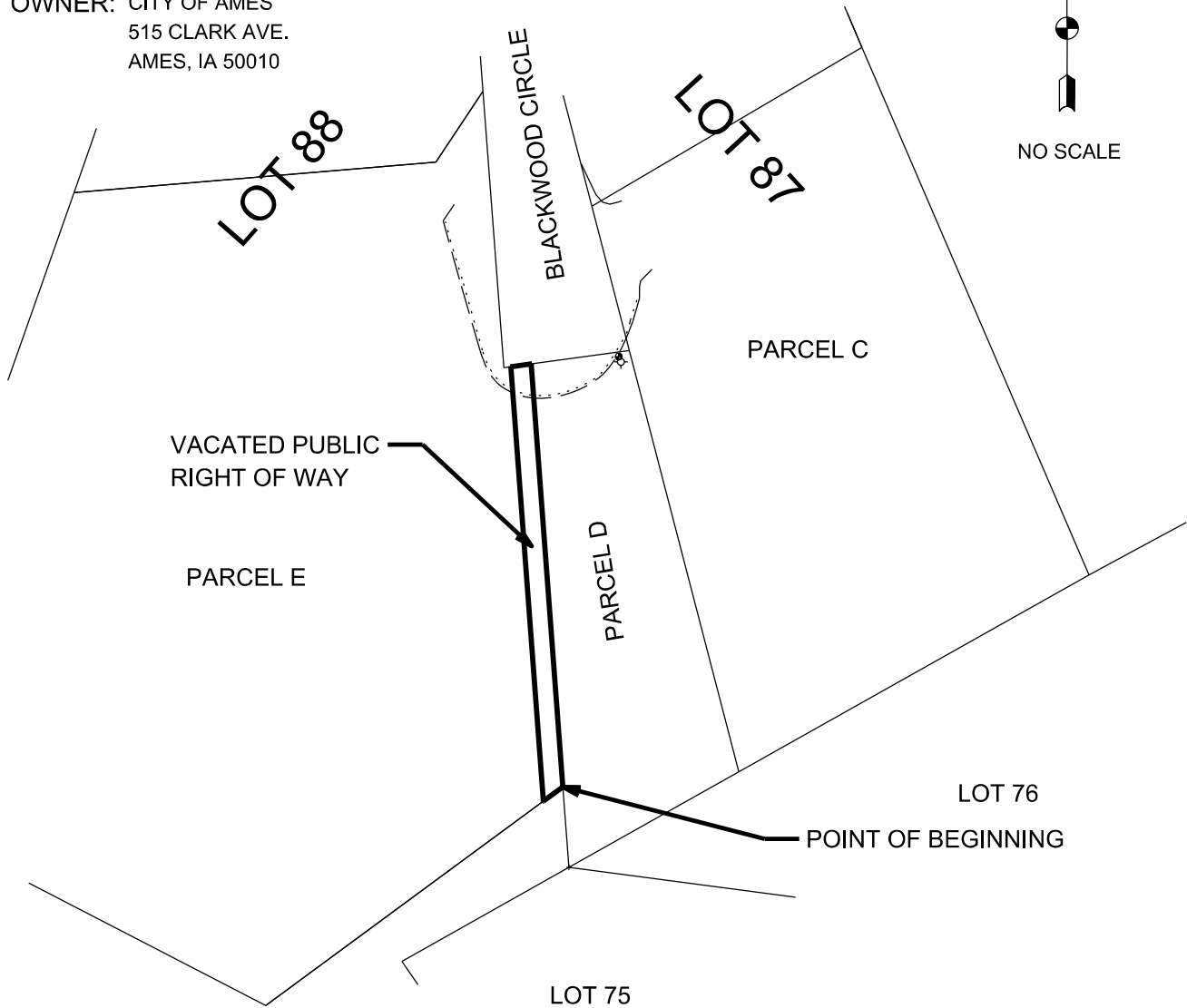
OWNER: CITY OF AMES  
515 CLARK AVE.  
AMES, IA 50010



N



NO SCALE



LEGAL DESCRIPTION:

PART OF THE PUBLIC WALK BETWEEN THE ORIGINAL LOT 88 AND LOT 87  
OF RIDGEWOOD ADDITION TO THE CITY OF AMES, IOWA

COMMENCING AT THE SOUTHWEST CORNER OF PARCEL D PART OF LOT 87 IN RIDGEWOOD ADDITION TO AMES,  
STORY COUNTY, IOWA; THENCE N 28°01'04" E ON THE WEST LINE OF SAID PARCEL D, A DISTANCE OF 23.17 FEET  
TO THE POINT OF BEGINNING; THENCE N 28°01'04" E ON SAID WEST LINE, A DISTANCE OF 121.82 FEET; THENCE  
N 65°27'21" W TO A POINT ON THE EAST LINE OF PARCEL E A PART OF LOT 88 OF SAID ADDITION, A DISTANCE OF  
5.87 FEET; THENCE S 28°01'05" W ON SAID EAST LINE TO A POINT ON THE SOUTH LINE OF SAID PARCEL E, A  
DISTANCE OF 125.14 FEET; THENCE N 85°58'08" E ON SAID SOUTH LINE, A DISTANCE OF 6.91 FEET TO THE POINT  
OF BEGINNING.

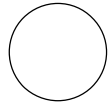
THE DESCRIBED AREA CONTAINS 723.5 S.F. (0.01 ACRES), MORE OR LESS.



PERMANENT STORM SEWER EASEMENT PLAT  
CITY OF AMES, IOWA ENGINEERING DIVISION

DATE: \_\_\_\_\_

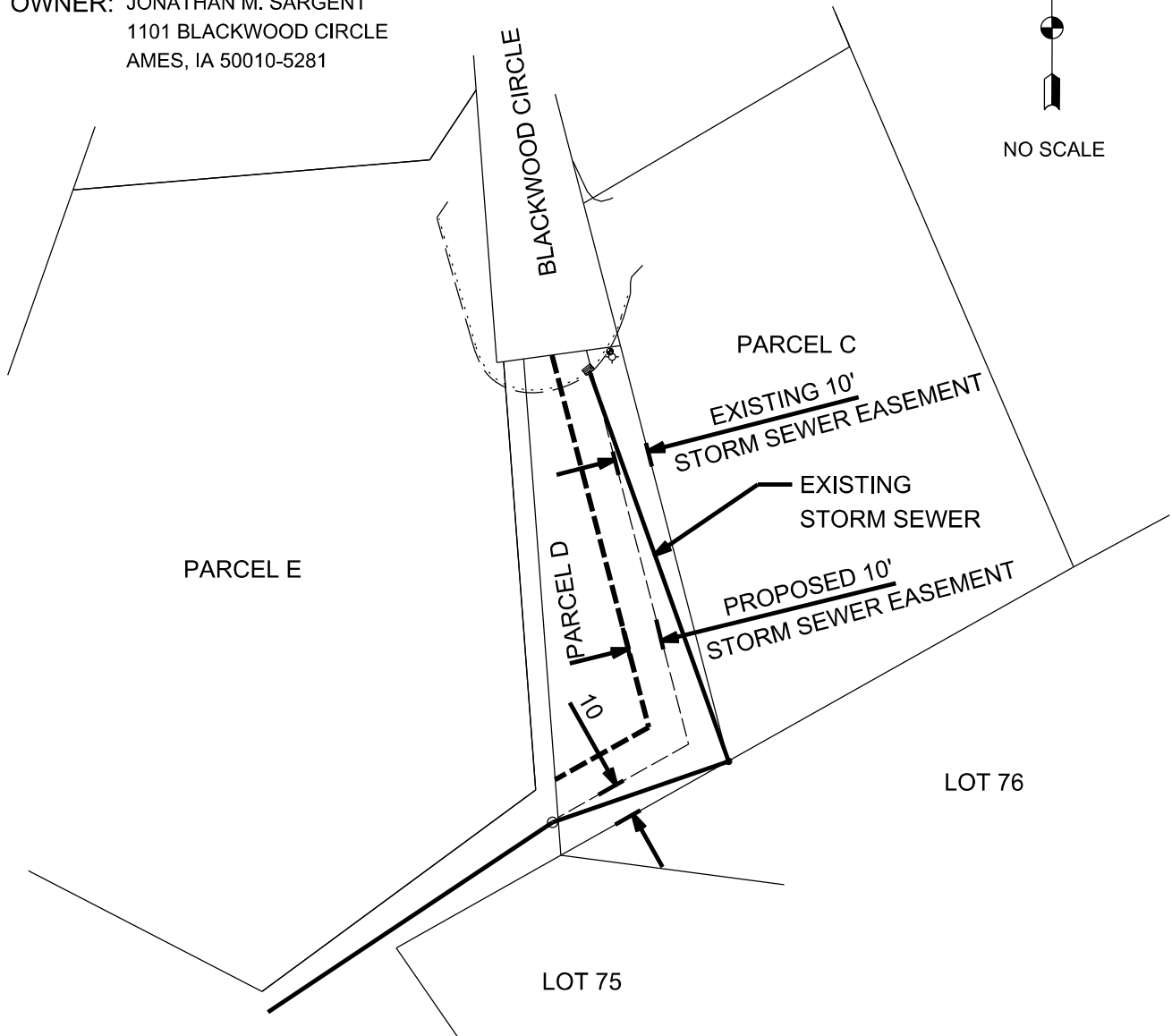
OWNER: JONATHAN M. SARGENT  
1101 BLACKWOOD CIRCLE  
AMES, IA 50010-5281



N



NO SCALE



PERMANENT STORM SEWER EASEMENT  
FROM: JONATHAN M. SARGENT

THE WEST 10' OF THE EAST 20' AND THE  
NORTH 10' OF THE SOUTH 20' EXCEPT THE EAST 20' OF  
PARCEL D A PART OF LOT 87, RIDGEWOOD ADDITION TO THE CITY OF AMES,  
STORY COUNTY, IOWA, IN THE 5TH P.M.

**COUNCIL ACTION FORM**

**SUBJECT: ENGINEERING SERVICES FOR STRUCTURAL REPAIRS – PHASE 2  
AT THE WATER POLLUTION CONTROL FACILITY**

**BACKGROUND:**

A comprehensive evaluation of the structural condition of the Water Pollution Control Facility (WPCF) buildings and structures was performed in 2012 by HDR Engineering. Based on that assessment, the facility is generally in overall good condition. However, the facility is more than 28 years old and is showing signs of age-related deterioration. As a part of the condition assessment, a schedule for structural rehabilitation was developed. The drivers for the schedule are the estimated remaining useful life in each structure and coordination with future improvements to the facility.

Because of the piece-work nature of the project, staff has previously entered into a Master Agreement with HDR Engineering that contains the contractual language, with individual "Task Orders" being issued to specify the actual scope of work to be provided for each discrete phase of the work. HDR Engineering has previously been awarded a contract for engineering services associated with Task Order 1 of the Master Agreement. That work, completed in a construction contract referenced as "Phase 1," has now been completed. Staff is now ready move forward with Task Order 2 that will lead to a construction contract that will be referred to as "Phase 2."

Task Order 2 includes engineering services to address the following items included in the FY 2016/17 and FY 2018/19 Capital Improvements Plan:

- FY 16/17      Joint repairs at the sludge pumping building (\$46,000)
  
- FY 18/19      Repairs to the Administration Building entrance slab (\$184,000); repairs to joints in precast wall panels (all structures except trickling filter and Digester Complex) (\$450,000); stair support and sidewalk at SW clarifier stair (\$18,000); repair drainage and moisture issues around multiple structures (\$461,000)

Funding for Phase 2 will come from carryover from the FY 2016/17 CIP (\$50,000) and the FY 18/19 CIP (\$1,113,000) for a total of \$1,163,000.

In addition to the tasks outlined above, Task 2 design work will also evaluate the potential construction costs for the following: replace damaged sidewalks; make repairs to the digester complex tunnel; and address structural needs at the Trickling Filter

Complex. Once the more detailed cost estimates have been prepared, these tasks may also be incorporated into the Phase 2 construction contract if the budget allows.

It should be noted that Task Order 2 with HDR does not include construction phase engineering services. The level of construction oversight and assistance that will be required by the consultant versus provided by City staff will be evaluated during the design process, and can be added to HDR's work if needed.

**ALTERNATIVES:**

1. Approve Task Order 2 for design and bidding phase structural engineering services with HDR Engineering, Inc. of West Des Moines, Iowa in an amount not to exceed \$148,107.
2. Do not award an engineering contract for these services at this time.

**CITY MANAGER'S RECOMMENDED ACTION:**

In order to preserve the significant investment in infrastructure at the Water Pollution Control Facility, periodic structural rehabilitation of buildings and structures is necessary. Because of the value and significance of the structures identified in this project, it is essential that rehabilitation be done prior to a structural failure. Therefore, it is the recommendation of the City Manager to adopt Alternative No. 1 as described above.

**COUNCIL ACTION FORM**

**SUBJECT: MAJOR FINAL PLAT FOR BRICKTOWNE AMES SUBDIVISION**

**BACKGROUND:**

The City's subdivision regulations are included in Chapter 23 of the Ames Municipal Code. Once the applicant has completed the necessary requirements, including provision of required public improvements or provision of financial security for their completion, an application for a "Final Plat" may then be made for City Council approval. After City Council approval of the Final Plat, it must then be recorded with the County Recorder to become an officially recognized subdivision plat. The Final Plat must be found to conform to the ordinances of the City and any conditions placed upon the Preliminary Plat approval.

Dickson Jensen has submitted a final plat for a major subdivision for Bricktowne Ames Subdivision. The Bricktowne development lies along S. Duff Avenue and east of the Ames Municipal Airport as shown on the location map in Attachment 1. The property was rezoned to Planned Residence District (F-PRD) and a Preliminary Plat approved on July 25, 2017. The site is also subject to Master Plan and contract rezoning agreement.

The development creates 14 lots plus two street lots dedicating S. Duff Avenue (US Highway 69). Lots 1 through 11 will be a residential development of 572 units of which 416 are one bedroom, 136 are two bedrooms, and 20 are three bedrooms in apartment blocks and townhome style units. The City Council approved a Major Site Development Plan for this development with the F-PRD rezoning on July 25.

Lots 12, 13, and 14 are zoned Highway-Oriented Commercial (HOC). Commercial development on Lots 12 through 14 will need to meet standard Highway-Oriented Commercial zoning regulations although the Master Plan does allow the required screening between the commercial and residential uses to be placed on the residential lots.

Many of the lots will not have frontage on a public street, but will obtain legal access through easements filed with this Final Plat. A blanket easement over Lot 13 was created to allow Lot 12 access to the private street that intersects with Crystal Street. Except for the two identified private streets, no lot will have individual access to S. Duff Avenue—access to individual lots will be via the private streets.

The Final Plat is accompanied by financial security of \$1,061,068.80 for all public improvements. These include all public water and sanitary sewer mains within the development, and a public sidewalk along the street frontage (including along the front of the cemetery). An additional \$75,000 payment was made for electrical upgrades. The streets are all private streets and required no financial security. An additional security of

\$1,636,034.30 was submitted for storm water features as required under Chapter 5B and the Contract Zoning Agreement.

Other necessary infrastructure will be installed by the City per the Rezoning Contract Agreement. The City will install the traffic light at the north entrance to the development across from Crystal Street and will widen portions of S. Duff Avenue. The City will also extend the shared-use path on the east side of the highway. The City is in the process of design and bidding for the Duff Avenue widening project as required in the agreement.

**ALTERNATIVES:**

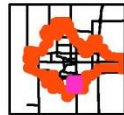
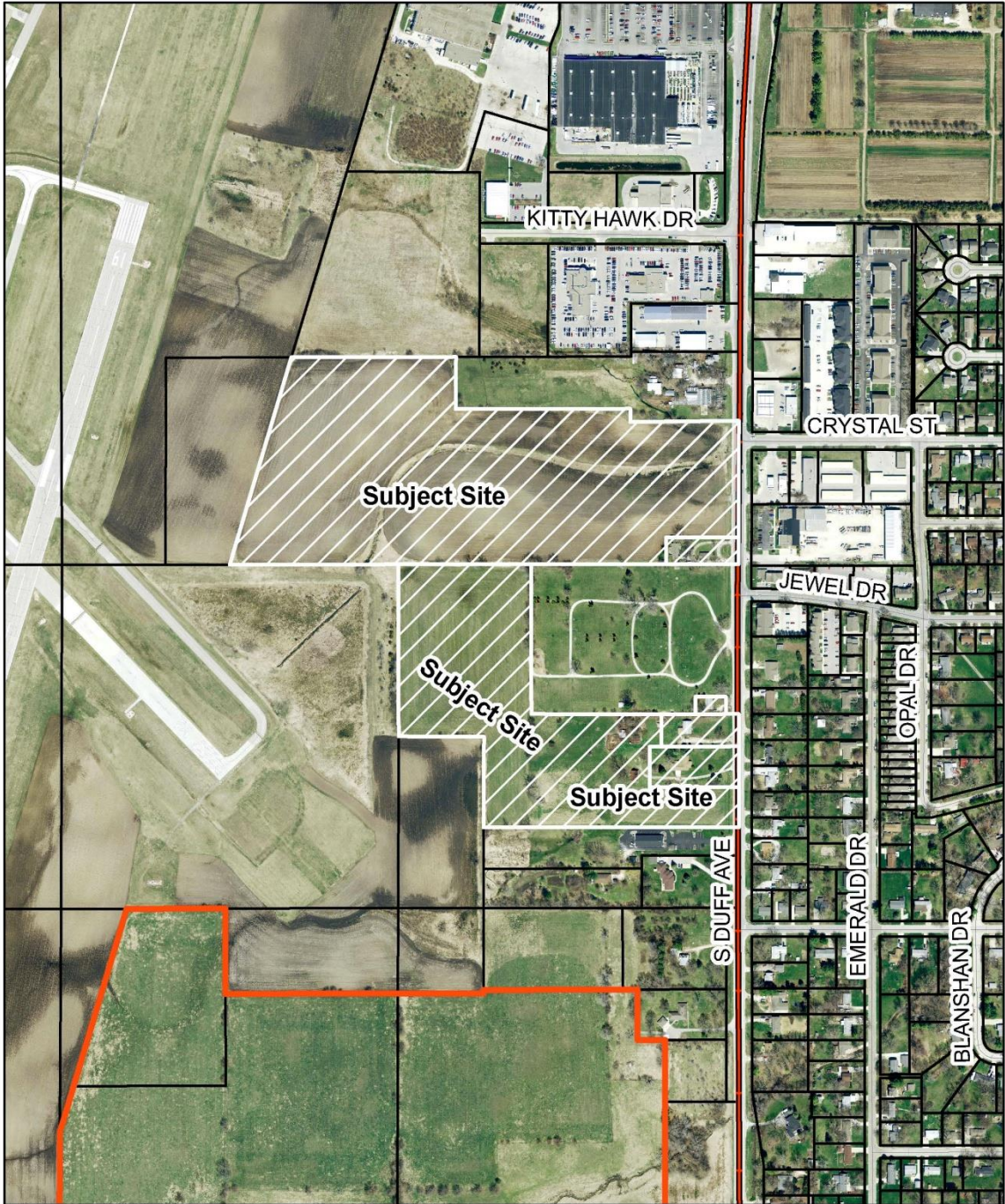
1. The City Council can approve the Final Plat of Bricktowne Ames Subdivision based upon the staff's findings that the Final Plat conforms to relevant and applicable design standards, ordinances, policies, and plans with a Public Improvement Agreement and financial security.
2. The City Council can deny the Final Plat for Quarry Estates Subdivision, Second Addition if it finds that the development creates a burden on existing public improvements or creates a need for new public improvements that have not yet been installed.

**CITY MANAGER'S RECOMMENDED ACTION:**

City staff has evaluated the proposed Final Plat for a major subdivision and determined that the proposal is consistent with the Preliminary Plat, Major Site Development Plan, and Rezoning Contract approved by City Council and that the plat conforms to the adopted ordinances and policies of the City as required by Code.

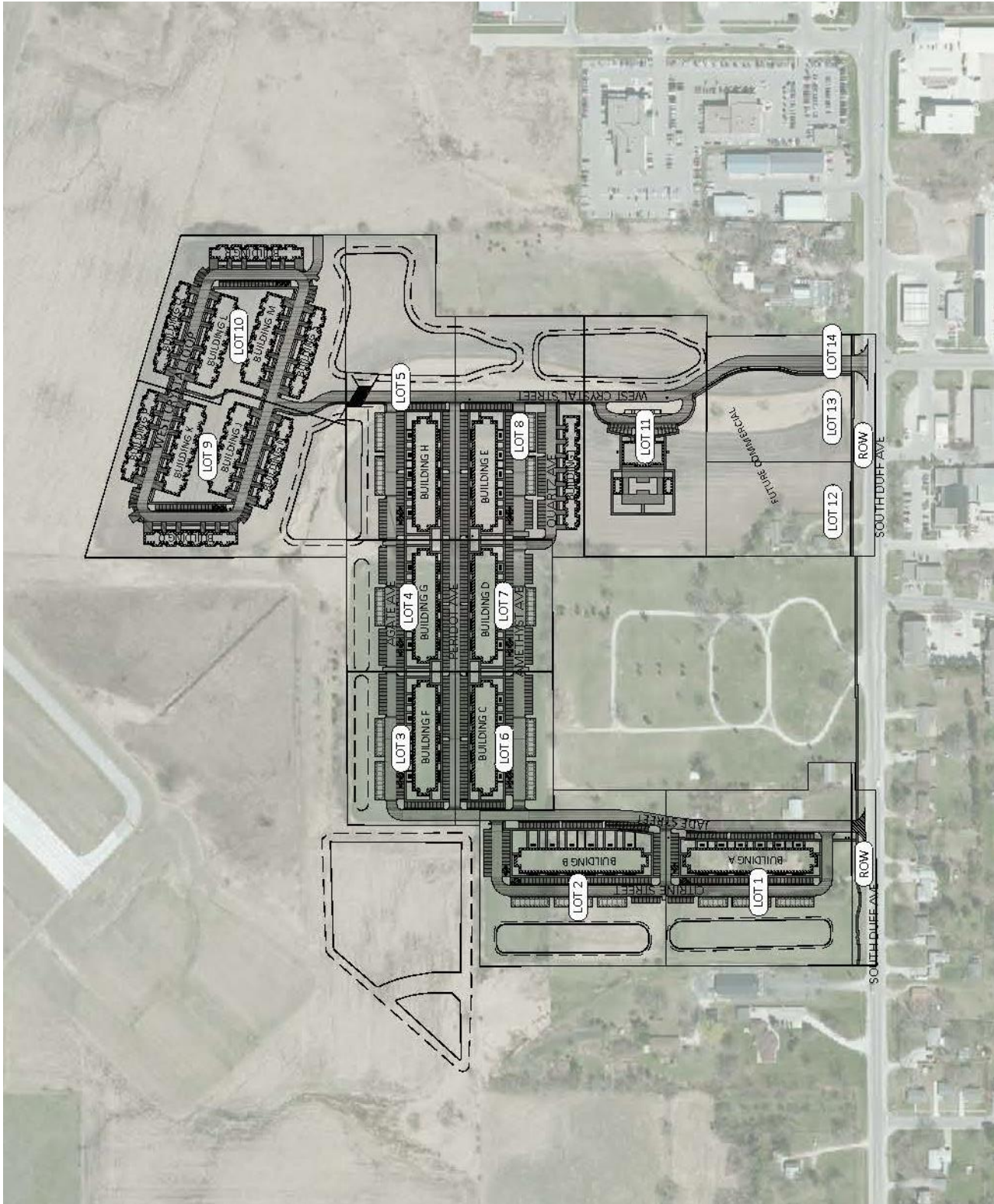
Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1, approving the Preliminary Plat of Brick Towne.

# ATTACHMENT 1: LOCATION MAP





# ATTACHMENT 2: BRICKTOWNE AMES SUBDIVISION LOT LAYOUT



## Applicable Laws and Policies Pertaining to Final Plat Approval

Adopted laws and policies applicable to this case file include, but are not limited to, the following:

### *Ames Municipal Code Section 23.302*

(10) City Council Action on Final Plat for Major Subdivision:

(a) All proposed subdivision plats shall be submitted to the City Council for review and approval. Upon receipt of any Final Plat forwarded to it for review and approval, the City Council shall examine the Application Form, the Final Plat, any comments, recommendations or reports examined or made by the Department of Planning and Housing, and such other information as it deems necessary or reasonable to consider.

(b) Based upon such examination, the City Council shall ascertain whether the Final Plat conforms to relevant and applicable design and improvement standards in these Regulations, to other City ordinances and standards, to the City's Land Use Policy Plan and to the City's other duly adopted plans.

(c) The City Council may:

(i) deny any subdivision where the reasonably anticipated impact of such subdivision will create such a burden on existing public improvements or such a need for new public improvements that the area of the City affected by such impact will be unable to conform to level of service standards set forth in the Land Use Policy Plan or other capital project or growth management plan of the City until such time that the City upgrades such public improvements in accordance with schedules set forth in such plans; or,

(ii) approve any subdivision subject to the condition that the Applicant contribute to so much of such upgrade of public improvements as the need for such upgrade is directly and proportionately attributable to such impact as determined at the sole discretion of the City. The terms, conditions and amortization schedule for such contribution may be incorporated within an Improvement Agreement as set forth in Section 23.304 of the Regulations.

(d) Prior to granting approval of a major subdivision Final Plat, the City Council may permit the plat to be divided into two or more sections and may impose such conditions upon approval of each section as it deems necessary to assure orderly development of the subdivision.

(e) Following such examination, and within 60 days of the Applicant's filing of the complete Application for Final Plat Approval of a Major Subdivision with the Department of Planning and Housing, the City Council shall approve, approve subject to conditions, or disapprove the Application for Final Plat Approval of a Major Subdivision. The City Council shall set forth its reasons for disapproving any Application or for conditioning its approval of any Application in its official records and shall provide a written copy of such reasons to the developer. The City Council shall pass a resolution accepting the Final Plat for any Application that it approves.

*(Ord. No. 3524, 5-25-99)*

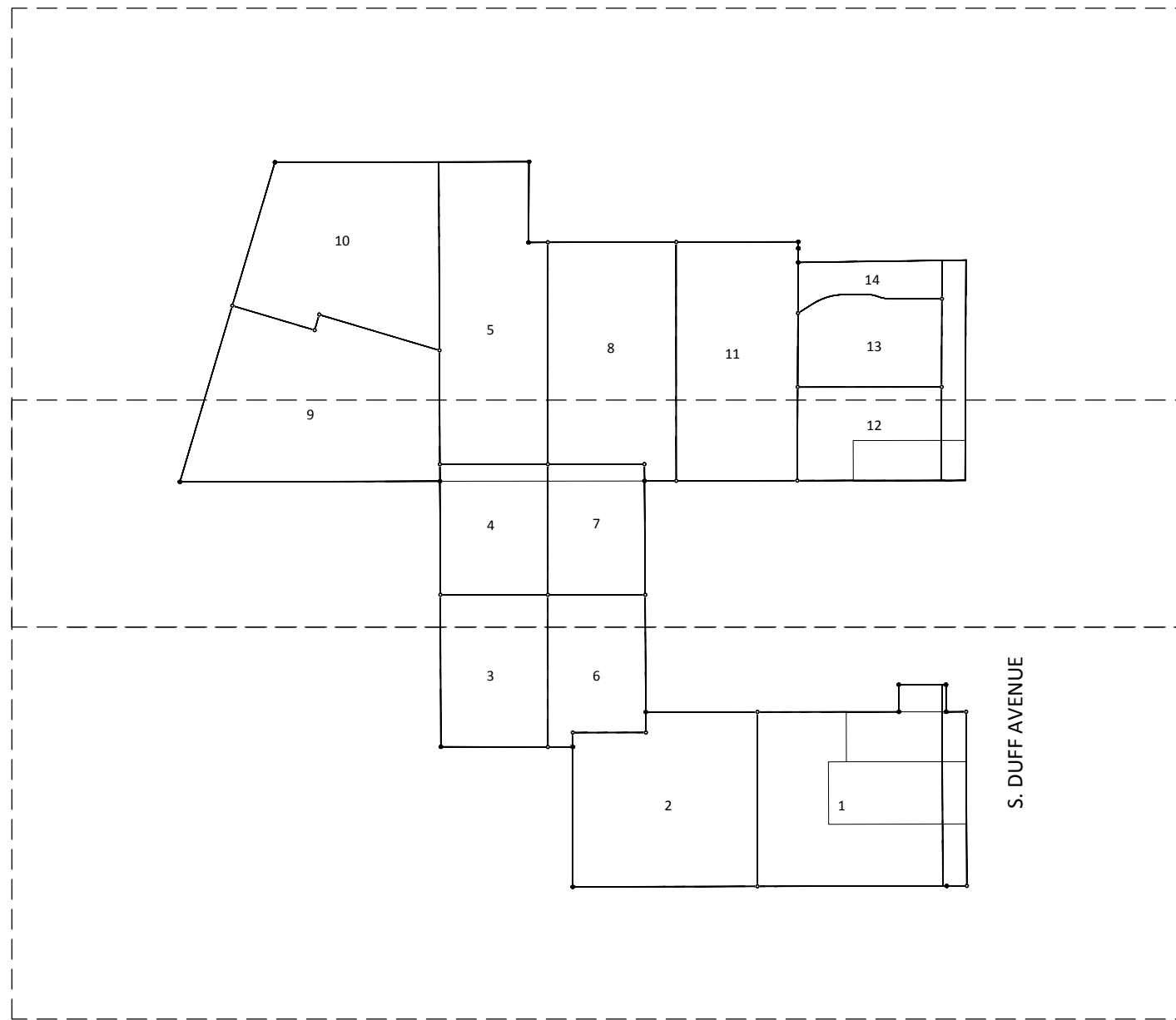


**FINAL PLAT**  
 BRICKTOWNE AMES SUBDIVISION  
 CITY OF AMES  
 STORY COUNTY, IOWA  
 AUGUST 2017



INDEX OF SHEETS	
Sheet Number	Sheet Title
1	COVER SHEET
2	FINAL PLAT
3	FINAL PLAT
4	EASEMENTS
5	EASEMENTS
6	EASEMENTS - LOT 1
7	EASEMENTS - LOT 2
8	EASEMENTS - LOT 3
9	EASEMENTS - LOT 4
10	EASEMENTS - LOT 5
11	EASEMENTS - LOT 6
12	EASEMENTS - LOT 7
13	EASEMENTS - LOT 8
14	EASEMENTS - LOT 9
15	EASEMENTS - LOT 10
16	EASEMENTS - LOT 11
17	EASEMENTS - LOT 12 & LOT 13
18	EASEMENTS - LOT 14

SHEETS 1 & 3



SHEETS 2 & 4

SURVEY DESCRIPTION : PART OF SW 1/4 SEC 14-83-24 AND PART OF NW 1/4 SEC 23-83-24

PROPRIETOR : JENSEN, DICKSON AND LUANN C.

REQUESTED BY : JENSEN GROUP

SURVEYOR : EUGENE DREYER, PLS #17535  
 BOLTON & MENK, INC.  
 2730 FORD STREET  
 AMES, IOWA 50010  
 515-233-6100

**LEGEND**

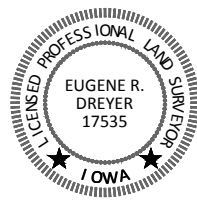
- FOUND 1/2" REBAR WITH YELLOW PLASTIC CAP #17535 (UNLESS OTHERWISE NOTED)
- ▲ FOUND SECTION CORNER
- SET 1/2"x24" REBAR WITH YELLOW PLASTIC CAP #17535 (UNLESS OTHERWISE NOTED)
- SET 5/8"x24" REBAR WITH YELLOW PLASTIC CAP #17535
- (R) RECORDED DIMENSION
- P.U.E. PUBLIC UTILITY EASEMENT

**NOTES:**

1. BRICKTOWNE AMES SUBDIVISION IS IN THE SW QUARTER OF SECTION 14-83-24 AND THE NW QUARTER OF SECTION 23-83-24.
2. BEARINGS AND COORDINATES SHOWN ARE IOWA REGIONAL COORDINATE SYSTEM, ZONE #8, US SURVEY FOOT.
3. TOTAL AREA OF THE ADDITION IS 1,950,684 SQUARE FEET.
4. SOIL BORINGS ARE REQUIRED IN AREAS WITHIN THIS PLAT WHICH HAVE BEEN IDENTIFIED BY THE CITY OF AMES AS HAVING SOILS THAT MAKE CONSTRUCTION DIFFICULT.
5. LOT 'A', CONTAINING 33,080 SQUARE FEET, AND LOT 'B', CONTAINING 26,842 SQUARE FEET TO BE DEDICATED TO THE CITY OF AMES FOR STREET PURPOSES.
6. THIS SURVEY MEETS OR EXCEEDS IOWA CODE 355.



© Bolton & Menk, Inc. 2017, All Rights Reserved  
 H:\JENDI\_PR\A13112242\CAD\C3D\FIGR-112242-FINAL PLAT.dwg 11/7/2017 4:12 PM



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

EUGENE R. DREYER L.S.  
 REG. NO. 17535 DATE: \_\_\_\_\_  
 MY LICENSE RENEWAL DATE IS DECEMBER 31, 2018  
 PAGES OR SHEETS COVERED BY THIS SEAL:  
 ALL SHEETS

**COVER SHEET**  
 BRICKTOWNE AMES SUBDIVISION



2730 FORD ST, P.O. BOX 668  
 AMES, IOWA 50010  
 Phone: (515) 233-6100  
 Email: Ames@bolton-menk.com  
 www.bolton-menk.com

**OWNER:**  
 JENSEN, DICKSON AND LUANN C.  
 4611 MORTENSEN RD, SUITE 106  
 AMES, IA 50014

SURVEY DESCRIPTION : PART OF SW 1/4 SEC 14-83-24 AND PART OF NW 1/4 SEC 23-83-24

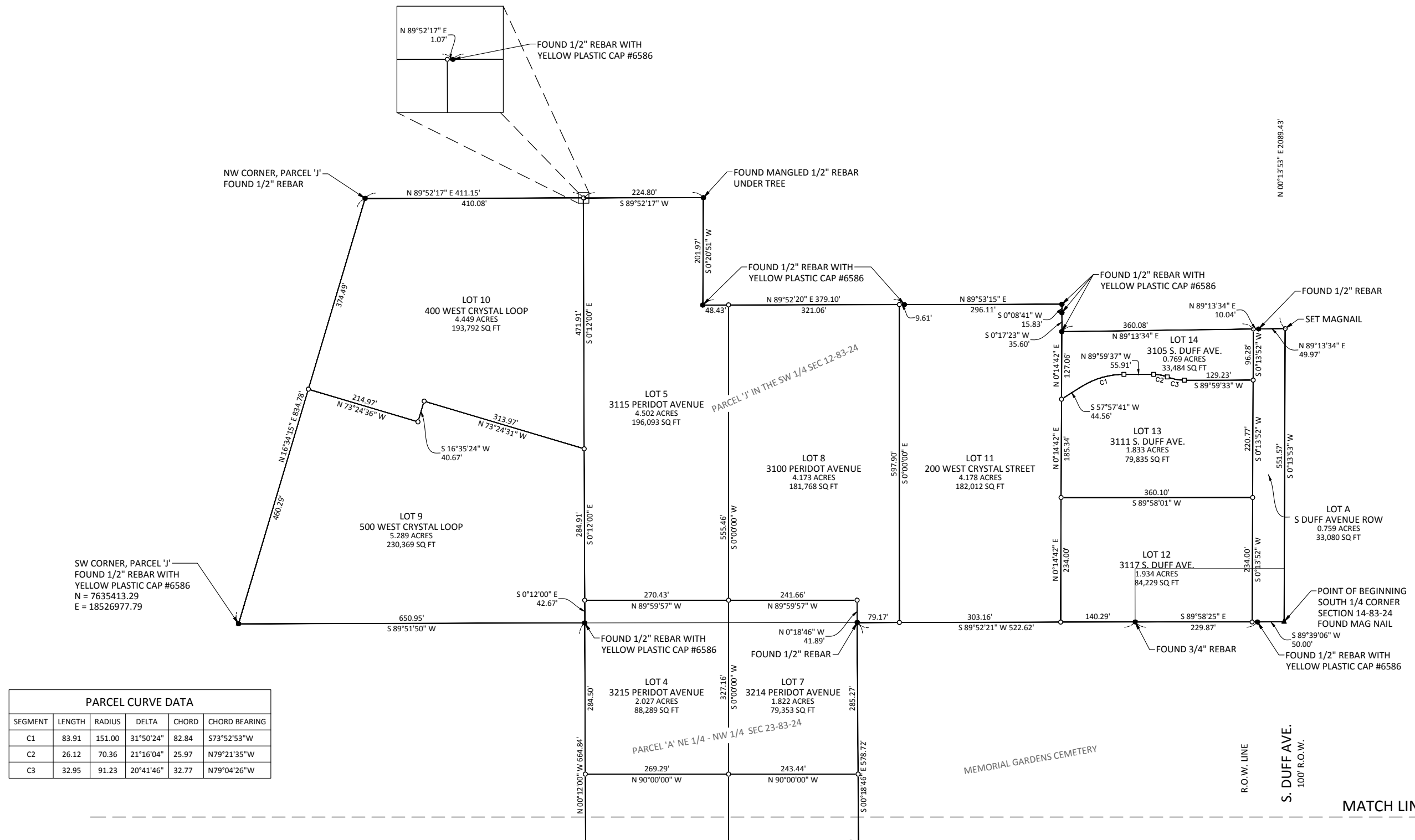
PROPRIETOR : JENSEN, DICKSON AND LUANN C.

REQUESTED BY : JENSEN GROUP

SURVEYOR : EUGENE DREYER, PLS #17535  
BOLTON & MENK, INC.  
2730 FORD STREET  
AMES, IOWA 50010  
515-233-6100

PAGE : \_\_\_\_\_  
SLIDE : \_\_\_\_\_

CENTER 1/4 CORNER  
SECTION 14-83-24  
FOUND PK NAIL  
N = 7638057.95  
E = 18528954.06



PARCEL CURVE DATA					
SEGMENT	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C1	83.91	151.00	31°50'24"	82.84	S73°52'53"W
C2	26.12	70.36	21°16'04"	25.97	N79°21'35"W
C3	32.95	91.23	20°41'46"	32.77	N79°04'26"W



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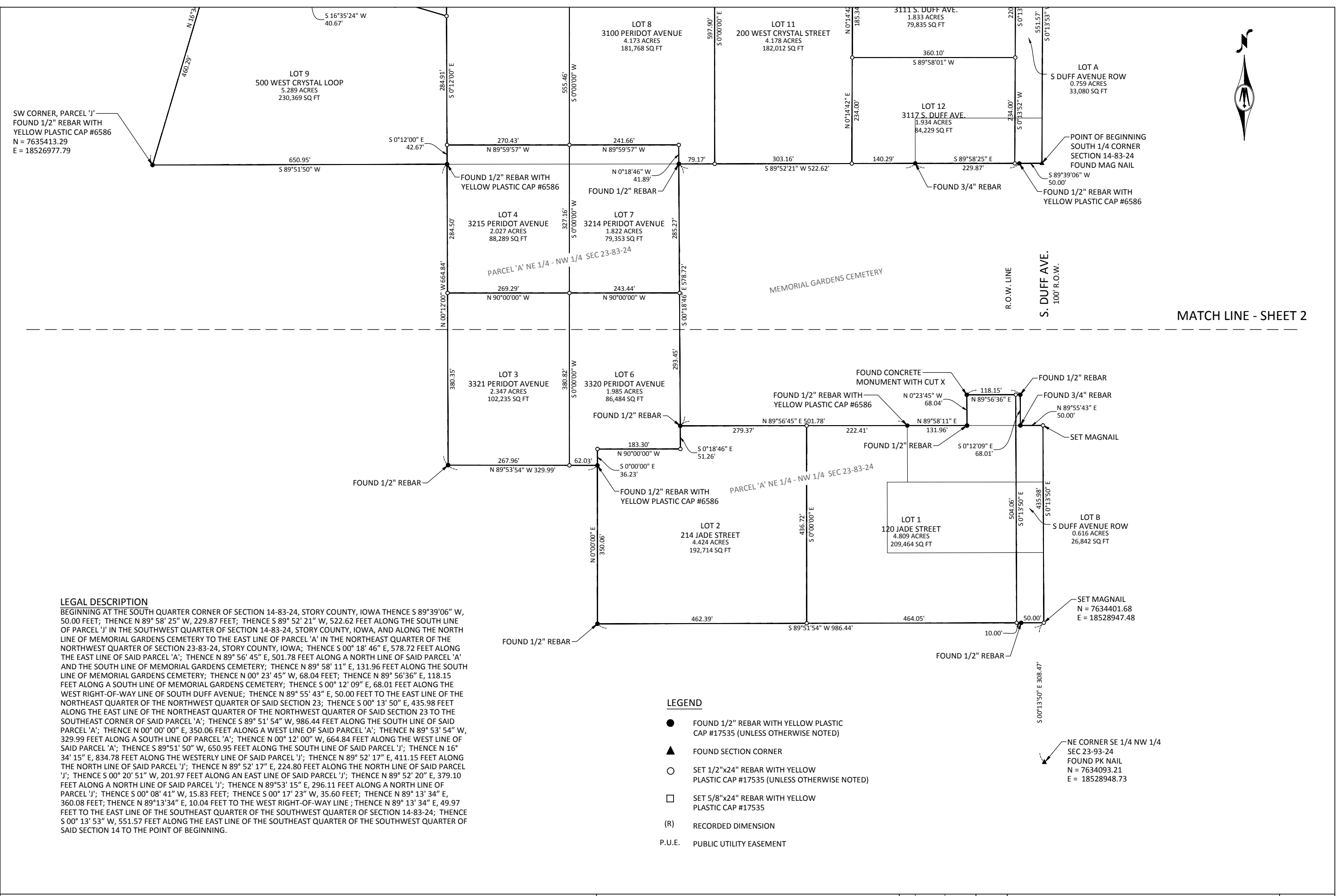
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DESIGNED		JENSEN GROUP BRICKTOWNE AMES SUBDIVISION FINAL PLAT
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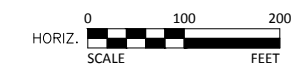


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**LEGAL DESCRIPTION**  
 BEGINNING AT THE SOUTH QUARTER CORNER OF SECTION 14-83-24, STORY COUNTY, IOWA THENCE S 89°39'06" W, 50.00 FEET; THENCE N 89° 58' 25" W, 229.87 FEET; THENCE S 89° 52' 21" W, 522.62 FEET ALONG THE SOUTH LINE OF PARCEL 'J' IN THE SOUTHWEST QUARTER OF SECTION 14-83-24, STORY COUNTY, IOWA, AND ALONG THE NORTH LINE OF MEMORIAL GARDENS CEMETERY TO THE EAST LINE OF PARCEL 'A' IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 23-83-24, STORY COUNTY, IOWA; THENCE S 00° 18' 46" E, 578.72 FEET ALONG THE EAST LINE OF SAID PARCEL 'A'; THENCE N 89° 56' 45" E, 501.78 FEET ALONG A NORTH LINE OF SAID PARCEL 'A' AND THE SOUTH LINE OF MEMORIAL GARDENS CEMETERY; THENCE N 89° 58' 11" E, 131.96 FEET ALONG THE SOUTH LINE OF MEMORIAL GARDENS CEMETERY; THENCE N 00° 23' 45" W, 68.04 FEET; THENCE N 89° 56' 36" E, 118.15 FEET ALONG A SOUTH LINE OF MEMORIAL GARDENS CEMETERY; THENCE S 00° 12' 09" E, 68.01 FEET ALONG THE WEST RIGHT-OF-WAY LINE OF SOUTH DUFF AVENUE; THENCE N 89° 55' 43" E, 50.00 FEET TO THE EAST LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 23; THENCE S 00° 13' 50" E, 435.98 FEET ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 23 TO THE SOUTHEAST CORNER OF SAID PARCEL 'A'; THENCE S 89° 51' 54" W, 986.44 FEET ALONG THE SOUTH LINE OF SAID PARCEL 'A'; THENCE N 00° 00' 00" E, 350.06 FEET ALONG A WEST LINE OF SAID PARCEL 'A'; THENCE N 89° 53' 54" W, 329.99 FEET ALONG A SOUTH LINE OF PARCEL 'A'; THENCE N 00° 12' 00" W, 664.84 FEET ALONG THE WEST LINE OF SAID PARCEL 'A'; THENCE S 89°51' 50" W, 650.95 FEET ALONG THE SOUTH LINE OF SAID PARCEL 'J'; THENCE N 16° 34' 15" E, 834.78 FEET ALONG THE WESTERLY LINE OF SAID PARCEL 'J'; THENCE N 89° 52' 17" E, 411.15 FEET ALONG THE NORTH LINE OF SAID PARCEL 'J'; THENCE N 89° 52' 17" E, 224.80 FEET ALONG THE NORTH LINE OF SAID PARCEL 'J'; THENCE S 00° 20' 51" W, 201.97 FEET ALONG AN EAST LINE OF SAID PARCEL 'J'; THENCE N 89° 52' 20" E, 379.10 FEET ALONG A NORTH LINE OF SAID PARCEL 'J'; THENCE N 89°53' 15" E, 296.11 FEET ALONG A NORTH LINE OF PARCEL 'J'; THENCE S 00° 08' 41" W, 15.83 FEET; THENCE S 00° 17' 23" W, 35.60 FEET; THENCE N 89° 13' 34" E, 360.08 FEET; THENCE N 89°13'34" E, 10.04 FEET TO THE WEST RIGHT-OF-WAY LINE; THENCE N 89° 13' 34" E, 49.97 FEET TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 14-83-24; THENCE S 00° 13' 53" W, 551.57 FEET ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 14 TO THE POINT OF BEGINNING.

- LEGEND**
- FOUND 1/2" REBAR WITH YELLOW PLASTIC CAP #17535 (UNLESS OTHERWISE NOTED)
  - ▲ FOUND SECTION CORNER
  - SET 1/2"x24" REBAR WITH YELLOW PLASTIC CAP #17535 (UNLESS OTHERWISE NOTED)
  - SET 5/8"x24" REBAR WITH YELLOW PLASTIC CAP #17535
  - (R) RECORDED DIMENSION
  - P.U.E. PUBLIC UTILITY EASEMENT



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FINAL PLAT	

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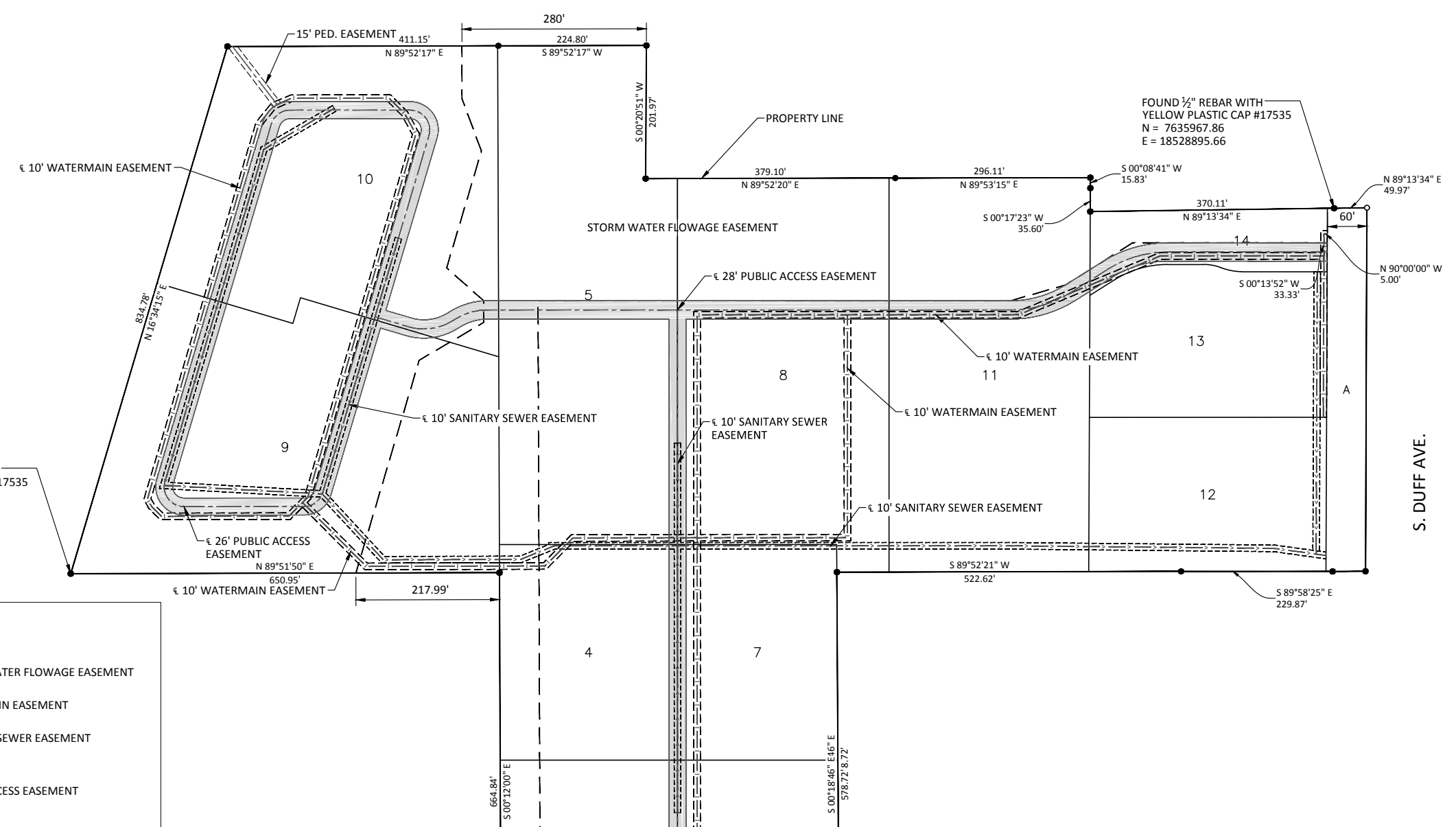
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FOUND 1/2" REBAR WITH  
YELLOW PLASTIC CAP #17535  
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E = 18526977.79

FOUND 1/2" REBAR WITH  
YELLOW PLASTIC CAP #17535  
N = 7635967.86  
E = 18528895.66

**LEGEND**

	STORM WATER FLOWAGE EASEMENT
	WATERMAIN EASEMENT
	SANITARY SEWER EASEMENT
	PUBLIC ACCESS EASEMENT



MATCH LINE - SHEET 5

SHEETS 4 AND 5 ARE FOR INFORMATION ONLY. DETAILED EASEMENT DATA FOLLOWS ON SHEETS 6 THROUGH 18.



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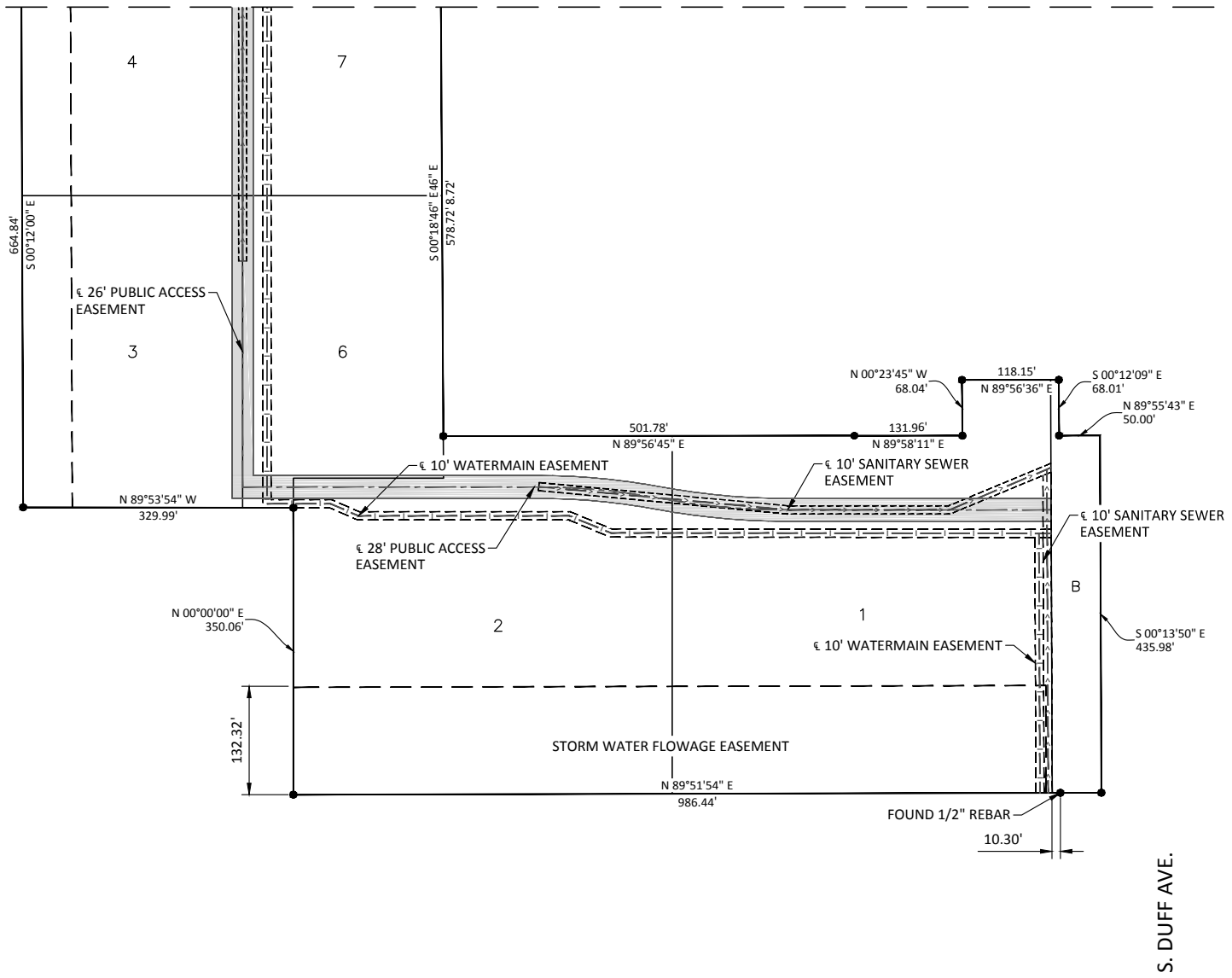
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**LEGEND**

- STORM WATER FLOWAGE EASEMENT
- WATERMAIN EASEMENT
- SANITARY SEWER EASEMENT
- PUBLIC ACCESS EASEMENT



SHEETS 4 AND 5 ARE FOR INFORMATION ONLY. DETAILED EASEMENT DATA FOLLOWS ON SHEETS 6 THROUGH 18.

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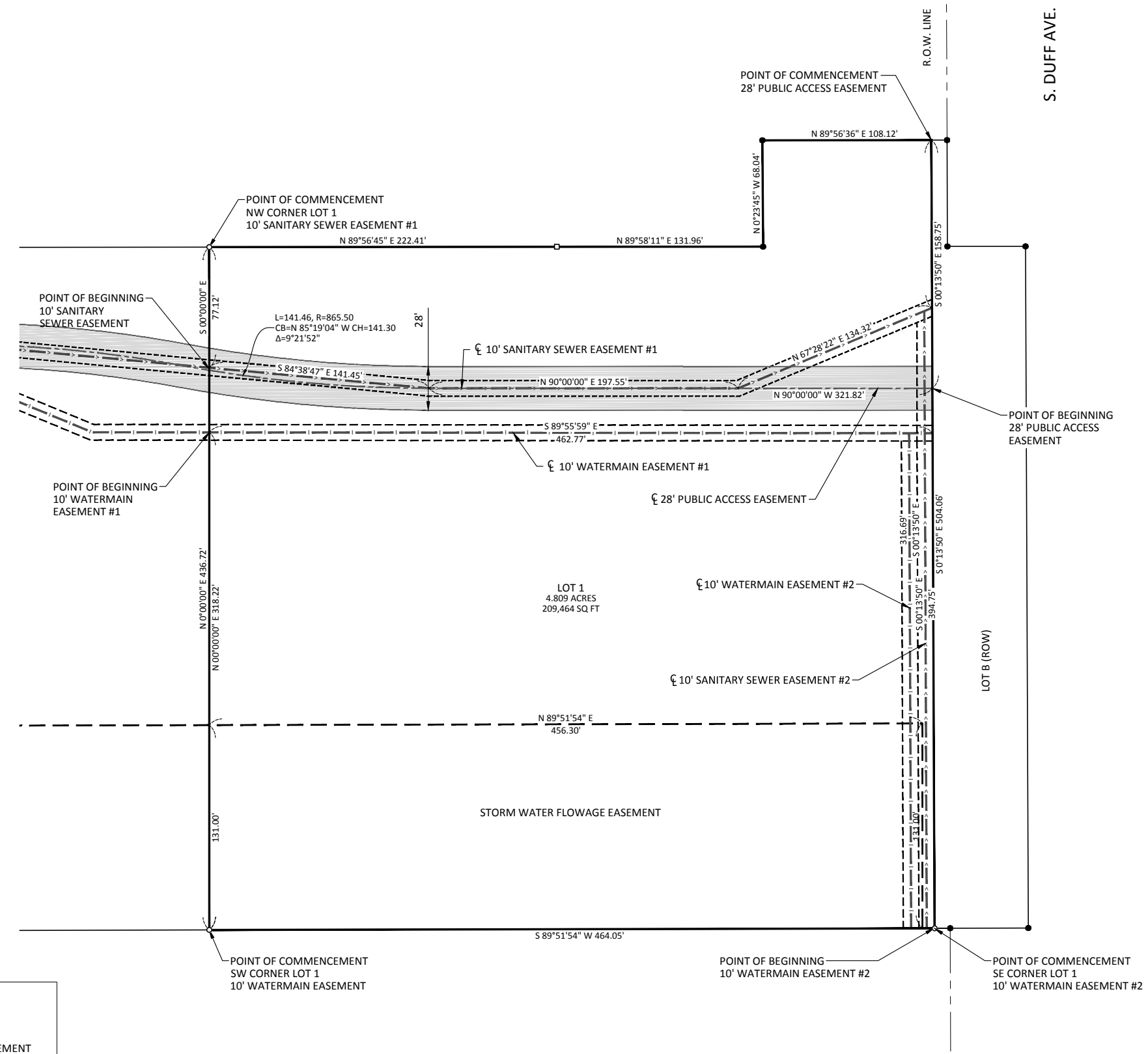
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EASEMENTS	

SHEET 5 OF 18



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**LOT 1**

**10 FOOT SANITARY SEWER EASEMENT #1**

A 10 FOOT SANITARY SEWER EASEMENT OVER, UNDER AND ACROSS PART OF LOT 1, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 10 FOOT SANITARY SEWER EASEMENT, BEING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE; COMMENCING AT THE NW CORNER OF SAID LOT 1, THENCE S 00°00'00" E, 77.12 FEET TO THE POINT OF BEGINNING OF SAID CENTERLINE; THENCE S 84°38'47" E, 141.45 FEET; THENCE N 90°00'00" E, 197.55 FEET; THENCE N 67°28'22" E, 134.32 FEET WITH THE SIDELINES BEING SUBTENDED OR EXTENDED TO TERMINATE AT THE EAST LINE OF SAID LOT 1.

**10 FOOT SANITARY SEWER EASEMENT #2**

A 10 FOOT SANITARY SEWER EASEMENT OVER, UNDER AND ACROSS PART OF LOT 1, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST 10 FEET OF THE SOUTH 394.75 FEET OF SAID LOT 1.

**10 FOOT WATERMAIN EASEMENT #1**

A 10 FOOT WATERMAIN EASEMENT OVER, UNDER AND ACROSS PART OF LOT 1, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 10 FOOT WATERMAIN EASEMENT, BEING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE; COMMENCING AT THE SW CORNER OF SAID LOT 1; THENCE N 00°00'00" E, 318.22 FEET TO THE POINT OF BEGINNING OF SAID CENTERLINE; THENCE S 89°55'59" E, 462.77 FEET WITH THE SIDELINES BEING SUBTENDED OR EXTENDED TO TERMINATE AT THE EAST LINE OF SAID LOT 1.

**10 FOOT WATERMAIN EASEMENT #2**

A 10 FOOT WATERMAIN EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 1, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 10 FEET OF THE EAST 20 FEET OF THE SOUTH 316.69 FEET OF SAID LOT 1.

**STORM WATER FLOWAGE EASEMENT**

A STORM WATER FLOWAGE EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 1, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 131.00 FEET OF THE WEST 456.29 FEET OF SAID LOT 1.

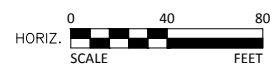
**28 FOOT PUBLIC ACCESS EASEMENT**

A PUBLIC ACCESS EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 1, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 28 FOOT PUBLIC ACCESS EASEMENT, BEING 14 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE; COMMENCING AT THE NE CORNER OF SAID LOT 1, THENCE S 00°13'50" E, 158.75 FEET ALONG THE EAST LINE OF SAID LOT 1 TO THE POINT OF BEGINNING; THENCE N 90°00'00" W 321.82 FEET TO A 865.50 FOOT RADIUS CURVE, CONCAVE NORTHERLY; THENCE 141.46 FEET ALONG SAID CURVE WITH A DELTA OF 9°21'52" (CHORD BEARING N 85°19'04" W, 141.30 FEET), WITH THE SIDELINES BEING SUBTENDED OR EXTENDED TO TERMINATE AT THE WEST LINE OF LOT 1.

**LEGEND**

- STORM WATER FLOWAGE EASEMENT
- ==== WATERMAIN EASEMENT
- ===== SANITARY SEWER EASEMENT
- ▨ PUBLIC ACCESS EASEMENT



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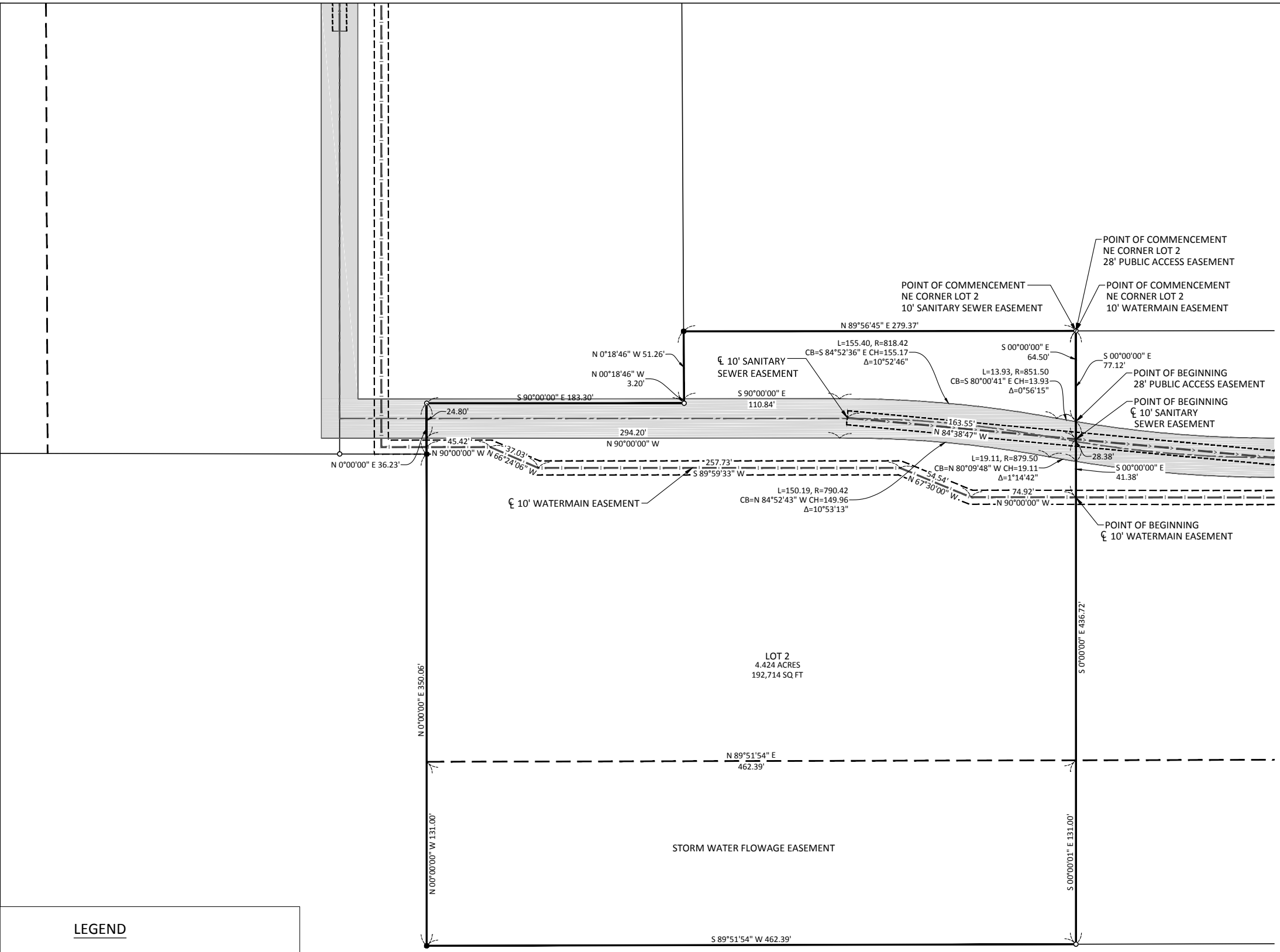
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<b>EASEMENTS - LOT 1</b>	



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**LOT 2**

**10 FOOT SANITARY SEWER EASEMENT**

A 10 FOOT SANITARY SEWER EASEMENT OVER, UNDER AND ACROSS PART OF LOT 2, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 10 FOOT SANITARY SEWER EASEMENT, BEING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE; COMMENCING AT THE NE CORNER OF SAID LOT 2; THENCE S 00°00'00\"/>

**10 FOOT WATERMAIN EASEMENT**

A 10 FOOT WATERMAIN EASEMENT OVER, UNDER AND ACROSS PART OF LOT 2, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 10 FOOT WATERMAIN EASEMENT, BEING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE; COMMENCING AT THE NE CORNER OF SAID LOT 2; THENCE S 00°00'00\"/>

**STORM WATER FLOWAGE EASEMENT**

A STORM WATER FLOWAGE EASEMENT OVER, UNDER AND ACROSS PART OF LOT 2, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 131 FEET OF SAID LOT 2.

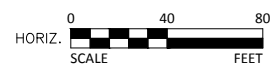
**PUBLIC ACCESS EASEMENT**

A PUBLIC ACCESS EASEMENT OVER, UNDER AND ACROSS PART OF LOT 2, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NE CORNER OF SAID LOT 2; THENCE S 00°00'00\"/>

**LEGEND**

- STORM WATER FLOWAGE EASEMENT
- WATERMAIN EASEMENT
- SANITARY SEWER EASEMENT
- PUBLIC ACCESS EASEMENT



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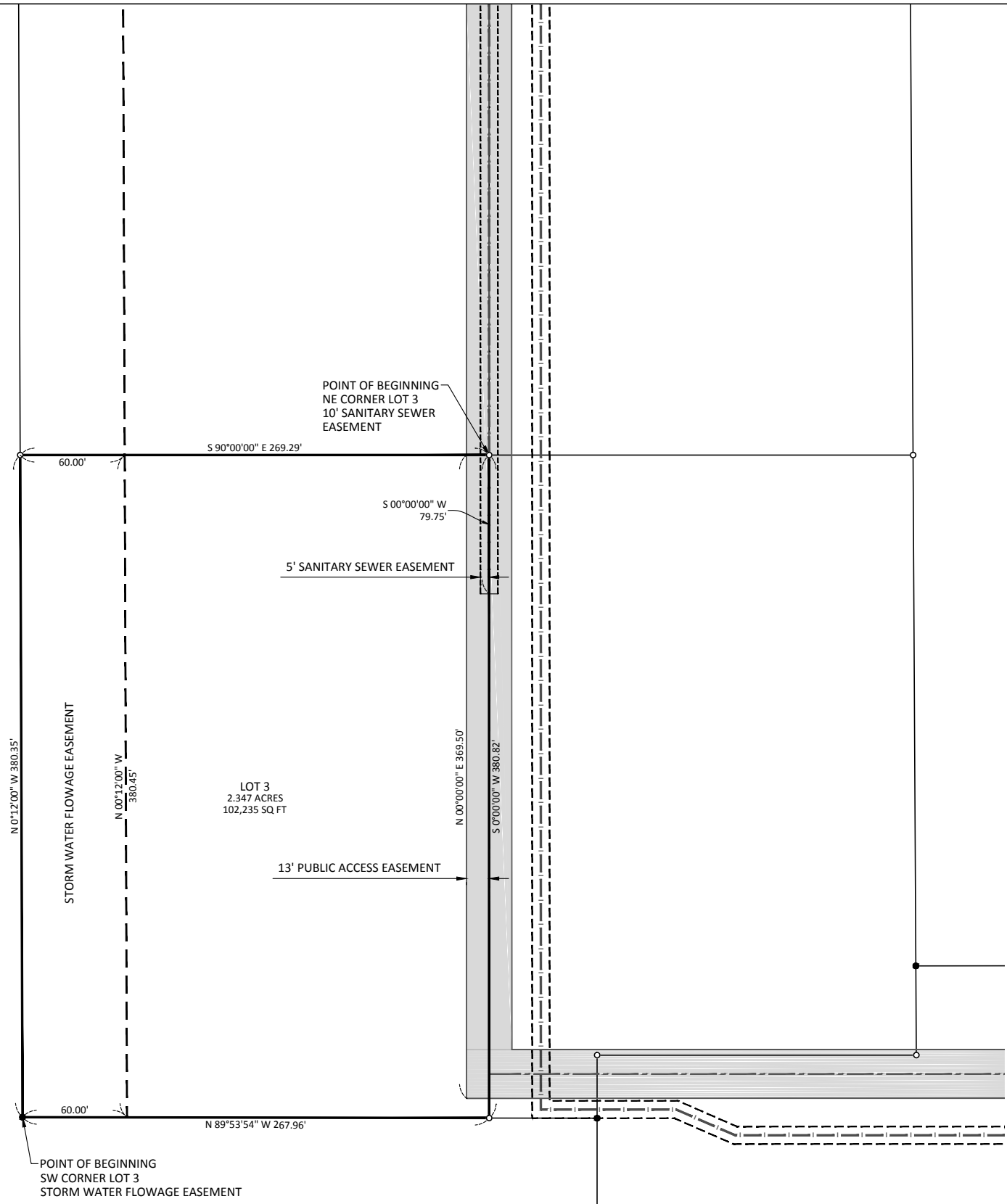
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BRICKTOWNE AMES SUBDIVISION	
EASEMENTS - LOT 2	



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**LOT 3**

5 FOOT SANITARY SEWER EASEMENT

A 5 FOOT SANITARY SEWER EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 3, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 79.75 FEET OF THE EAST 5 FEET OF SAID LOT 3.

STORM WATER FLOWAGE EASEMENT

A STORM WATER FLOWAGE EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 3, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 60 FEET OF SAID LOT 3.

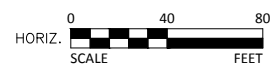
13 FOOT PUBLIC ACCESS EASEMENT

A PUBLIC ACCESS EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 3, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 369.50 FEET OF THE EAST 13 FEET OF SAID LOT 3.

**LEGEND**

- STORM WATER FLOWAGE EASEMENT
- ==== WATERMAIN EASEMENT
- ===== SANITARY SEWER EASEMENT
- ▨ PUBLIC ACCESS EASEMENT



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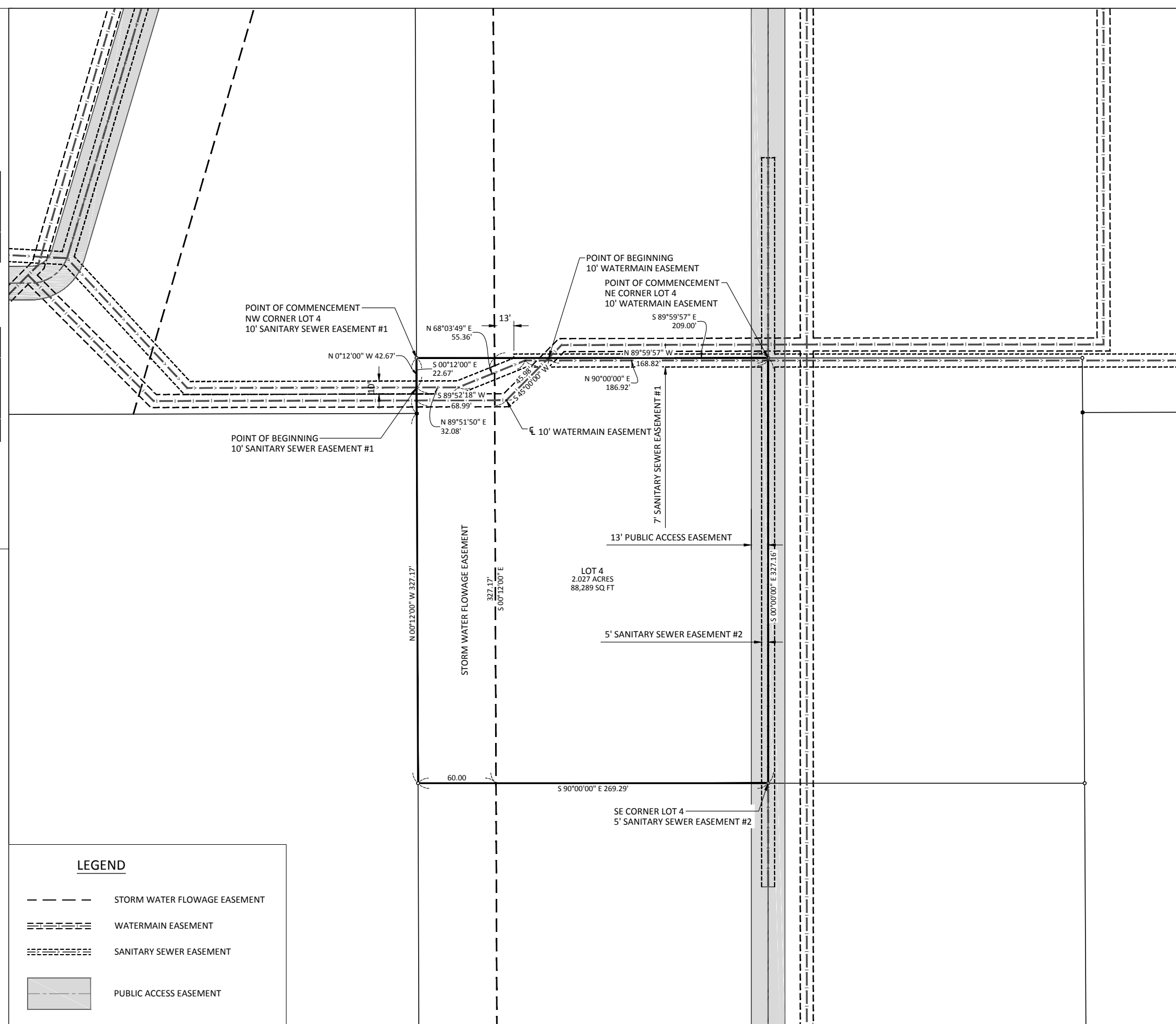
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BRICKTOWNE AMES SUBDIVISION	
EASEMENTS - LOT 3	





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**LOT 4**

SANITARY SEWER EASEMENT #1

A SANITARY SEWER EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 4, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 10 FOOT SANITARY SEWER EASEMENT, BEING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE, COMMENCING AT THE NW CORNER OF SAID LOT 4; THENCE S 00°12'00" E, 22.67 FEET ALONG THE WEST PROPERTY LINE OF SAID LOT 4 TO THE POINT OF BEGINNING OF SAID CENTERLINE; THENCE N 89°51'50" E, 32.08 FEET; THENCE N 68°03'49" E, 55.36 FEET; AND THE NORTH 7 FEET OF THE EAST 186.92 FEET OF SAID LOT 4.

5 FOOT SANITARY SEWER EASEMENT #2

A 5 FOOT SANITARY SEWER EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 4, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST 5 FEET OF LOT SAID 4.

10 FOOT WATERMAIN EASEMENT

A 10 FOOT WATERMAIN EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 4, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 10 FOOT WATERMAIN EASEMENT, BEING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE, COMMENCING AT THE NE CORNER OF SAID LOT 4; THENCE N 89°59'57" W, 168.82 FEET ALONG THE NORTH PROPERTY LINE OF LOT 4 TO THE POINT OF BEGINNING OF SAID CENTERLINE; THENCE S 45°00'00" W, 45.98 FEET; THENCE S 89°52'18" W 68.99 FEET WITH THE SIDELINES BEING SUBTENDED OR EXTENDED TO TERMINATE AT THE WEST LINE OF SAID LOT 4.

STORM WATER FLOWAGE EASEMENT

A STORM WATER FLOWAGE EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 4, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 60 FEET OF SAID LOT 4.

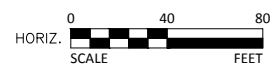
13 FOOT PUBLIC ACCESS EASEMENT

A 13 FOOT PUBLIC ACCESS EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 4, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST 13 FEET OF SAID LOT 4.

**LEGEND**

- STORM WATER FLOWAGE EASEMENT
- WATERMAIN EASEMENT
- SANITARY SEWER EASEMENT
- PUBLIC ACCESS EASEMENT



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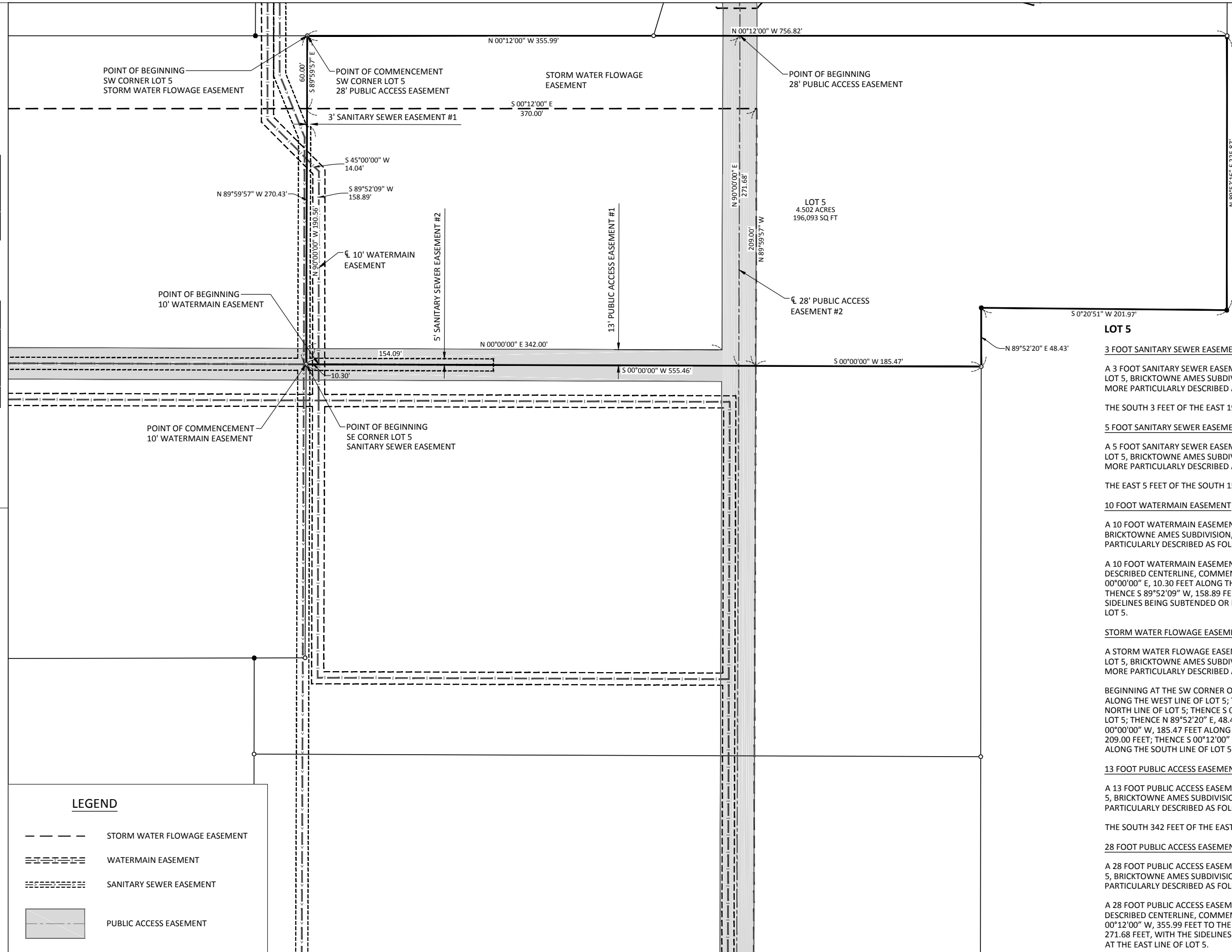
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EASEMENTS - LOT 4	



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**LOT 5**

**3 FOOT SANITARY SEWER EASEMENT #1**

A 3 FOOT SANITARY SEWER EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 5, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 3 FEET OF THE EAST 190.56 FEET OF SAID LOT 5.

**5 FOOT SANITARY SEWER EASEMENT #2**

A 5 FOOT SANITARY SEWER EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 5, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST 5 FEET OF THE SOUTH 154.09 FEET OF SAID LOT 5.

**10 FOOT WATERMAIN EASEMENT**

A 10 FOOT WATERMAIN EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 5, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 10 FOOT WATERMAIN EASEMENT, BEING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE, COMMENCING AT THE SE CORNER OF SAID LOT 5, THENCE N 00°00'00" E, 10.30 FEET ALONG THE EAST LINE OF LOT 5 TO THE POINT OF BEGINNING; THENCE S 89°52'09" W, 158.89 FEET; THENCE S 45°00'00" W, 14.04 FEET, WITH THE SIDELINES BEING SUBTENDED OR EXTENDED TO TERMINATE AT THE SOUTH LINE OF LOT 5.

**STORM WATER FLOWAGE EASEMENT**

A STORM WATER FLOWAGE EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 5, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SW CORNER OF SAID LOT 5; THENCE N 00°12'00" W, 756.82 FEET ALONG THE WEST LINE OF LOT 5; THENCE N 89°52'17" E, 225.87 FEET ALONG THE NORTH LINE OF LOT 5; THENCE S 00°20'51" W, 201.97 FEET ALONG THE EAST LINE OF LOT 5; THENCE N 89°52'20" E, 48.43 FEET ALONG THE NORTH LINE OF LOT 5; THENCE S 00°00'00" W, 185.47 FEET ALONG THE EAST LINE OF LOT 5; THENCE N 89°59'57" W, 209.00 FEET; THENCE S 00°12'00" E, 370.00 FEET; THENCE N 89°59'57" W, 60.00 FEET ALONG THE SOUTH LINE OF LOT 5 TO THE POINT OF BEGINNING.

**13 FOOT PUBLIC ACCESS EASEMENT #1**

A 13 FOOT PUBLIC ACCESS EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 5, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

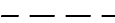



THE SOUTH 342 FEET OF THE EAST 13 FEET OF SAID LOT 5.

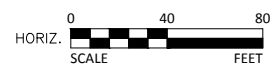
**28 FOOT PUBLIC ACCESS EASEMENT #2**

A 28 FOOT PUBLIC ACCESS EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 5, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 28 FOOT PUBLIC ACCESS EASEMENT, BEING 14 FEET ON EACH SIDE OF THE DESCRIBED CENTERLINE, COMMENCING AT THE SW CORNER OF SAID LOT 5, THENCE N 00°12'00" W, 355.99 FEET TO THE POINT OF BEGINNING; THENCE N 90°00'00" E, 271.68 FEET, WITH THE SIDELINES BEING SUBTENDED OR EXTENDED TO TERMINATE AT THE EAST LINE OF LOT 5.

**LEGEND**

-  STORM WATER FLOWAGE EASEMENT
-  WATERMAIN EASEMENT
-  SANITARY SEWER EASEMENT
-  PUBLIC ACCESS EASEMENT



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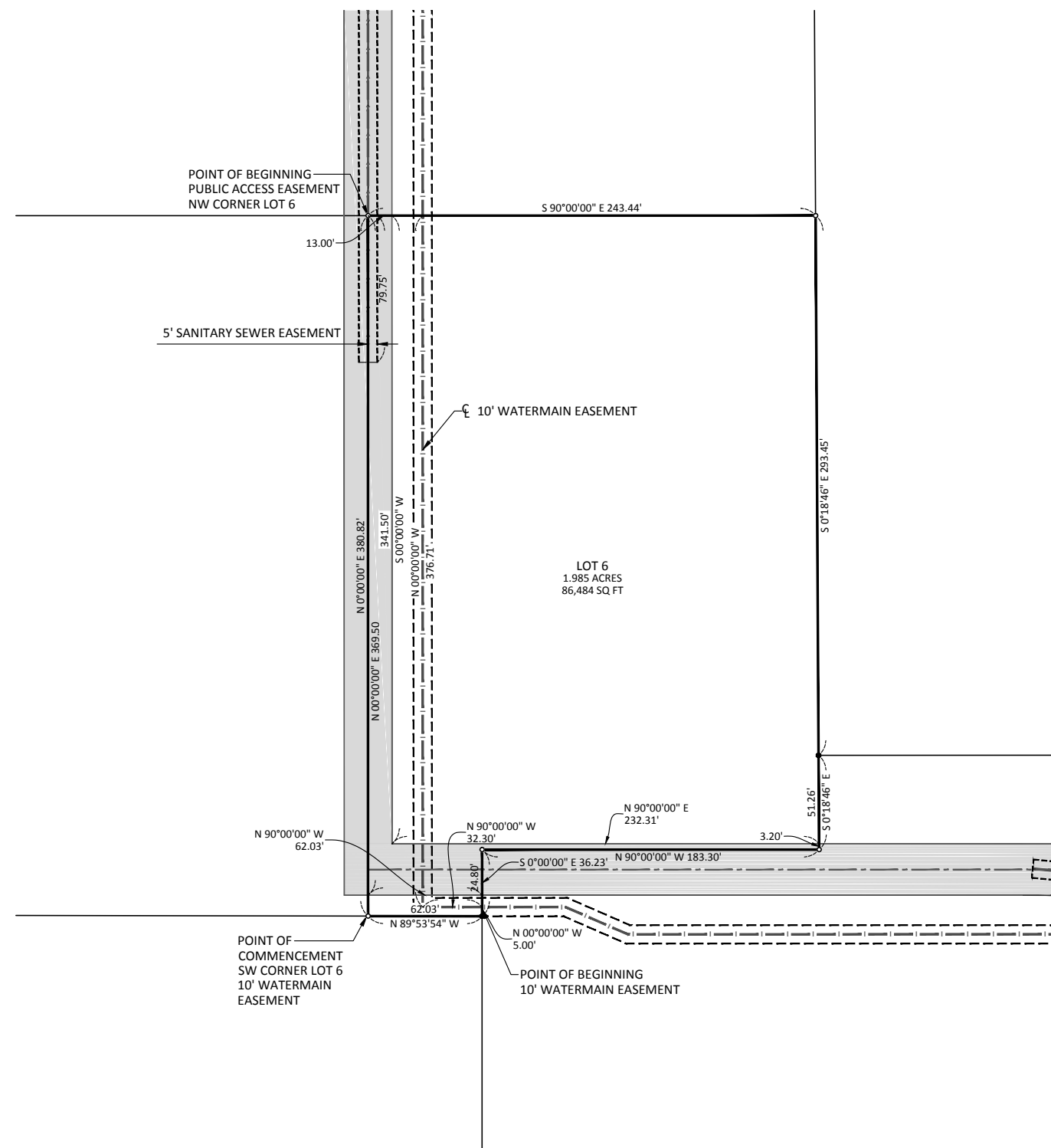
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<b>JENSEN GROUP</b>	
BRICKTOWNE AMES SUBDIVISION	
EASEMENTS - LOT 5	



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**LOT 6**

**5 FOOT SANITARY SEWER EASEMENT**

A 5 FOOT SANITARY SEWER EASEMENT, BEING OVER, UNDER AND ACROSS PART OF LOT 6, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 5 FEET OF THE NORTH 79.75 FEET OF SAID LOT 6.

**10 FOOT WATERMAIN EASEMENT**

A 10 FOOT WATERMAIN EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 6, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 10 FOOT WATERMAIN EASEMENT, BEING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE; COMMENCING AT THE SW CORNER OF SAID LOT 6; THENCE N 89°53'54\" W, 62.03 FEET ALONG THE SOUTH LINE OF SAID LOT 6; THENCE N 00°00'00\" W, 5.00 FEET TO THE POINT OF BEGINNING OF SAID CENTERLINE; THENCE N 90°00'00\" W, 32.30 FEET; THENCE N 00°00'00\" W, 376.71 FEET, WITH THE SIDELINES BEING SUBTENDED OR EXTENDED TO TERMINATE AT THE NORTH LINE OF LOT 6.

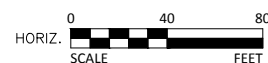
**PUBLIC ACCESS EASEMENT**

A PUBLIC ACCESS EASEMENT, BEING OVER, UNDER AND ACROSS PART OF LOT 6, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NW CORNER OF SAID LOT 6; THENCE S 90°00'00\" E 13.00 FEET ALONG THE NORTH LINE OF SAID LOT 6; THENCE S 00°00'00\" W 341.50 FEET; THENCE N 90°00'00\" E 232.31 FEET; THENCE S 00°18'46\" E 3.20 FEET ALONG THE EAST LINE OF SAID LOT 6; THENCE N 00°00'00\" W 183.30 FEET ALONG THE SOUTH LINE OF SAID LOT 6; THENCE S 00°00'00\" E 24.80 FEET ALONG THE EAST LINE OF SAID LOT 6; THENCE N 90°00'00\" W 62.03 FEET; THENCE N 00°00'00\" E 369.50 FEET ALONG THE WEST LINE OF SAID LOT 6 TO THE POINT OF BEGINNING.

**LEGEND**

- STORM WATER FLOWAGE EASEMENT
- WATERMAIN EASEMENT
- SANITARY SEWER EASEMENT
- PUBLIC ACCESS EASEMENT



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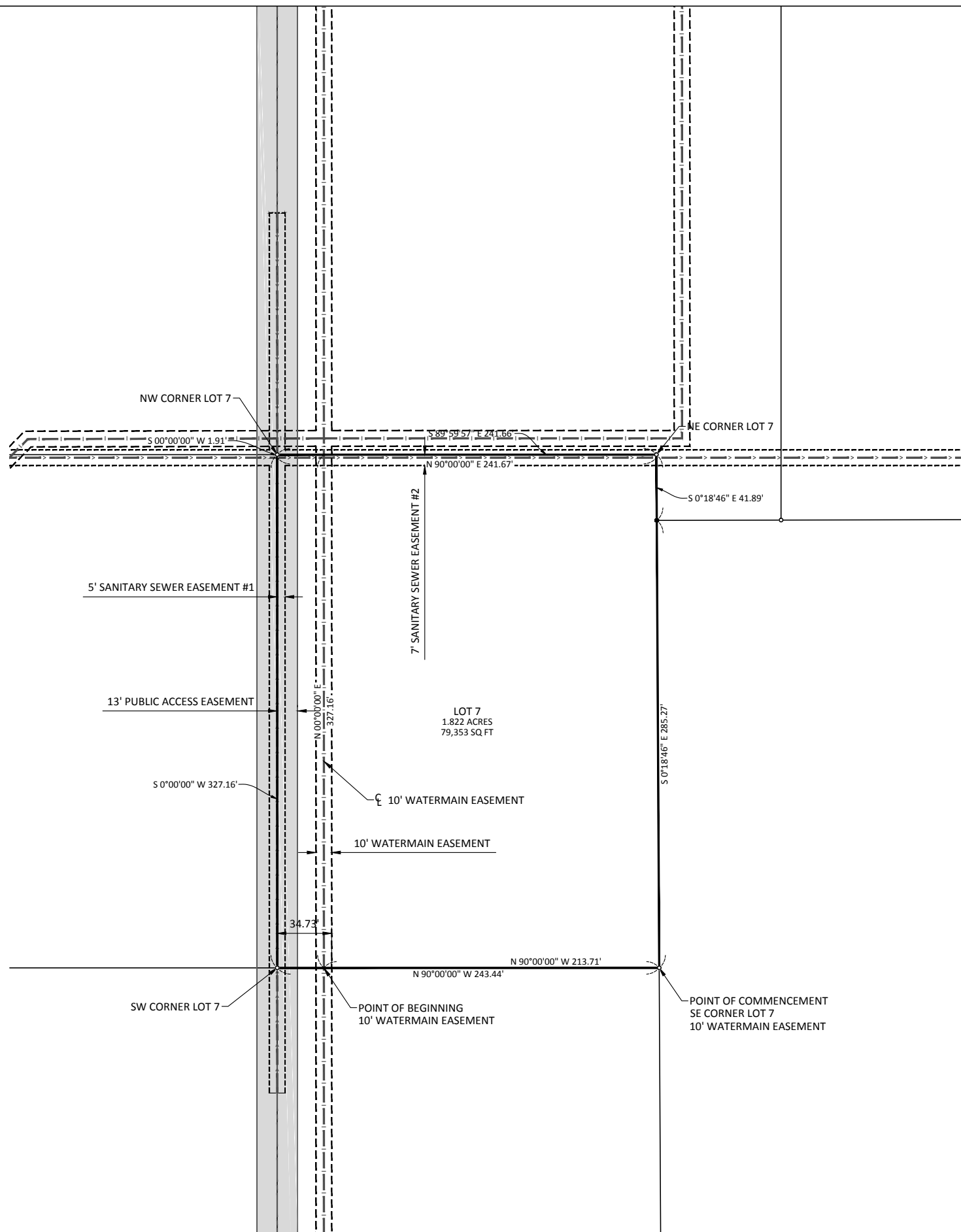
<b>JENSEN GROUP</b>	
BRICKTOWNE AMES SUBDIVISION	
EASEMENTS - LOT 6	

SHEET  
11  
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**LOT 7**

5 FOOT SANITARY SEWER EASEMENT #1

A 5 FOOT SANITARY SEWER EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 7, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 5 FEET OF SAID LOT 7.

7 FOOT SANITARY SEWER EASEMENT #2

A 7 FOOT SANITARY SEWER EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 7, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 7 FEET OF SAID LOT 7.

10 FOOT WATERMAIN EASEMENT

A 10 FOOT WATERMAIN EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 7, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

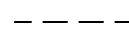

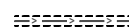

THE EAST 10 FEET OF THE WEST 34.73 FEET OF SAID LOT 7.

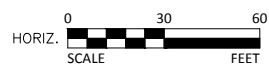
13 FOOT PUBLIC ACCESS EASEMENT

A 13 FOOT PUBLIC ACCESS EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 7, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 13 FEET OF SAID LOT 7.

**LEGEND**

-  STORM WATER FLOWAGE EASEMENT
-  WATERMAIN EASEMENT
-  SANITARY SEWER EASEMENT
-  PUBLIC ACCESS EASEMENT



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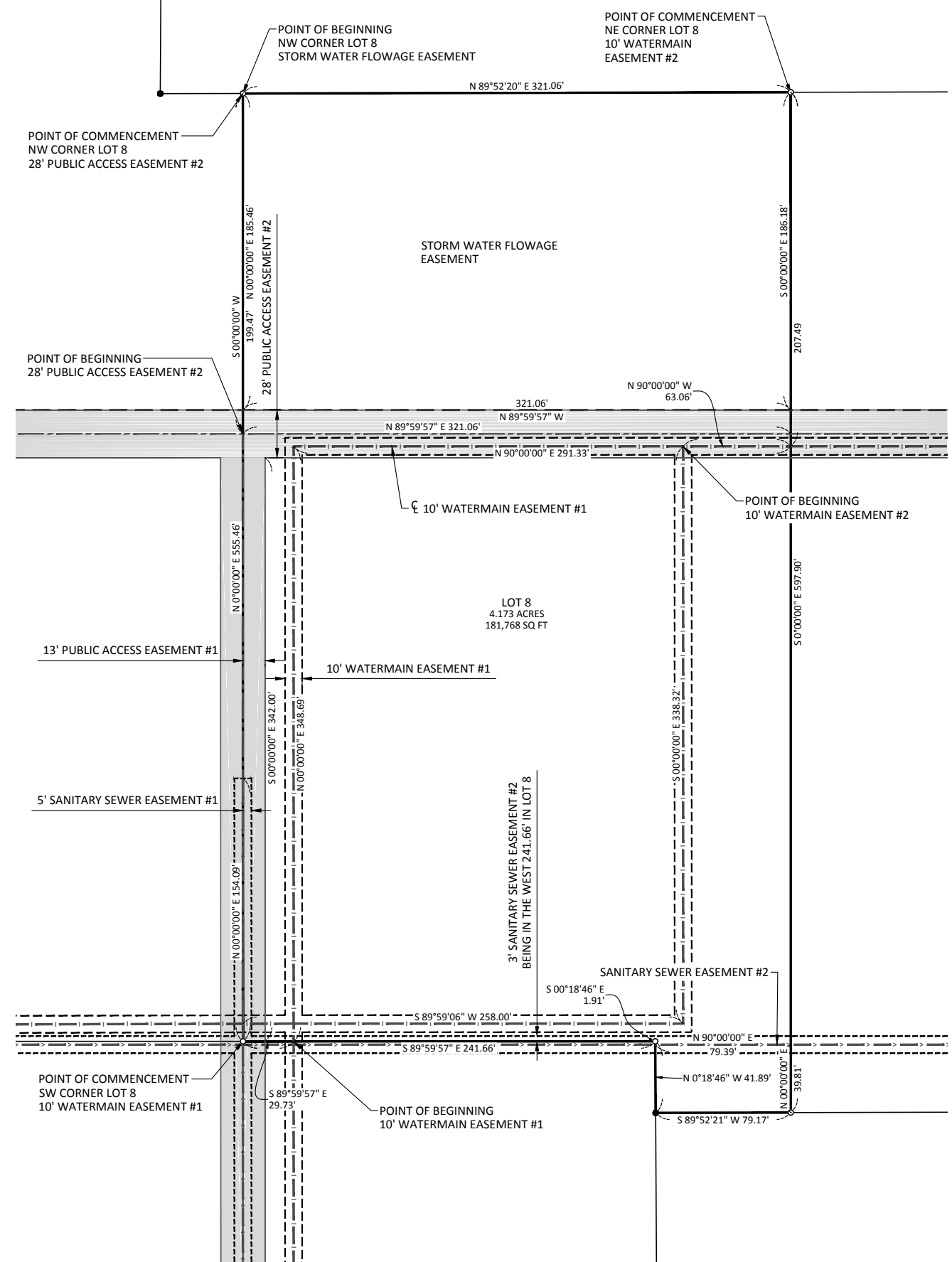
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JENSEN GROUP	
BRICKTOWNE AMES SUBDIVISION	
EASEMENTS - LOT 7	

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**LOT 8**

**5 FOOT SANITARY SEWER EASEMENT #1**  
A 5 FOOT SANITARY SEWER EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 8, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
THE WEST 5 FEET OF THE SOUTH 154.09 FEET OF SAID LOT 8.

**SANITARY SEWER EASEMENT #2**  
A SANITARY SEWER EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 8, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
THE SOUTH 3 FEET OF THE WEST 241.66 FEET AND ALSO THE NORTH 10 FEET OF THE SOUTH 44.81 FEET OF THE EAST 79.39 FEET OF SAID LOT 8.

**10 FOOT WATERMAIN EASEMENT #1**  
A 10 FOOT WATERMAIN EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 8, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
A 10 FOOT WATERMAIN EASEMENT, BEING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE; COMMENCING AT THE SW CORNER OF LOT 8; THENCE S 89°59'57" E, 29.73 FEET ALONG THE SOUTH LINE OF SAID LOT 8 TO THE POINT OF BEGINNING OF SAID CENTERLINE; THENCE N 00°00'00" E, 348.69 FEET; THENCE N 90°00'00" E, 291.33 FEET, WITH THE SIDELINES SUBTENDED OR EXTENDED TO TERMINATE AT THE EAST LINE OF SAID LOT 8.

**10 FOOT WATERMAIN EASEMENT #2**  
A 10 FOOT WATERMAIN EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 8, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
A 10 FOOT WATERMAIN EASEMENT, BEING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE, COMMENCING AT THE NE CORNER OF SAID LOT 8; THENCE S 00°00'00" E 207.49 FEET ALONG THE EAST LINE OF LOT 8; THENCE N 90°00'00" W 63.06 FEET TO THE POINT OF BEGINNING; THENCE S 00°00'00" E 338.32 FEET; THENCE S 89°56'06" W 258.00 FEET WITH THE SIDELINES BEING SUBTENDED OR EXTENDED TO TERMINATE AT THE WEST LINE OF SAID LOT 8.

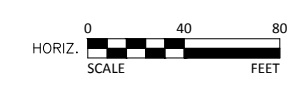
**STORM WATER FLOWAGE EASEMENT**  
A STORM WATER FLOWAGE EASEMENT OVER, UNDER AND ACROSS PART OF LOT 8, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
AN ENCLOSED AREA BEGINNING AT THE NW CORNER OF SAID LOT 8; THENCE N 89°52'20" E, 321.06 FEET ALONG THE NORTH LINE OF SAID LOT 8; THENCE S 00°00'00" E, 186.18 FEET ALONG THE EAST LINE OF SAID LOT 8; THENCE N 89°59'57" W, 321.06 FEET; THENCE N 00°00'00" E, 185.46 FEET ALONG THE WEST LINE OF LOT 8 TO THE POINT OF BEGINNING.

**13 FOOT PUBLIC ACCESS EASEMENT #1**  
A PUBLIC ACCESS EASEMENT OVER, UNDER AND ACROSS PART OF LOT 8, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
THE SOUTH 342.00 FEET OF THE WEST 13 FEET OF SAID LOT 8.

**28 FOOT PUBLIC ACCESS EASEMENT #2**  
A 28 FOOT PUBLIC ACCESS EASEMENT OVER, UNDER AND ACROSS PART OF LOT 8, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
A 28 FOOT PUBLIC ACCESS EASEMENT, BEING 14 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE; COMMENCING AT THE NW CORNER OF SAID LOT 8; THENCE S 00°00'00" W 199.47 FEET ALONG THE WEST LINE OF SAID LOT 8 TO THE POINT OF BEGINNING; THENCE N 89°59'57" E 321.06 FEET WITH THE SIDELINES BEING SUBTENDED OR EXTENDED TO TERMINATE AT THE EAST LINE OF SAID LOT 8.

**LEGEND**

	STORM WATER FLOWAGE EASEMENT
	WATERMAIN EASEMENT
	SANITARY SEWER EASEMENT
	PUBLIC ACCESS EASEMENT



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BRICKTOWNE AMES SUBDIVISION	
EASEMENTS - LOT 8	

SHEET  
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**LOT 9**

**10 FOOT SANITARY SEWER EASEMENT #1**

A 10 FOOT SANITARY SEWER EASEMENT OVER, UNDER AND ACROSS PART OF LOT 9, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 10 FOOT SANITARY SEWER EASEMENT, BEING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE; COMMENCING AT THE SE CORNER OF SAID LOT 9; THENCE N 00°12'00" W, 20.00 FEET ALONG THE EAST LINE OF SAID LOT 9 TO THE POINT OF BEGINNING OF SAID CENTERLINE; THENCE S 89°51'50" W, 176.44 FEET; THENCE N 42°47'37" W, 136.07 FEET; THENCE N 86°54'22" W, 240.97 FEET; THENCE N 16°34'37" E, 291.52 FEET; WITH THE SIDELINES SUBTENDED OR EXTENDED TO TERMINATE AT THE NORTH LINE OF SAID LOT 9.

**10 FOOT SANITARY SEWER EASEMENT #2**

A 10 FOOT SANITARY SEWER EASEMENT OVER, UNDER AND ACROSS PART OF LOT 9, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 10 FOOT SANITARY SEWER EASEMENT, BEING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE; COMMENCING AT THE SE CORNER OF SAID LOT 9; THENCE N 00°12'00" W, 20.00 FEET ALONG THE EAST LINE OF SAID LOT 9; THENCE S 89°51'50" W, 176.44 FEET; THENCE N 42°47'37" W, 136.07 FEET TO THE POINT OF BEGINNING OF SAID CENTERLINE; THENCE N 16°34'37" E, 275.95 FEET; WITH THE SIDELINES SUBTENDED OR EXTENDED TO TERMINATE AT THE NORTH LINE OF SAID LOT 9.

**10 FOOT WATERMAIN EASEMENT #1**

A 10 FOOT WATERMAIN EASEMENT OVER, UNDER AND ACROSS PART OF LOT 9, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 10 FOOT WATERMAIN EASEMENT, BEING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE; COMMENCING AT THE SE CORNER OF SAID LOT 9; THENCE N 00°12'00" W, 10.01 FEET TO THE POINT OF BEGINNING; THENCE S 89°52'18" W, 202.38 FEET; THENCE N 44°53'02" W, 136.75 FEET; THENCE N 45°06'58" E, 10.97 FEET; THENCE N 16°36'10" E, 287.31 FEET WITH THE SIDELINES BEING SUBTENDED OR EXTENDED TO TERMINATE AT THE NORTH LINE OF SAID LOT 9.

**10 FOOT WATERMAIN EASEMENT #2**

A 10 FOOT WATERMAIN EASEMENT OVER, UNDER AND ACROSS PART OF LOT 9, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 10 FOOT WATERMAIN EASEMENT, BEING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE; COMMENCING AT THE SE CORNER OF SAID LOT 9; THENCE N 00°12'00" W, 10.01 FEET; THENCE S 89°52'18" W, 202.38 FEET; THENCE N 44°53'02" W, 136.75 FEET TO THE POINT OF BEGINNING; THENCE S 45°06'58" W, 29.45 FEET; THENCE S 89°56'44" W, 193.38 FEET; THENCE N 44°56'43" W, 21.25 FEET; THENCE N 28°25'29" W, 13.10 FEET; THENCE N 16°34'31" E, 318.15 FEET WITH THE SIDELINES BEING SUBTENDED OR EXTENDED TO TERMINATE AT THE NORTH LINE OF SAID LOT 9.

**10 FOOT STORM WATER FLOWAGE EASEMENT**

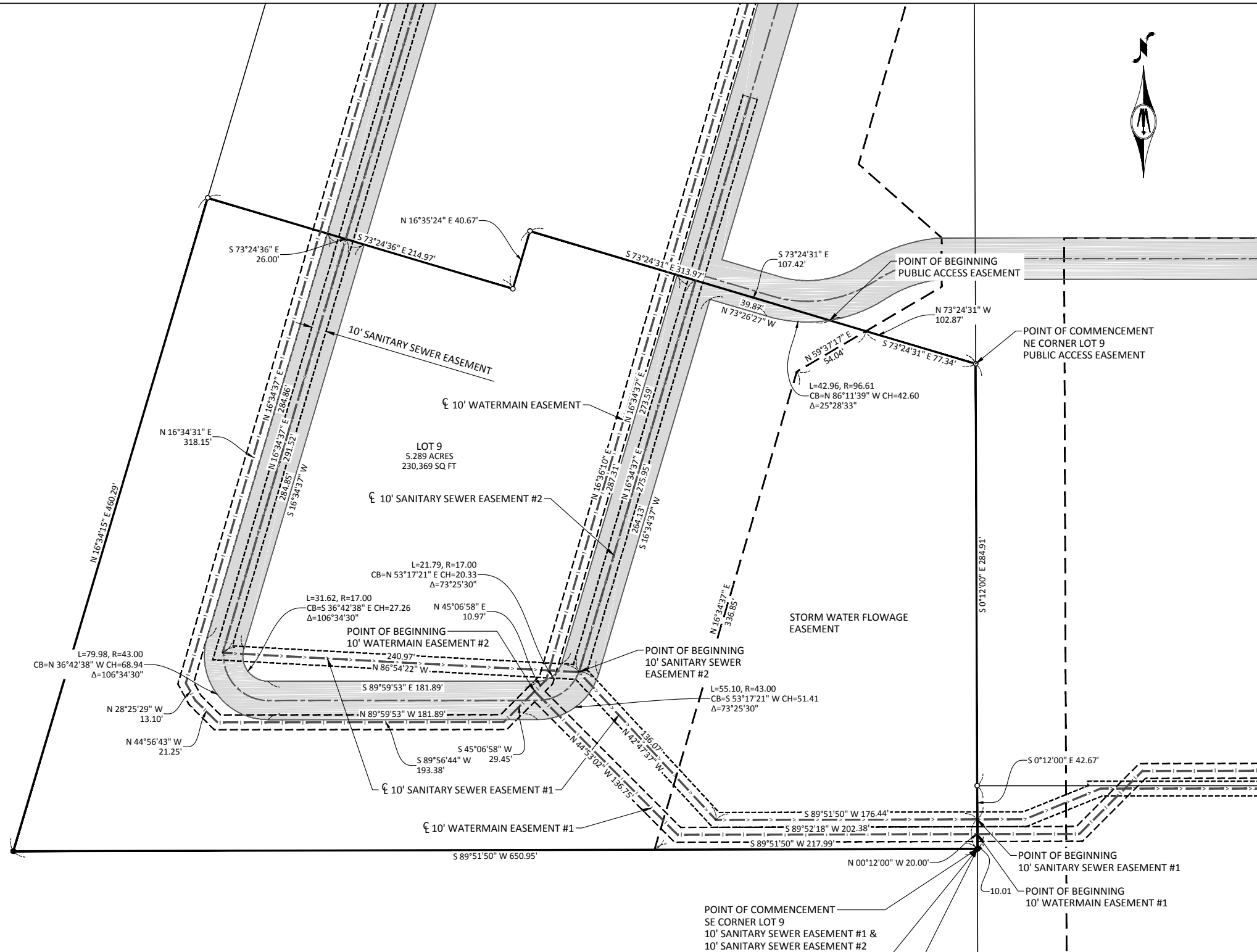
A STORM WATER FLOWAGE EASEMENT OVER, UNDER AND ACROSS PART OF LOT 9, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AN ENCLOSED AREA BEGINNING AT THE SE CORNER OF SAID LOT 9; THENCE S 89°51'50" W, 217.99 FEET ALONG THE SOUTH LINE OF SAID LOT 9; THENCE N 16°34'37" E, 336.85 FEET; THENCE N 59°37'17" E, 54.04 FEET TO THE NORTH LINE OF SAID LOT 9; THENCE S 73°24'31" E, 77.34 FEET ALONG THE NORTH LINE OF SAID LOT 9 TO THE EAST LINE OF SAID LOT 9; THENCE S 00°12'00" E, 284.91 FEET ALONG THE EAST LINE OF SAID LOT 9; THENCE CONTINUING S 00°12'00" E, 42.67 FEET ALONG THE EAST LINE OF SAID LOT 9 TO THE POINT OF BEGINNING.

**PUBLIC ACCESS EASEMENT**

A PUBLIC ACCESS EASEMENT OVER, UNDER AND ACROSS PART OF LOT 9, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

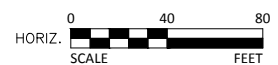
AN ENCLOSED AREA COMMENCING AT THE NE CORNER OF SAID LOT 9, THENCE N 73°24'31" W, 102.87 FEET TO THE POINT OF BEGINNING; THENCE 42.96 FEET ALONG A 96.61 RADIUS CURVE, CONCAVE NORTHERLY (CHORD BEARING N 86°11'39" W, 42.60 FEET); THENCE N 73°26'27" W, 39.87 FEET; THENCE S 16°34'37" W, 264.13 FEET TO A 43.00 FOOT RADIUS CURVE, CONCAVE NORTHWESTERLY; THENCE 55.10 ALONG SAID CURVE WITH A DELTA OF 73°25'30" (CHORD BEARING S 53°17'21" W, 51.41 FEET); THENCE N 89°59'53" W, 181.89 FEET TO A 43.00 FOOT RADIUS CURVE, CONCAVE NORTHEASTERLY; THENCE 79.98 FEET ALONG SAID CURVE WITH A DELTA OF 106°34'30" (CHORD BEARING N 36°42'38" W, 68.94 FEET); THENCE 16°34'37" E, 284.86 FEET; THENCE S 73°24'36" E, 26.00 FEET ALONG THE NORTH LINE OF LOT 9; THENCE S 16°34'37" W, 284.85 FEET TO A 17 FOOT RADIUS CURVE, CONCAVE NORTHEASTERLY; THENCE 31.62 FEET ALONG SAID CURVE WITH A DELTA OF 106°34'30" (CHORD BEARING S 36°42'38" E, 27.26 FEET); THENCE S 89°59'53" E, 181.89 FEET TO A 17 FOOT RADIUS CURVE, CONCAVE NORTHWESTERLY; THENCE 21.79 FEET ALONG SAID CURVE WITH A DELTA OF 73°25'30" (CHORD BEARING N 53°17'21" E, 20.33 FEET); THENCE N 16°34'37" E, 273.59 FEET; THENCE S 73°24'31" E, 107.42 FEET ALONG THE NORTH LINE OF SAID LOT 9 TO THE POINT OF BEGINNING.



**LEGEND**

- STORM WATER FLOWAGE EASEMENT
- WATERMAIN EASEMENT
- SANITARY SEWER EASEMENT
- PUBLIC ACCESS EASEMENT

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**JENSEN GROUP**  
BRICKTOWNE AMES SUBDIVISION  
EASEMENTS - LOT 9

**LOT 10**

**10 FOOT SANITARY SEWER EASEMENT #1**

A 10 FOOT SANITARY SEWER EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 10, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 10 FOOT SANITARY SEWER EASEMENT, BEING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE; COMMENCING AT THE SW CORNER OF SAID LOT 10; THENCE S 73°24'36" E, 97.32 FEET ALONG THE SOUTH LINE OF SAID LOT 10 TO THE POINT OF BEGINNING OF SAID CENTERLINE; THENCE N 16°34'37" E, 240.60 FEET; THENCE N 59°53'18" E, 123.69 FEET THERE TERMINATING.

**10 FOOT SANITARY SEWER EASEMENT #2**

A 10 FOOT SANITARY SEWER EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 10, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 10 FOOT SANITARY SEWER EASEMENT, BEING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE; COMMENCING AT THE SW CORNER OF SAID LOT 10; THENCE S 73°24'36" E, 214.97 FEET ALONG THE SOUTH LINE OF SAID LOT 10; THENCE N 16°35'24" E, 40.67 FEET ALONG THE PROPERTY LINE OF SAID LOT 10; THENCE S 73°24'31" E, 116.67 FEET ALONG THE SOUTH LINE OF SAID LOT 10 TO THE POINT OF BEGINNING OF SAID CENTERLINE; THENCE N 16°34'37" E, 129.05 FEET THERE TERMINATING.

**10 FOOT WATERMAIN EASEMENT**

A 10 FOOT WATERMAIN EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 10, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 10 FOOT WATERMAIN EASEMENT, BEING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE; COMMENCING AT THE SW CORNER OF SAID LOT 10; THENCE S 73°24'36" E 79.33 FEET TO THE POINT OF BEGINNING; THENCE N 16°34'31" E 275.93 FEET; THENCE N 39°04'31" E 35.12 FEET; THENCE N 67°30'00" E 29.47 FEET; THENCE N 89°55'47" E 148.10 FEET; THENCE S 45°00'00" E 33.68 FEET; THENCE S 28°25'23" E 35.33 FEET; THENCE S 16°36'10" W 287.75 FEET WITH THE SIDELINES BEING SUBTENDED OR EXTENDED TO TERMINATE AT THE SOUTH LINE OF LOT 10.

**10 FOOT STORM WATER FLOWAGE EASEMENT**

A STORM WATER FLOWAGE EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 10, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AN ENCLOSED AREA BEGINNING AT THE NE CORNER OF SAID LOT 10, THENCE S 00°12'00" E, 471.91 FEET ALONG THE EAST LINE OF SAID LOT 10; THENCE N 73°24'31" W, 77.34 FEET ALONG THE SOUTH LINE OF SAID LOT 10; THENCE N 59°37'17" E, 59.33 FEET; THENCE N 00°00'00" E, 33.01 FEET; THENCE N 48°24'40" W, 75.00 FEET; THENCE N 16°34'37" E, 185.00 FEET; THENCE N 20°19'32" W, 85.00 FEET; THENCE N 00°00'00" E, 79.88 FEET; THENCE N 89°52'17" E, 54.13 FEET ALONG THE NORTH LINE OF SAID LOT 10 TO THE POINT OF BEGINNING.

**15 FOOT PEDESTRIAN EASEMENT**

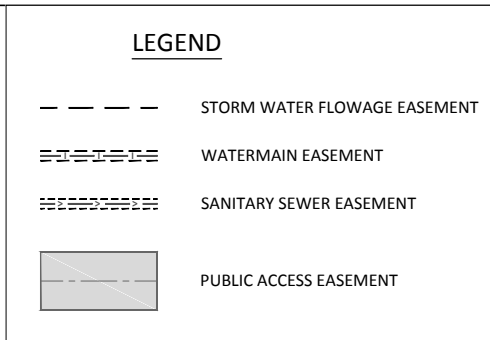
A 15 FOOT PEDESTRIAN EASEMENT OVER, UNDER AND ACROSS PARTS OF LOT 10, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 15 FOOT PEDESTRIAN EASEMENT, BEING 7.5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE, COMMENCING AT THE NW CORNER OF SAID LOT 10; THENCE N 89°52'17" E 7.58 FEET TO THE POINT OF BEGINNING, THENCE S 37°28'43" E 112.25 FEET THERE TERMINATING.

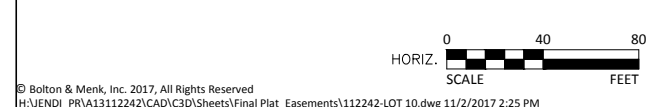
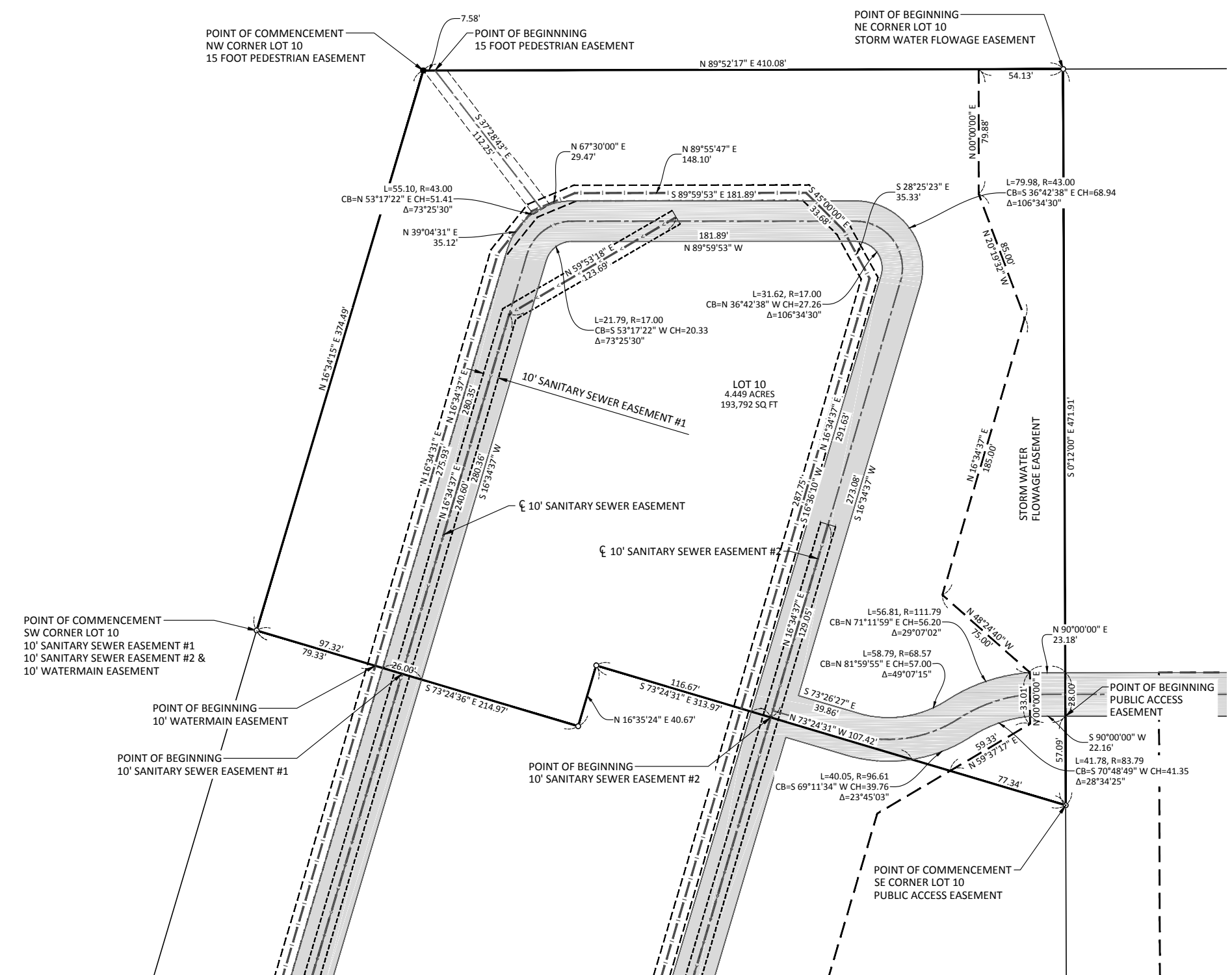
**PUBLIC ACCESS EASEMENT**

A PUBLIC ACCESS EASEMENT OVER, UNDER AND ACROSS PARTS OF LOT 10, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AN ENCLOSED AREA, COMMENCING AT THE SE CORNER OF SAID LOT 10, THENCE N 00°12'00" E, 57.09 FEET TO THE POINT OF BEGINNING; THENCE S 90°00'00" W, 22.16 FEET TO A 83.79 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY; THENCE 41.78 FEET ALONG SAID CURVE WITH A DELTA OF 28°34'25" (CHORD BEARING S 70°48'49" W, 41.35 FEET) TO A 96.61 FOOT RADIUS CURVE, CONCAVE NORTHWESTERLY; THENCE 40.05 FEET ALONG SAID CURVE WITH A DELTA OF 23°45'03" (CHORD BEARING S 69°11'34" W, 39.76 FEET); THENCE N 73°24'31" W, 107.42 FEET ALONG THE SOUTH LINE OF LOT 10; THENCE N 16°34'37" E, 291.63 FEET TO A 17 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY; THENCE 31.62 FEET ALONG SAID CURVE WITH A DELTA OF 106°34'30" (CHORD BEARING N 36°42'38" W, 27.26 FEET); THENCE N 89°59'53" W, 181.89 FEET TO A 17 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY; THENCE 21.79 FEET ALONG SAID CURVE WITH A DELTA OF 73°25'30" (CHORD BEARING S 53°17'22" W 20.33 FEET); THENCE S 16°34'37" W, 280.36 FEET; THENCE N 73°24'36" W 26.00 FEET ALONG THE SOUTH LINE OF LOT 10; THENCE N 16°34'31" E, 280.35 FEET TO A 43 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY; THENCE 55.10 FEET ALONG SAID CURVE WITH A DELTA OF 73°25'30" (CHORD BEARING N 53°17'22" E, 51.41 FEET); THENCE S 89°59'53" E, 181.89 FEET TO A 43 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY; THENCE 79.98 FEET ALONG SAID CURVE WITH A DELTA OF 106°34'30" (CHORD BEARING S 36°42'38" E, 68.94 FEET); THENCE S 16°34'37" W, 273.08 FEET; THENCE S 73°26'27" E, 39.86 FEET TO A 68.57 FOOT RADIUS CURVE, CONCAVE NORTHWESTERLY; THENCE 58.79 FEET ALONG SAID CURVE WITH A DELTA OF 49°07'02" (CHORD BEARING N 81°59'55" E, 57.00 FEET) TO A 111.79 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY; THENCE 56.81 FEET ALONG SAID CURVE WITH A DELTA OF 29°07'02" (CHORD BEARING N 71°11'59" E, 56.20 FEET); THENCE N 90°00'00" E, 23.18 FEET; THENCE S 00°12'00" E, 28.00 FEET ALONG THE EAST LINE OF LOT 10 TO THE POINT OF BEGINNING.



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Phone: (515) 233-6100  
Email: Ames@bolton-menk.com  
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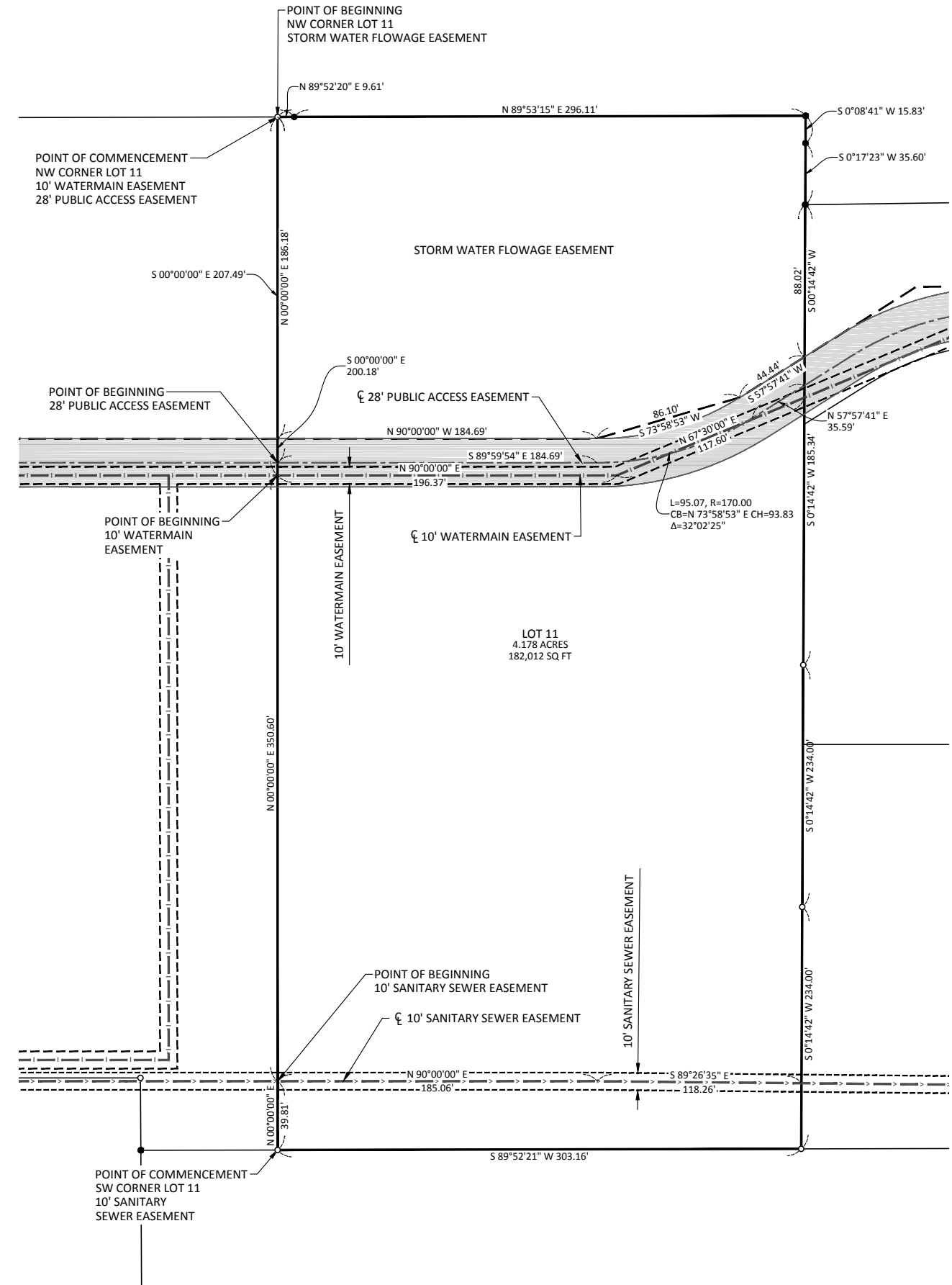
<b>JENSEN GROUP</b>	
BRICKTOWNE AMES SUBDIVISION	
EASEMENTS - LOT 10	

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**LEGEND**

	STORM WATER FLOWAGE EASEMENT
	WATERMAIN EASEMENT
	SANITARY SEWER EASEMENT
	PUBLIC ACCESS EASEMENT

**LOT 11**

**10 FOOT SANITARY SEWER EASEMENT**

A 10 FOOT SANITARY SEWER EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 11, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 10 FOOT SANITARY SEWER EASEMENT, BEING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE; COMMENCING AT THE SW CORNER OF SAID LOT 11; THENCE N 00°00'00" E, 39.81 FEET ALONG THE WEST LINE OF SAID LOT 11 TO THE POINT OF BEGINNING OF SAID CENTERLINE; THENCE N 90°00'00" E, 185.06 FEET; THENCE S 89°26'35" E, 118.26 FEET; WITH THE SIDELINES SUBTENDED OR EXTENDED TO TERMINATE AT THE EAST LINE OF SAID LOT 11.

**10 FOOT WATERMAIN EASEMENT**

A 10 FOOT WATERMAIN EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 11, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 10 FOOT WATERMAIN EASEMENT, BEING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE; COMMENCING AT THE NW CORNER OF SAID LOT 11; THENCE S 00°00'00" E, 207.49 FEET TO THE POINT OF BEGINNING OF SAID CENTERLINE; THENCE N 90°00'00" E, 196.37 FEET; THENCE N 67°30'00" E, 117.60 FEET; WITH THE SIDELINES SUBTENDED OR EXTENDED TO TERMINATE AT THE EAST LINE OF SAID LOT 11.

**STORM WATER FLOWAGE EASEMENT**

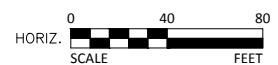
A STORM WATER FLOWAGE EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 11, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NW CORNER OF SAID LOT 11; THENCE N 89°52'20" E, 9.61 FEET ALONG THE NORTH LINE OF SAID LOT 11; THENCE N 89°53'15" E, 296.11 FEET ALONG THE NORTH LINE OF SAID LOT 11; THENCE S 00°08'41" W, 15.83 FEET ALONG THE EAST LINE OF SAID LOT 11; THENCE S 00°17'23" W, 35.60 FEET ALONG THE EAST LINE OF SAID LOT 11; THENCE S 00°14'42" W, 88.02 FEET ALONG THE EAST LINE OF SAID LOT 11; THENCE S 57°57'41" W, 44.44 FEET; THENCE S 73°58'53" W, 86.10 FEET; THENCE N 90°00'00" W, 184.69 FEET; THENCE N 00°00'00" E, 186.18 FEET ALONG THE WEST LINE OF SAID LOT 11 TO THE POINT OF BEGINNING.

**28 FOOT PUBLIC ACCESS EASEMENT**

A 28 FOOT PUBLIC ACCESS EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 11, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 28 FOOT PUBLIC ACCESS EASEMENT, BEING 14 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE; COMMENCING AT THE NW CORNER OF SAID LOT 11; THENCE S 00°00'00" E 200.18 FEET TO THE POINT OF BEGINNING; THENCE S 89°59'54" E, 184.69 FEET TO A 170 FOOT RADIUS CURVE, CONCAVE NORTHWESTERLY; THENCE 95.07 FEET ALONG SAID CURVE WITH A DELTA OF 32°02'25" (CHORD BEARING N 73°58'53" E, 93.83 FEET; THENCE N 57°57'41" E, 35.59 FEET WITH THE SIDELINES BEING SUBTENDED OR EXTENDED TO TERMINATE AT THE EAST LINE OF LOT 11.



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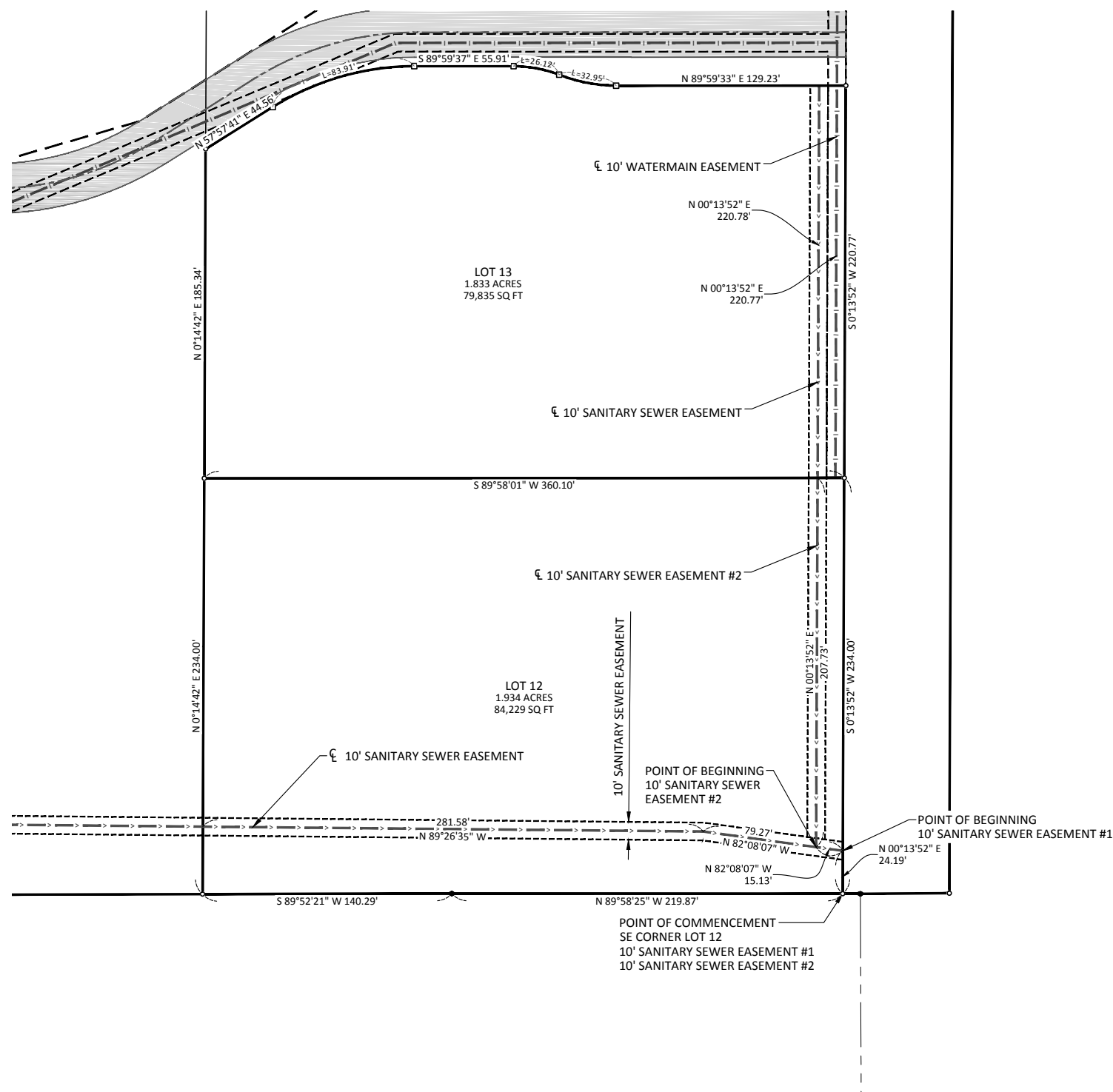
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<b>JENSEN GROUP</b>	
BRICKTOWNE AMES SUBDIVISION	
EASEMENTS - LOT 11	





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**LOT 12**

10 FOOT SANITARY SEWER EASEMENT #1

A 10 FOOT SANITARY SEWER EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 12, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 10 FOOT SANITARY SEWER EASEMENT, BEING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE; COMMENCING AT THE SE CORNER OF SAID LOT 12; THENCE N 00°13'52" E, 24.19 FEET ALONG THE EAST LINE OF SAID LOT 12 TO THE POINT OF BEGINNING OF SAID CENTERLINE; THENCE N 82°08'07" W, 79.27 FEET; THENCE N 89°26'35" W, 281.58 FEET; WITH THE SIDELINES SUBTENDED OR EXTENDED TO TERMINATE AT THE WEST LINE OF SAID LOT 12.

10 FOOT SANITARY SEWER EASEMENT #2

A 10 FOOT SANITARY SEWER EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 12, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 10 FOOT SANITARY SEWER EASEMENT, BEING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE; COMMENCING AT THE SE CORNER OF SAID LOT 12; THENCE N 00°13'52" E, 24.19 FEET ALONG THE EAST LINE OF SAID LOT 12; THENCE N 82°08'07" W, 15.13 FEET TO THE POINT OF BEGINNING; THENCE N 00°13'52" E, 207.73 FEET WITH THE SIDELINES BEING SUBTENDED OR EXTENDED TO TERMINATE AT THE NORTH LINE OF SAID LOT 12.

**LOT 13**

10 FOOT SANITARY SEWER EASEMENT

A 10 FOOT SANITARY SEWER EASEMENT OVER, UNDER AND ACROSS PARTS OF LOT 13, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST 10 FEET OF THE EAST 20 FEET OF SAID LOT 13.

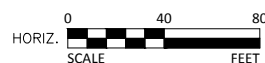
10 FOOT WATERMAIN EASEMENT

A 10 FOOT WATERMAIN EASEMENT OVER, UNDER AND ACROSS PARTS OF LOT 13, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST 10 FEET OF SAID LOT 13.

**LEGEND**

- STORM WATER FLOWAGE EASEMENT
- WATERMAIN EASEMENT
- SANITARY SEWER EASEMENT
- PUBLIC ACCESS EASEMENT



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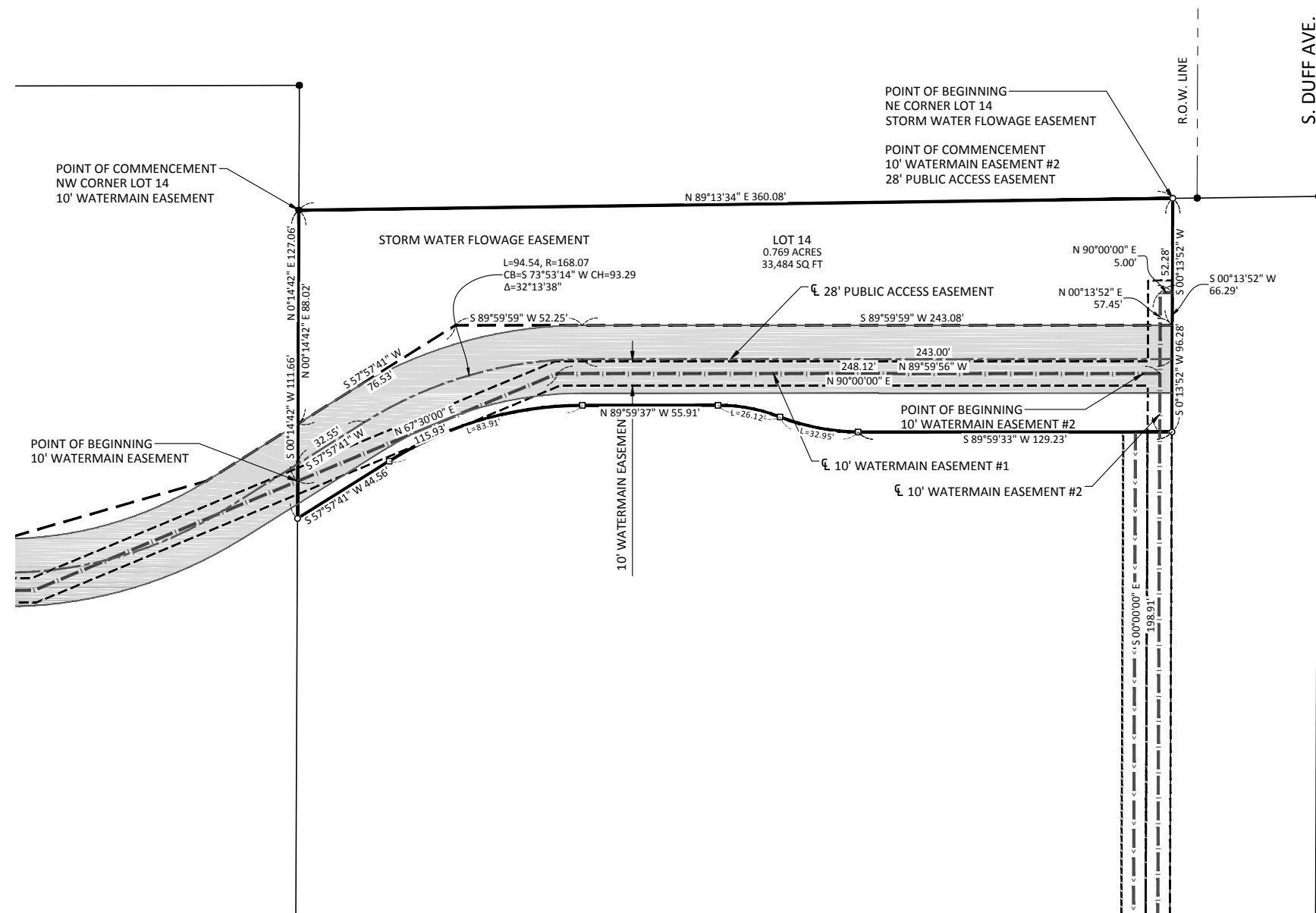
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BRICKTOWNE AMES SUBDIVISION	
EASEMENTS - LOT 12 & LOT 13	



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**LOT 14**

**10 FOOT WATERMAIN EASEMENT #1**

A 10 FOOT WATERMAIN EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 14, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 10 FOOT WATERMAIN EASEMENT, BEING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE; COMMENCING AT THE NW CORNER OF SAID LOT 14; THENCE S 00°14'42\" W, 111.66 FEET ALONG THE WEST LINE OF SAID LOT 14 TO THE POINT OF BEGINNING OF SAID CENTERLINE; THENCE N 67°30'00\" E, 115.93 FEET; THENCE N 90°00'00\" E, 248.12 FEET, THERE TERMINATING.

**10 FOOT WATERMAIN EASEMENT #2**

A 10 FOOT WATERMAIN EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 14, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 62.45 FEET OF THE EAST 10 FEET OF SAID LOT 14.

**STORM WATER FLOWAGE EASEMENT**

A STORM WATER FLOWAGE EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 14, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NE CORNER OF SAID LOT 14; THENCE S 00°13'52\" W, 52.28 FEET ALONG THE EAST LINE OF SAID LOT 14; THENCE S 89°59'59\" W, 243.08 FEET; THENCE S 89°59'59\" W, 52.25 FEET; THENCE S 57°57'41\" W, 76.53 FEET; THENCE N 00°14'42\" E, 88.02 FEET ALONG THE WEST LINE OF SAID LOT 14; THENCE N 89°13'34\" E, 360.08 FEET ALONG THE NORTH LINE OF SAID LOT 14 TO THE POINT OF BEGINNING.

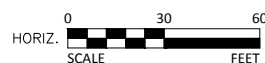
**28 FOOT PUBLIC ACCESS EASEMENT**

A PUBLIC ACCESS EASEMENT BEING OVER, UNDER AND ACROSS PART OF LOT 14, BRICKTOWNE AMES SUBDIVISION, CITY OF AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 28 FOOT PUBLIC ACCESS EASEMENT, BEING 14 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE; COMMENCING AT THE NE CORNER OF SAID LOT 14; THENCE S 00°13'52\" W 66.29 FEET ALONG THE EAST LINE OF SAID LOT 14 TO THE POINT OF BEGINNING; THENCE N 89°59'56\" W, 253.03 FEET TO A 168.07 FOOT RADIUS CURVE, CONCAVE SOUTHERLY; THENCE 94.54 FEET ALONG SAID CURVE WITH A DELTA OF 32°13'38\" (CHORD BEARING S 73°53'14\" W 93.29 FEET); THENCE S 57°57'41\" W, 32.55 FEET WITH THE SIDELINES BEING SUBTENDED OR EXTENDED TO TERMINATE AT THE WEST LINE OF SAID LOT 14.

**LEGEND**

- STORM WATER FLOWAGE EASEMENT
- WATERMAIN EASEMENT
- SANITARY SEWER EASEMENT
- PUBLIC ACCESS EASEMENT



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<b>JENSEN GROUP</b>	
BRICKTOWNE AMES SUBDIVISION	
EASEMENTS - LOT 14	

SHEET  
 18  
 OF  
 18



**Public Works Department**  
515 Clark Avenue, Ames, Iowa 50010  
Phone 515-239-5160 ♦ Fax 515-239-5404

October 24, 2017

Honorable Mayor and Council Members  
City of Ames  
Ames, Iowa 50010

Ladies and Gentlemen:

I hereby certify that a portion of the 7" PCC Pavement, required as a condition for approval of the final plat of **The Irons Subdivision**, has been completed in an acceptable manner by **Extreme Concrete of Huxley, Iowa**. The above-mentioned improvements have been inspected by the Engineering Division of the Public Works Department of the City of Ames, Iowa and found to meet City specifications and standards.

As a result of this certification, it is recommended that the financial security for public improvements on file with the City for this subdivision be reduced to **\$203,026.64**. The remaining work covered by this financial security includes the installation of pedestrian ramps and sidewalks, shared use path, replacement of 7" PCC Pavement (cracked slab at crosswalk and 90 ft of substandard curb), utility punch list corrections, and erosion control.

Sincerely,

John C. Joiner, P.E.  
Director

JJ/tw

cc: Finance, Contractor, Planning & Housing, Subdivision file

The Irons Subdivision

October 24, 2017

Page 2

Description	Unit	Quantity
4" PCC City Sidewalks	SY	192
7" PCC Pavement	SY	3330
5" PCC Shared Trail - 10' wide	SY	2818
6" PCC Sidewalk	SY	15
Interior Sidewalks	SY	676.5
COSESCO - Erosion Control	ACRE	24.7
Utility Work (Punch List)	LS	1



**Public Works Department**  
515 Clark Avenue, Ames, Iowa 50010  
Phone 515-239-5160 ♦ Fax 515-239-5404

November 7, 2017

Honorable Mayor and Council Members  
City of Ames  
Ames, Iowa 50010

Ladies and Gentlemen:

I hereby certify that the asphalt surface paving, final utility fixture adjustments, seeding/erosion control, part of required sidewalk, and street lighting construction required as a condition for approval of the final plat of **South Fork, 9<sup>th</sup> Addition** have been completed in an acceptable manner by **McAninch Corporation of Des Moines, IA and Manatts, Inc. of Ames, IA**. The above-mentioned improvements have been inspected by the Engineering Division of the Public Works Department of the City of Ames, Iowa and found to meet City specifications and standards.

As a result of this certification, it is recommended that the financial security for public improvements on file with the City for this subdivision be reduced to **\$12,500**. The remaining work covered by this financial security includes street trees and installation of the public sidewalks/pedestrian ramps.

Sincerely,

John C. Joiner, P.E.  
Director

JJ/tw

cc: Finance, Contractor, Planning & Housing, PW Subdivision file

Description	Unit	Quantity
STREET TREES	EA	16
HMA PAVEMENT, SUFRACE COURSE ONLY	SY	1,032
MANHOLE/VALVE ADJUSTMENTS	EA	3
SIDEWALK.4" PCC	SY	500
STREET LIGHTING	LF	1
COSESCO SECURITY	AC	1.55

**COUNCIL ACTION FORM**

**SUBJECT: 2015/16 RIGHT-OF-WAY RESTORATION CONTRACT**

**BACKGROUND:**

This program enables better restoration of the right-of-way areas associated with CIP projects through a separate contract specializing in vegetation establishment. Conditions for each restoration area are considered independently to select the most appropriate and sustainable alternative. Restoration examples include sod, native turf, and pervious and standard colored/stained concrete.

On April 26, 2016, City Council awarded the 2015/16 Right-of-Way Restoration Contract #1 to Green Tech of Iowa of Grimes, Iowa, in the amount of \$150,210. A change order was administratively approved in the amount of \$30,729.60 to add an additional project location (24<sup>th</sup> Street restoration) and to also include additional watering of various locations due to weather conditions. **Construction was completed in the amount of \$180,939.60.**

Costs associated with this project are estimated to include:

Engineering and Construction Administration	\$ 18,094.00
Restoration work	<u>\$180,939.60</u>
<b>Total Estimated Costs</b>	<b>\$199,033.60</b>

Project funding is summarized below:

Road Use Tax	\$ 175,000
Water Utility Fund	\$ 50,000
Sanitary Sewer Utility	<u>\$ 50,000</u>
<b>Total Funding</b>	<b>\$ 275,000</b>

Any unutilized funds will be allocated to other locations/programs as needed to ensure a properly vegetated right of way.

**ALTERNATIVES:**

1. Accept the 2015/16 Right-of-Way Restoration Contract as completed by Green Tech of Iowa of Grimes, Iowa, in the amount of \$180,939.60.
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.



**COUNCIL ACTION FORM**

**SUBJECT: 2014/15 LOW POINT DRAINAGE IMPROVEMENTS  
(NORTHWOOD DR)**

**BACKGROUND:**

The Low Point Drainage Improvements is the annual program for drainage improvements to decrease flooding at low points. Low point drainage improvements are focused on those locations most in need of the improvements as affected by standing water, flooding, and insufficient pipe capacity. The program identifies core locations for improvements each year. **The location for this project is the 2800 block of Northwood Drive.**

On February 8, 2017 City Council awarded this project to J&K Contracting of Ames, Iowa in the amount of \$332,881.00. Two change orders were administratively approved by staff. Change Order No. 1 was approved to increase the quantity of erosion stone for one segment of the project in the amount of \$2,450. Change Order No. 2 (Balancing) was administratively approved by staff as a deduction of \$30,789.62. **Construction was completed in the amount of \$304,541.38.**

Revenue and expenses for the project are summarized below:

	<u>Revenue</u>	<u>Expenses</u>
2014/15 Low Point Drainage Improvements		
Storm Sewer Utility Funds	\$ 150,000	
Unallocated G.O. Bond Savings	\$ 250,000	
Construction		\$ 304,541.38
Engineering and Administration		\$ 60,900.00
	<hr/>	<hr/>
	\$ 400,000	\$ 365,441.38

Remaining funds will be utilized for other prioritized locations, under separate bid packages.

**ALTERNATIVES:**

1. Accept the 2014/15 Low Point Drainage Improvements (Northwood) project as completed by J&K Contracting of Ames, Iowa, in the amount of \$304,541.38.
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.

**COUNCIL ACTION FORM**

**SUBJECT: 2015/16 ARTERIAL STREET PAVEMENT IMPROVEMENTS (13<sup>TH</sup> STREET FROM FURMAN AQUATIC CENTER TO UNION PACIFIC RAILROAD)**

**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 13<sup>th</sup> Street from the Furman Aquatic Center access drive to the Union Pacific Railroad tracks.**

On March 22, 2016 City Council awarded this project to Con-Struct, Inc. of Ames, Iowa in the amount of \$1,324,632.00. Three change orders were administratively approved by staff. **Construction was completed in the amount of \$1,345,852.93.**

Revenue and expenses for the project are summarized below:

	<u>Revenue</u>	<u>Expenses</u>
2015/16 Arterial Street Pavement Improv.		
G.O. Bonds	\$ 400,000	
STP Funds	\$ 1,060,000	
2015/16 Accessibility Enhancement Program		
Local Option Sales Tax	\$ 25,000	
2015/16 Traffic Signal Program		
Road Use Tax Funds	\$ 25,000	
2013/14 CyRide Route Pavement Improv.		
G.O. Bonds	\$ 60,000	
2015/16 Storm Sewer Improvement Program		
Storm Sewer Utility Funds	\$ 30,000	
Construction		\$1,345,852.93
Engineering and Administration		\$ 254,120.00
	<hr/> \$ 1,600,000	<hr/> \$1,599,972.93

**ALTERNATIVES:**

1. Accept the 2015/16 Arterial Street Pavement Improvements (13<sup>th</sup> Street from Furman Aquatic Center to Union Pacific Railroad) project as completed by Con-Struct, Inc. of Ames, Iowa, in the amount of \$1,345,852.93.
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.

**COUNCIL ACTION FORM**

**SUBJECT: FINAL COMPLETION OF THE WATER POLLUTION CONTROL FACILITY STRUCTURAL REHABILITATION PHASE 1 PROJECT**

**BACKGROUND:**

On May 23, 2017, City Council awarded a contract to Western Specialty Contractors of Des Moines, Iowa in the amount of \$419,000 for rehabilitation of various structural deficiencies at the WPCF. Three change orders were issued during the project in a combined total amount of \$40,580, bringing the final contract amount to \$459,580. Funds for this project were carried over from the adopted FY 15/16 (\$786,000) and FY 16/17 (\$308,000) Capital Improvements Plan.

All work under this contract was completed in accordance with the plans and specifications. A copy of the Engineer's Certificate of Completion is attached.

**ALTERNATIVES:**

1. Accept final completion of the WPC Structural Rehabilitation Phase 1 Project and authorize final payment, in accordance with the contract, to Western Specialty Contractors of Des Moines, Iowa in the amount of \$459,580.
2. Do not accept completion of the WPC Structural Rehabilitation Phase 1 Project at this time.

**MANAGER'S RECOMMENDED ACTION:**

Work for the project has been completed in accordance with plans and specifications. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as described above.



November 8, 2017

Mr. John R. Dunn, P.E.  
Director  
City of Ames Water and Pollution Control Department  
1800 East 13<sup>th</sup> Street  
Ames, Iowa 50010

RE: Engineer's Certification of Final Completion  
Ames WPCF Structural Renovations Phase I  
HDR Project No: 10045899

Dear Mr. Dunn,

This letter certifies that as of November 8<sup>th</sup>, 2017 the Contract for the City of Ames WPCF Structural Renovations Phase I Project is complete and in accordance with the contract documents to the best of HDR's knowledge and belief.

Sincerely,  
HDR ENGINEERING INC.

A handwritten signature in blue ink, appearing to read 'B. Hoagland'.

Brian C. Hoagland, P.E.  
*Project Engineer*

cc. File



**To:** Mayor and Ames City Council

**From:** Steven L. Schainker, City Manager

**Date:** November 9, 2017

**Subject:** Limiting Occupancy in Rentals

As you will recall, your most recent discussion at the October 24 Council meeting regarding limiting occupancy in rental units was a bit confusing. In talking to a few of you, it appears there might be a difference of opinion as to what was actually approved in the formal motions. While there were many comments that took place during the discussion of the motions, the actions that were actually approved by the Council are reflected on the second page of the memo.

Lacking any further direction from the City Council, staff will move ahead to develop the necessary code changes to reflect the policy directions given in the following motions. It is currently planned that the Council will be asked to approve the first reading of the ordinance changes on November 28, 2017, with second and third readings in December.

**Because of the importance of this issue, staff wants to make sure that the motions approved on October 24 represent your recollection of your vote. Should there be agreement that changes to your direction is needed at this time, it is important that we understand them before a final ordinance is drafted for your consideration.**

\*\*\*\*\*

*Moved by Orazem, seconded by Corrieri, to direct staff to tie number of bedrooms to the number of adult occupants plus one.*

*Motion to Vote: 6-0. Motion carried unanimously*

\*\*\*\*\*

*Moved by Orazem, seconded by Beatty-Hansen, number of off street parking space is equal to the number of bedrooms.*

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

\*\*\*\*\*

*Moved by Beatty-Hansen, seconded by Orazem, to establish a cap at 5 adults in a low density residency.*

*Vote on Motion 4-2. Aye Vote: Beatty-Hansen, Gartin, Orazem, and Nelson. Nay vote: Betcher and Corrieri. Motion carried.*

\*\*\*\*\*

*Moved by Betcher, seconded Gartin, parking spaces will be in the garage, driveway, or existing legal parking spaces as of January 2018.*

*Vote on Motion 4-2. Aye Vote: Betcher, Gartin, Orazem, and Nelson. Nay vote: Beatty-Hansen and Corrieri. Motion carried.*

\*\*\*\*\*

*Moved Beatty-Hansen, seconded by Gartin, for staff to bring back to Council over the period of the moratorium options for limiting the addition of bedrooms.*

*Vote on Motion 5-1. Aye Vote: Beatty-Hansen, Betcher, Gartin, Orazem, and Nelson. Nay vote: Corrieri. Motion carried.*

\*\*\*\*\*

*Moved by Betcher, seconded by Gartin, for staff to report on options for penalties for code violations, the situation of airbnb in relation to rentals, rental concentration, and unregistered rental properties, and how we know about them.*

*Vote on Motion 6-0. Motion carried unanimously.*

\*\*\*\*\*



## Staff Report

**DOWNTOWN DEVELOPMENT ISSUES**

November 14, 2017

**BACKGROUND:**

Over the past few years the City has experienced significant growth in the number of new mixed-use developments in the Campustown area. Recently, the City staff has received interest from developers regarding similar mixed-use projects in the current Downtown business district and along the Lincoln Way corridor between Clark and Kellogg. It appears that the City Council is eager to support mixed-use projects that include additional housing opportunities in these areas.

Before responding to requests from developers regarding such downtown redevelopment projects, the City Council has requested that the staff provide information regarding 1) parking standards, 2) storm water regulations, 3) community space, and 4) potential incentives. It is hoped that this information will allow the City Council to make policy decisions regarding these issues prior to developers seeking assistance from the City.

**DOWNTOWN PARKING STANDARDS**

The Downtown has a unique zoning district of Downtown Service Center (DSC) that is written to promote a “main street” character and to promote commercial use and to allow for residential uses on upper floors of buildings. Private development has no requirement for providing parking for commercial uses and a minimal requirement of providing for one parking space per residential dwelling. Miscellaneous uses of hotels and theaters require additional parking.

**EXCERPT OF PARKING STANDARDS:**

PRINCIPAL LAND USE	ALL ZONES EXCEPT DOWNTOWN AND CAMPUSTOWN SERVICE CENTER ZONES	DOWNTOWN AND CAMPUS TOWN SERVICE CENTER ZONES
APARTMENTS DWELLINGS	1.5 space/RU; for one-bedroom units 1 space/bedroom for units of 2 bedrooms or more 1.25 space/bedroom for units of 2 bedrooms or more in University Impacted (O-UIE and O-UIW) 1 space/residential unit for an Independent Senior Living Facility	<b>1 space/RU</b>
AUDITORIUMS, THEATERS, STADIUMS AND ARENAS	Greater of 1 space/5 seats or 10 spaces/1,000 sf, with a minimum of 20 spaces	<b>Greater of 1 space/4 seats or 10 spaces/1,000 sf, with a minimum of 20 spaces</b>
RETAIL SALES AND SERVICES-GENERAL	1 space/300 sf	<b>NONE</b>
SIT-DOWN RESTAURANT	9 spaces/1,000 sf	<b>NONE</b>

Remote parking is allowed within the DSC when it meets the standards of Section 29.406(18) and the location is approved by the City Council. Remote parking must be within 300 feet of the site and permanently committed to parking for use by the site. The distance of 300 feet is roughly equal to the length of traditional city block in Downtown. Use of public parking spaces does not meet the remote parking requirements.

Downtown does not specifically have parking design requirements that differ from the City’s general requirements for surface parking lots or for parking decks. DSC zoning does require that a minimum of 50% of the ground floor of the building be used for commercial uses, but does not directly address parking configurations in relation to the ground floor of the building. The City’s standards for parking lots require a minimum of a seven-foot landscape separation along streets and 0 to 3 feet from property lines. Larger parking lots would also require internal tree planter islands.

Parking decks include specific requirements about design in an effort to minimize the impact of the look of parking garages and their compatibility with pedestrian character at street level. Parking decks are defined as having of having two levels of parking, either above or below the ground level. Parking decks often create a feeling of “dead space” compared to the activity of businesses and storefronts. Parking decks require that 75% of the frontage be lined with space for walk-in retail or services uses and that parking spaces are setback at least 35 feet from front property lines at street level. These standards have consistently been applied to redevelopment projects that have occurred within Campustown.

Downtown has a significant number of public parking spaces to support the commercial and public uses found in the Downtown. There are a total of 1,399 public parking spaces within Downtown, excluding the Lot M parking behind City Hall that is principally for City use and for employees during business hours.

<b>Downtown Public Parking*</b>	
<b>Free Parking, Standard</b>	559
<b>Free Parking, Compact</b>	30
<b>ADA Parking</b>	43
<b>Metered Parking</b>	600
<b>Reserved Parking</b>	167

\*Based on March 2017 Inventory

Public parking has restrictions on time and use. Metered on-street parking has a typical limit of 2 hours along Main Street and up to 4 hours in other areas. The free parking located within off-street parking lots is typically restricted to 2 to 4 hours, but may be as long as 10 hours near City Hall and the Library. Parking restrictions do not apply after 6 pm. However, there is no overnight parking allowed within the public parking stalls and parking is prohibited after 3 am, with the exception of public parking permitted within Lot MM behind City Hall. Reserved parking spaces allow for 24-hour parking. A complete map of parking location and restrictions is available online through the Ames GIS Information.

## **STAFF COMMENTS REGARDING DOWNTOWN PARKING STANDARDS:**

The City's current parking regulations are a balance of moderate parking requirements for new development within an urban environment. It is unlikely that the current requirement is a deterrent to redevelopment projects. The requirement for parking has deterred some property owners for a handful of existing buildings in Downtown from creating apartments, while others have been able to meet parking requirements on site or through remote parking arrangements.

Parking requirements could be reduced as policy preference, if providing for parking with residential uses is viewed as an impediment to adding housing within Downtown. **City Council could choose to reduce parking based upon smaller unit sizes, small project size, availability of off-site parking, or eliminate the requirement in its entirety as is the case for commercial uses. The City Council could also expand the allowance for remote parking to encourage greater use of parking spaces that may already exist in Downtown, including potentially use of City reserved parking stalls.**

Currently, City reserved stalls would not meet the standard of permanently reserved parking available for private use and is not eligible as required parking for meeting zoning standards. If the City Council desired to reduce parking requirements within the Zoning Ordinance, it would also need to decide if parking would continue to be required in the Rental Code. Reducing zoning requirements may make it easier to establish residential uses and the Rental Code would ensure that some form of parking was still provided on or near the site.

Staff reviewed Des Moines, Iowa City, and Cedar Rapids parking requirements for the downtown types of zoning districts. Des Moines requires no parking for any uses in downtown and allows for a 60% reduction in parking for neighborhood and pedestrian commercial oriented areas. Iowa City has a base requirement of .5 spaces for 1 bedroom units, 1 space for 2 bedrooms, and 3.5 spaces for 3 bedroom units. Iowa City also allows for reductions in parking and payment of in lieu fees for parking within a parking district. Cedar Rapids requires no parking within Downtown.

**Staff believes that the current one space per unit requirement is reasonable and most market rate, non-student developments are likely to provide at least .5 to 1 parking space per unit. Staff will be proposing a modified parking ratio for the Lincoln Corridor area based upon a 1 space per two bedroom unit standard and a lower requirement for one bedroom units. If City Council is interested in modifying parking requirements for Downtown, staff would advocate reducing the requirement only for smaller projects and apartment sizes to ensure student housing is not over incentivized for the area with relaxed development regulations.**

## STORM WATER REGULATIONS

The City of Ames adopted Chapter 5B Post Construction Stormwater Management Ordinance on April 22, 2014. This Ordinance meets the requirements of the U.S Environmental Protection Agency's National Pollutant Discharge Elimination System (NPDES) permit program as administered by the Iowa Department of Natural Resources (IDNR). The City of Ames was required to obtain an NPDES Permit for the discharge of stormwater from a Municipal Separate Storm Sewer System (MS4 Permit).

The Ordinance requires that the site improvements be designed to control water quantity (flow rates) and to improve water quality from the stormwater runoff of applicable development properties within the City. It also encourages the use of low impact development to increase on-site infiltration, reduce pollutant loads in receiving waterways, and reduce stormwater runoff volumes from developed areas.

Since adoption of the ordinance, reduction in stormwater runoff volumes on re-developments, new developments, and the City Hall Parking Lot project **have been achieved through either detention basins or underground storage**. Water quality improvements **have been achieved primarily through wet detention basins, soil quality restoration, native landscaping, or underground mechanical units**.

Currently the Ordinance applies to the following properties and/or development sites:

- Any new development or redevelopment disturbing more than one acre of land.
- Any new development of redevelopment creating more than 10,000 SF of impervious cover.

The following are exempt from the Ordinance:

- Any agricultural activity.
- Additions or modifications to an existing single family property.
- Storm Water Management Design standards do not apply to any area within a 1,000 foot distance from any City of Ames drinking water well located in the Southeast Well Field and Youth Complex Well Field. In these specific areas, developments will need to meet requirements for stormwater quality based treatment or a combination of quantity and quality based treatment as approved by both the Director of Public Works and the Director of Water Pollution Control.
- **Partial waiver can be granted to allow the movement of stormwater management facilities to an off-site location with sufficient justification.**

## **WHAT DO OTHER CITIES DO IN THE DOWNTOWN?**

As a comparative reference, staff reviewed Post Construction Stormwater Management Ordinances in some other Iowa communities. (See Attachment 3)

As evidenced in the attached table, the Central Business Districts in Iowa City and Waterloo are **totally exempt** from the Stormwater Ordinance. In Iowa City, developers of other sites located within the South Sycamore Greenway Watershed (not the Central Business District) are able to “buy into” a regional area, which was built around the year 2000 and which controls both water quantity and quality.

**Some cities have alternate criteria for redeveloped sites.** For instance:

- In Cedar Falls redeveloped areas with at least 25,000 square foot land disturbance are subject to the ordinance, whereas newly developed areas the ordinance applies to sites with at least 43,560 square feet of land disturbance.
  
- Cedar Rapids has a general exception for “areas deemed appropriate by the City Engineer” that allows for discretion and could include the Downtown area if the City Engineer finds that appropriate.

**Ordinance applicability and criteria are also able to be considered for revision.**

Council Bluffs and Iowa City Ordinances have a minimum land disturbance of one (1) acre and three (3) acres, respectively, without impervious coverage criteria, and are therefore less restrictive than the current Ames Ordinance.

## **OPTIONS:**

Staff has identified four options for dealing with the handling of storm water for redevelopment projects in the Downtown.

### **Option 1: Meet the current standards**

This option would require all applicable redevelopment projects in Downtown Ames to meet the current requirements of the Post Construction Stormwater Ordinance like all other developments within the City.

If Option 1 is selected, no further action is needed by City Council and the current Ordinance requirements would be applied.

**It should be remembered that under our current Ordinance, with justification, off-site storm water management facilities can be used to satisfy the requirements. This option can sometimes save the developer from the more costly underground facility in the Downtown.**

### **Option 2: Exempt redevelopment projects in Downtown from meeting current standards**

This option would exempt Downtown redevelopment projects from the Stormwater Management requirements. **It would be difficult to support this option due to significant community flooding and the negative capacity impact there would be on storm sewer infrastructure downstream of the development.**

If Option 2 is selected, Chapter 5B, Section (8) (a) of the Post Construction Stormwater Management Ordinance should be amended to exempt the Downtown area from the requirements of the Ordinance.

### **Option 3: Develop specific criteria for Downtown District and/or re-development projects.**

Under this option, Staff would collaborate with the development community to come up with specific design criteria for the Downtown District that would both provide public health, safety, and welfare and establish an agreeable arrangement with the Developers.

Things to consider would be capacity impact on storm sewer infrastructure downstream of the development, history of localized/river flooding downstream of the development, and water quality improvements.

For example, water quality improvements could be required on-site (e.g. permeable pavement systems, green roofs), but underground detention systems be allowed to control runoff volumes back to existing condition (compared to meadow as required by the ordinance).

If Option 3 is selected, Staff would come back to City Council with recommendations for Ordinance amendments based on the collaboration of Staff with the Development Community.

### **Option 4: Offer the developer an option to provide a fee in-lieu of meeting the stormwater requirements on site**

This approach would require the construction of a regional stormwater management area with the developers contributing a fee towards this facility when a Downtown redevelopment project is undertaken. This option would most likely result in a City-owned Stormwater Management facility requiring ongoing maintenance rather than typical privately owned facilities.

Two ways this option could transpire are:

**Option 4A: Require that water quality controls be on-site and allow for off-site water quantity/flood control.** This option would allow for the larger water storage areas to be off-site and would encourage some reduction of on-site volume and currently used best management practices such as permeable pavements and green roofs.

**Option 4B: Allow for both water quantity and quality controls to be off-site.**

This option would remove all stormwater management from the development site and not encourage the use low impact development practices and runoff minimization.

If Option 4 is selected, Chapter 5B, Section (8) (a) of the Post Construction Stormwater Management Ordinance should be amended to exempt the Downtown area from the requirements and add the fee-in-lieu requirement. Option 4 would also require the construction of a regional stormwater management area downstream of the development areas and would most likely necessitate the City purchasing land and adding an ongoing maintenance program for this project. In addition, it might be difficult to identify a site large enough to satisfy the capacity needs.

## COMMUNITY SPACE

Downtowns often include public amenity space for visitors, residents, and employees. Public space for downtowns can take on many forms depending on the purpose and location of the space. Staff approached the task of analyzing options for creating public space within Downtown by reviewing prior studies and considering potential site size and uses for the space as a plaza. Prior studies focused on two large City controlled properties for various plaza and public space ideas. The City analyzed options for the entire Downtown in 1996 and developed a single “catalyst” project civic plaza concept in 2005 for the parking lot east of City Hall. In addition to this location, staff has identified other City owned properties in and around Downtown and included a map of these locations in Attachment 1. Since the City does not control other properties, Staff did not consider at this time the use of private property or incorporating public space in future redevelopment opportunities when assessing options for Downtown.

Public spaces can include plazas and buildings, green space, decorative hardscapes, active and passive areas, water features, public art, seating and gathering spaces, and performance venues. Prioritizing the needs and purpose of the plaza will help formulate the best location and size for the public space. For example, considering public space as a visitable, everyday facility as an amenity or attraction to Downtown will shape the space differently than it if it is primarily a passive area intended for events or larger gatherings. Tom Evans Plaza is an example of micro-sized public space that is intended primarily for everyday use with its location adjacent to Main Street and its tables, benches, and art exhibits. Alternatively, a performance venue, or pavilion structure, would likely be more event or activity driven and have design features that accommodate large groups that use the space on a less regular basis.

In order to finalize a concept for a plaza, Council direction will be needed regarding the following topics:

1. Size of the space
2. Location of the space
3. Purpose and features of the space
4. Budget for improvements.

**Staff believes the existing performance venue options at Bandshell Park and Roosevelt Park meet the general need for a performance venue and that a formal town square type of civic space would not be a destination feature on its own. Creating an interesting place with individual small features will be the most likely type of public space to complement visits to Downtown or encourage new visitations to Downtown.**

**Successful plazas for everyday use should be engaging and interesting to families, have a high level of sunshine exposure, support Downtown uses and business vitality, and become a desirable and identifiable component for Downtown visitation. Access to parking could be important depending on the size and type of features that are incorporated into a plaza. The design of the plaza should also include the ability to incorporate attractive features for summer use as well as for winter use, such as a temporary recreational ice rink. This multi-seasonal design approach would make the plaza a year round destination and would add an activity element that is not currently part of the community.**

Staff has prepared Attachment 2 to illustrate two plaza size templates and options for how they can be situated on current City property. Staff created a ¼ acre 70 x 150 foot template for a smaller everyday family oriented space and a ½ acre 150 x 150 foot template for a larger public space that allows for some everyday attractions, but with space for additional small events. The largest feature intended for the two templates would be a temporary skating facility that may have a maximum size of 80 x 50 feet for recreational skating in the winter. During the summer months hardscape features, such as a labyrinth, could be in the same area as the ice rink. Seating areas and different versions of water features could also be incorporated into either template.

While water features are typically a high cost element for plazas, they do have the potential to create an engaging space. Any water feature for a Downtown plaza would be small in scale and be viewed as a complementary element to the plaza. The water feature would not be intended to compete with the Parks and Recreation Department's planned "Splash Pad" facility that will be constructed in a City park. In trying to create a fun and interesting atmosphere, options for a water feature could include surface flowing elements to mimic a stream with different textures and sounds or small water spouts that are interactive. A pond or larger scale splash pad features would not be necessary.

Additional element for an attractive plaza would be to add whimsy and flair to build anticipation and interest for visitors. The design does not have to be "childlike" for it to be fun and engaging as would be the case for a playground or park. Having interactive and kinetic elements to the plaza are enjoyable features for all ages. Interactive and kinetic elements can be a water feature, public art, and landscaping choices that demonstrate seasonal changes. Interactive features can include a mechanical clock with visible components, musical instruments, game areas, or wind powered mobiles, machines, or sculptures. If the City Council decided to move forward with a plaza concept, including a design motif could assist with focusing the design and include the elements described above.

Staff believes the two best locations for the proposed ¼ acre template are the corner of 5<sup>th</sup> and Kellogg adjacent to the library or as an extension of Tom Evans Plaza. The ½ acre template would be best situated as an extension of Tom Evans Plaza rather than



as a standalone feature east of City Hall. A short summary of the various locations is included below. Each location would require the removal of public parking spaces to accommodate a plaza. Some locations would also need to accommodate vehicle movement along the perimeter of the spaces. The south of Tom Evans Plaza location would likely need to include measures to reduce noise from the railroad.

**ASSESSMENT OF POSSIBLE PUBLIC PLAZA LOCATIONS FOR DOWNTOWN:**

Location	Parking Spaces Lost	Example Of Possible Features	Parking Access	Synergy/Vitality	Comments
5 <sup>th</sup> /Kellogg (1/4 Acre)	27	Labyrinth, skating, chess board, tables, surface water feature	On Street abutting the site	Abuts the Library and its high levels of users, 1 block from Main Street	Compact space takes advantage of its proximity to the Library and Main Street, Would need to address Church and alley driveways
City Hall Parking (¼ Acre)	20	Labyrinth, skating, chess board, tables, surface water feature	Parking Lot abutting the site	Lacks synergy due to parking lot development abutting site. Little pedestrian traffic in this area.	Ample space to fit features, may feel empty and removed from Downtown
City Hall Parking (1/2 Acre)	43	Water feature, skating, raised stage	Parking Lot abutting the site	Lacks everyday synergy due to parking lot development abutting site. Little pedestrian traffic in this area. Could support large numbers of people with additional parking nearby.	Similar approach to the Town Square design of 1996 and 2006
Tom Evans Expansion Parking Lot (¼ Acre)	15	Labyrinth, chess board, tables, surface water feature, skating on flat area	Parking Lot abutting the site	Extension of Tom Evans Plaza create larger overall area connected to Main Street	Would include green space of current park and add new hardscape. Parking easily accessible. Railroad noise undesirable.
Tom Evans Expansion Parking Lot (1/2 Acre)	45	Large space for many features discussed above.	Parking Lot abutting the site	Extension of Tom Evans Plaza create larger overall area connected to Main Street. Combined size could hold small events.	Maintain vehicle circulation through the site, train noise undesirable for acoustics
Parking 6 <sup>th</sup> and Douglas (1/4 or ½ acre)	34-84	Large space for many features discussed above.	On street only with large size	Across from Library, but no connection to rest of downtown	Highly used parking area for Library patrons would be lost

**POTENTIAL CITY INCENTIVES**

**OVERRIDING PHILOSOPHY:**

It should be remembered that the receipt of incentives from a city government is not a right. However, more often than not, discussions with a developer will start out with a request for incentives from a city in return for the project being built in the community.

The City Council should understand that not every project warrants, or justifies, incentives from a city. **Therefore, it is recommended that the City Council follow a three step analysis to decide whether or not a project justifies any city incentives.**

**Step 1. Determine if city incentives are warranted for the proposed project.** There are at least two reasons why incentives might be justified.

- *First, if for some time the city has desired to accomplish a specific project, but the market forces have not enticed a developer to complete the project – city incentives might be justified.*

For example, if retail sales data indicates there is substantial “leakage” to the Des Moines area for furniture sales, the City Council might want to offer incentives to facilitate the construction of a furniture store in the community.

Another example would be if no new development has been attracted to an area in the community that is dilapidated and targeted for redevelopment, the City Council might want to offer incentives to a developer to revitalize this high priority area.

- *A second reason to offer incentives would be if the city is getting something from a proposed development project that is above and beyond what the municipality requires in its codes.*

For example, in an area envisioned for high density that allows surface parking to meet the city requirements, the City Council might want to offer incentives to a developer who builds a parking ramp that accommodates the project’s off-street parking requirements and/or the parking needs of the general public.

Another example would be if a City Council desires a public gathering space in the downtown area. If the developer’s project includes this amenity, the City Council could justify the use of public incentives to assure that a public plaza is constructed.

## **Step 2. Determine if a financing gap exists for the developer’s project to warrant the developer needs the city incentives to accomplish the project.**

This decision can be facilitated by staff reviewing the developer’s project performance to see if there is a financing gap. In this instance, the City will have to decide what is an acceptable rate of return for the developer.

It also should be noted that in most cases redeveloping in an urbanized area, like Downtown, is more costly than developing in a green field on the outskirts of town. Therefore, the use of public incentives could be justified to offset the higher land cost, possible relocation costs of businesses and renters in the project area, and the demolition costs associated with in-fill projects.

## **Step 3. Make sure the city incentives are the last dollars injected into a project.**

It is prudent to leverage as much other non-city incentives as possible for the project. It should be expected that a developer will first obtain other funding sources for a project such as from: an equity contribution, conventional financing (loans), and state/federal grants before seeking city incentives to close the financing gap for a project.

## **THE ARRAY OF PUBLIC INCENTIVES THAT CAN BE OFFERED A DEVELOPER:**

A city has at its disposal a number of incentive tools that can be offered to a developer if a City Council concludes that the infusion of public funding is warranted. A list of the most readily used incentives are listed below in ascending order.

### **1. Reduction or Exemption from City Code Requirements**

Under this strategy, rather than provided direct financial incentives to a developer, the City Council could offer a reduction, or total exemption, from the normal City code requirements in order to reduce the cost of the project.

For example, to entice a developer to build multi-family housing in the downtown business district, the Council could require less off-street parking spaces per dwelling unit than is required in other R-H zoned areas.

Another example would be to exempt any storm water quality or quantify requirements for developers who build multi-family developments in the downtown business district, or allow them to accomplish these requirements in other areas off-site within the watershed.

### **2. Special Assessment (For any off-site improvements)**

Many times the addition of an economic development project results in the need for certain off-site improvements such as turning lanes, street widening, traffic lights, and/or bike path/sidewalk connections.

Rather than make the developer pay for these obligations up-front, a city could decide to finance these improvements for the developer by incurring the up-front cost of the improvement and allowing the developer to repay a city over a ten year period for this obligation through a special assessment process.

Under this incentive, the developer can take advantage of the City's lower borrowing rate, but the debt from the assessment counts against the City's debt limit.

### **3. Urban Revitalization Partial Tax Abatement**

This is a widely used incentive by cities. It does not require an out-of-pocket expenditure of city funds. Because the tax abatement is based on a sliding scale, the city, county, and school district receive the benefit of a portion of the new tax base immediately.

Generally, the City of Ames offers three options should an urban revitalization area be established for a project: 1) a 3 year – 100% abatement, 2) a 5 year partial abatement, and 3) a 10 year partial abatement once an urban revitalization district has been approved by the Council. (See Attachment 4)

It should be remembered that an urban revitalization area currently exists for the Downtown area. However, according to the area plan, in order to be eligible for a partial tax abatement the project must be:

- 100% commercial (no residential structures are eligible)
- Meet the Downtown design guidelines
- Must improve one or more facades of the structure
- Only eligible for the three year, 100% abatement option

#### **4. Low Income Housing Tax Credit (LIHTC)**

LIHTC is a federal income tax credit for the owners of affordable housing developments. LIHTC is a competitive program for the 9% tax credits and is administered by the Iowa Finance Authority (IFA).

IFA solicits applications once a year, typically in December. Award of the tax credits are announced in the Spring. The application and scoring criteria vary year to year as published by IFA. A local contribution is typically required with a minimum 1% of the project value required as part of the 2017 criteria.

The 1% local contribution can be through commitment of land, property tax abatement, or other local funding mechanisms. Projects that receive tax credits are subject to annual reporting to IFA on maintaining affordable housing rent levels. The affordable housing obligation is typically for a minimum of ten years.

#### **5. Work Force Housing Tax Credits**

This program is primarily a state incentive that provides up to \$1,000,000 to a developer who provide housing projects using abandoned, empty, or dilapidated properties. It is a very competitive since only \$20,000,000 has been approved annually by the State legislature.

The tax incentive includes a refund on sales, service, or use taxed paid during construction. In addition, the developer can receive an investment tax credit of up to 10% of the investment directly related to the construction or rehabilitation of the housing portion of the project.

This program requires a city to provide a match of at least \$1,000 per dwelling unit. This match can be met by a tax abatement incentive from a city, rather than a direct cash infusion into the project.

#### **6. Tax Increment Financing (TIF)**

The tax increment financing tool allows a city to redirect the additional taxes paid by the developer for the additional value of the new economic development project that would have normally gone to a city, school district, and county to pay for their operating budgets either to 1) the developer in the form of an annual rebate or 2) to city to pay the debt service for any public infrastructure (for example: roads, bridges, parking ramps) that was constructed to facilitate the new development.

It should be noted that the Iowa Code now limits the duration for this TIF financing tool to 20 years. In addition, if a TIF rebate is pursued, the amount of

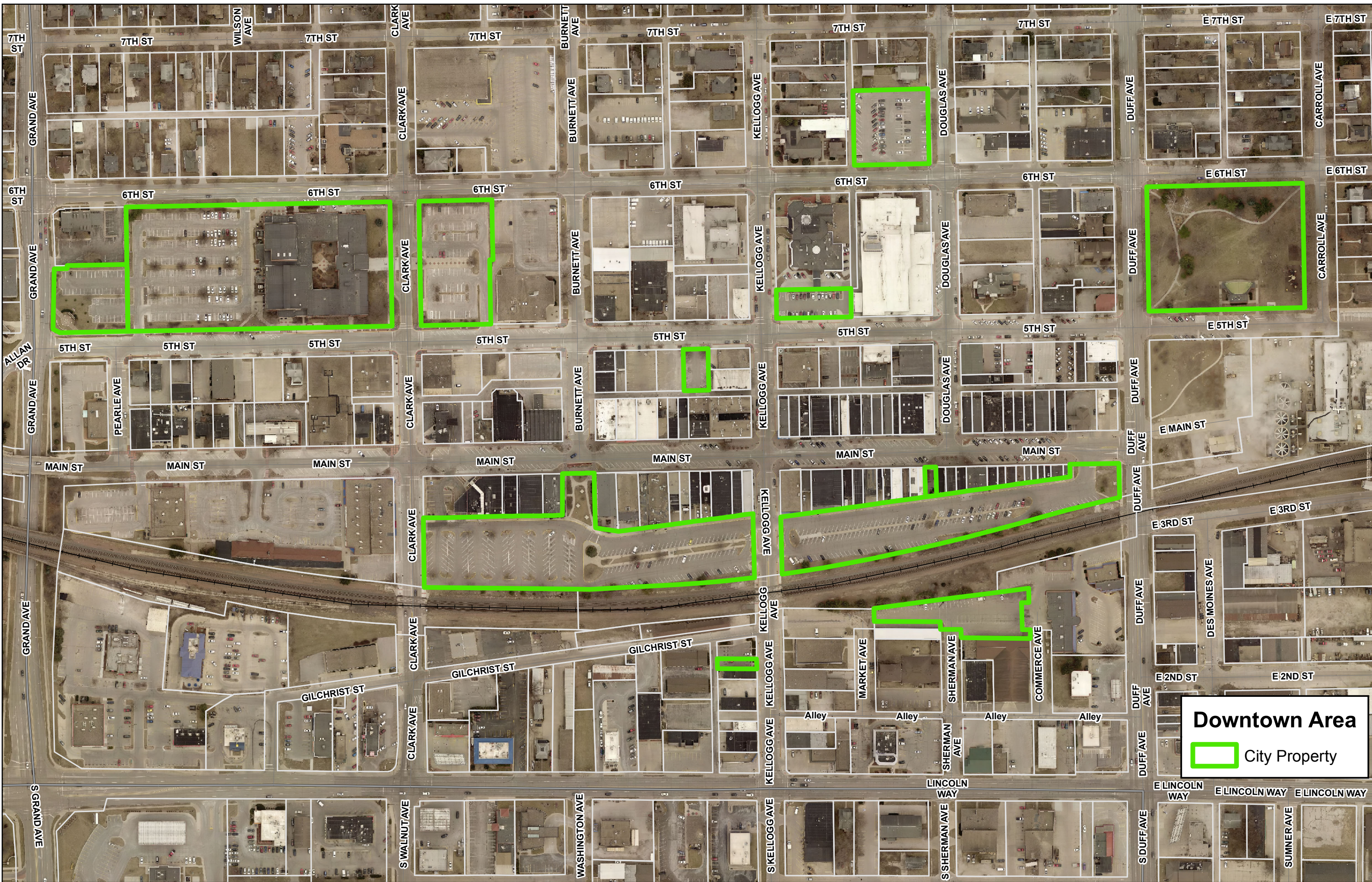
additional taxes that are generated from a new project are still paid to the taxing entities in accordance with their debt service levies.

## **7. Use of Cash Balances**

The City Council could decide to inject cash from the available balances in various city funds to pay for or reduce the cost of land, off-site improvements necessitated by the development, or utility work.

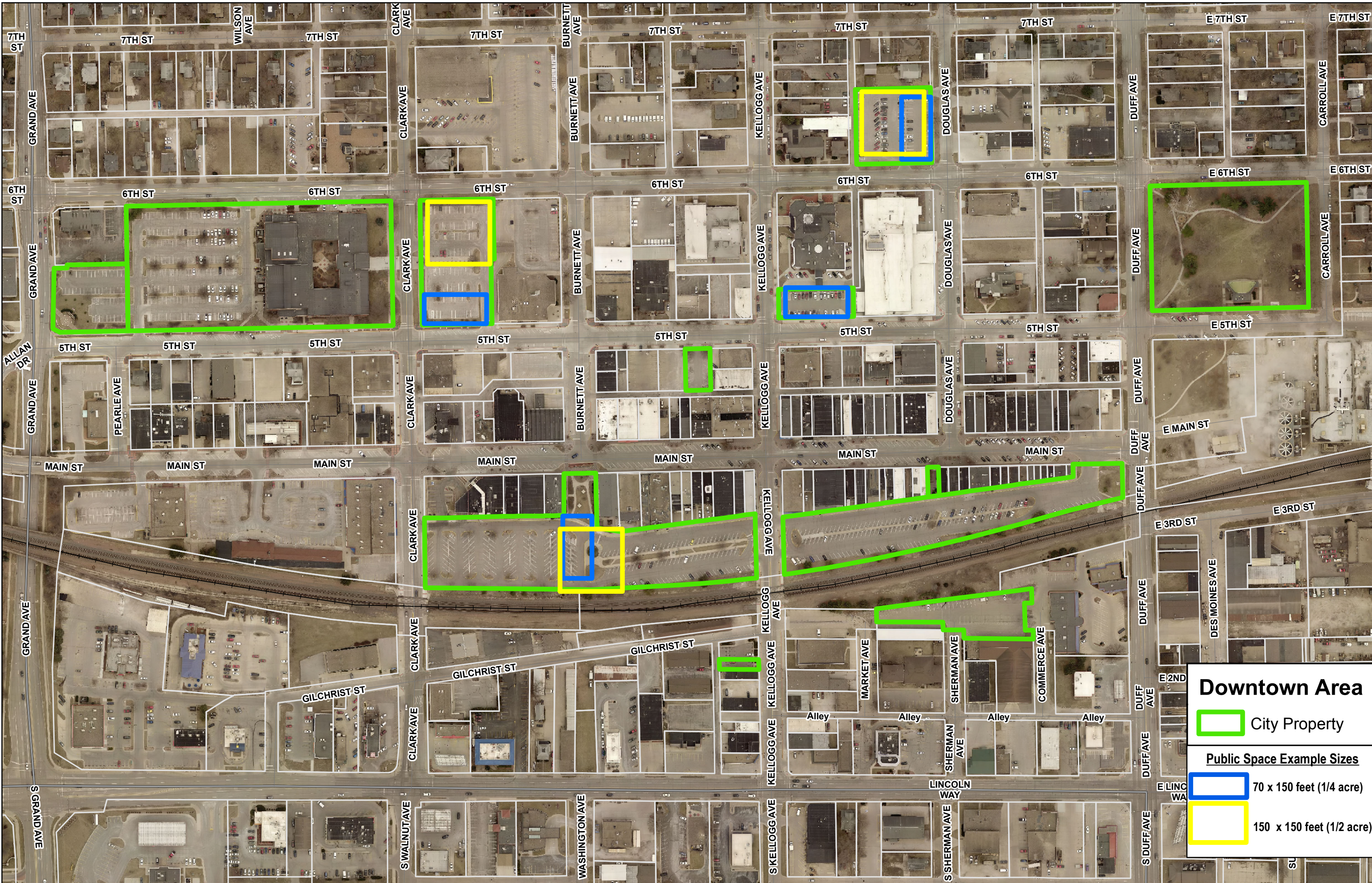
This approach would be the most difficult to justify since you would be drawing down “one time money”. Sustaining this source of funding over time would be difficult and hard to estimate in the budget.






**Downtown Area**  
City Property







**Downtown Area**

 City Property

**Public Space Example Sizes**

 70 x 150 feet (1/4 acre)

 150 x 150 feet (1/2 acre)



**SUMMARY OF IOWA MUNICIPALITIES STORMWATER MANAGEMENT ORDINANCE APPLICABILITY AND EXCEPTIONS**

<b>CITY</b>	<b>APPLICATION</b>	<b>EXEMPTIONS</b>
<b><u>Ames</u></b>	<ol style="list-style-type: none"> <li>1. All development and redevelopment within the city:               <ol style="list-style-type: none"> <li>a. <b>Disturbing 1 acre of more of land or</b></li> <li>b. <b>Creating at least 10,000 square feet of impervious cover.</b>  <i>Impervious cover means surfaces (roads, sidewalks, driveways, and parking lots) that are covered by impenetrable materials such as asphalt, concrete, brick, and stone, rooftops as well as soils compacted by urban development.</i> </li> </ol> </li> </ol>	<ol style="list-style-type: none"> <li>1. <i>Agricultural activity.</i></li> <li>2. <i>Additions or modifications to an existing single family property.</i></li> <li>3. <i>Stormwater Management Design standards do not apply to any area within a 1,000 foot distance from any City of Ames drinking water well located in the Southeast Well Field and Youth Complex Well Field. In these specific area, developments will need to meet requirements for storm water quality-based treatment or a combination of quantity and quality based treatment, as approved by both the Director of Public Works and the Director of Water and Pollution Control.</i></li> <li>4. <b>Partials waiver for on-site controls of redevelopment sites if approved by Municipal Engineer.</b></li> </ol>
<b><u>Cedar Rapids</u></b>	<ol style="list-style-type: none"> <li>1. All development within the city. Development is defined as “improvement of land from its existing state”.</li> <li>2. Stormwater detention basins intended to serve single family residential development shall be publicly owned and maintained, unless approved otherwise by the City Engineer.</li> <li>3. Non-single family lots with an overall area of one acre or more shall provide on-site stormwater detention. Non-single family lots with an overall area less than one acre shall comply with one of the following, as approved by the City Engineer:               <ol style="list-style-type: none"> <li>a. Privately owned, on-site detention basin.</li> <li>b. Tributary to a privately or publicly owned detention basin. In some watersheds, on-site stormwater detention may be required, at the discretion of the City Engineer, for non single-family lots with an overall area of less than one acre.</li> </ol> </li> <li>4. At the discretion of the City Engineer, if a detention basin serves non-single family zoning districts and can provide stormwater attenuation for a substantial drainage area, the facilities may be publicly owned and maintained.</li> </ol>	<ol style="list-style-type: none"> <li>1. Agricultural use of land</li> <li>2. Emergencies posing an immediate danger to life or property, or substantial flood or fire hazards;</li> <li>3. Land within flood plain areas as designated in the Federal Emergency Management Agency maps in effect at the time of development.</li> <li>4. <b>Areas deemed appropriate by the City Engineer.</b></li> </ol>
<b><u>Cedar Falls</u></b>	<ol style="list-style-type: none"> <li>1. Land disturbing activity exceeding 43,560 square feet in area on land previously vacant of buildings or largely free of previous land disturbing activity other than traditional agricultural activities; or</li> <li>2. Land disturbing activity creating 5,000 square feet in area or more of impervious cover; or</li> <li>3. Land disturbing activities that are smaller than the minimum square feet applicability criteria set forth in this subsection, if such activities are part of a larger common plan of development that may or may not take place at the same time; or</li> <li>4. Land disturbing exceeding 25,000 square feet in area where the existing land is being redeveloped.</li> </ol>	<ol style="list-style-type: none"> <li>1. Any logging or agricultural activity which is consistent with an approved soil conservation plan or an approved timber management plan.</li> <li>2. Additions or modifications to existing single family structures.</li> </ol>



## SUMMARY OF IOWA MUNICIPALITIES STORMWATER MANAGEMENT ORDINANCE APPLICABILITY AND EXCEPTIONS

<p><b><u>Council Bluffs</u></b></p>	<p>1. Development of one acre or more of land or less than one acre if proposed disturbance is part of a larger common plan of development that meets the one acre minimum.</p>	<p>1. Any logging or agricultural activity consistent with an approved soil conservation plan of a timber management plan.                  2. Additions of modifications to existing single family structures.                  3. Developments that do not disturb more than one acre of land provided they are not part of a larger common development plan.                  4. Repairs to any stormwater management implementations deemed necessary by the City.</p>
<p><b><u>Des Moines</u></b></p>	<p>1. Water Quality controls for 1.25" storm.                  2. Detention required on-site for any development site exceeding 10,000 square feet in area or for redevelopment sites when the disturbed area of impervious surfacing exceeds 10,000 square feet.</p>	<p>1. Currently the Neighborhood Pedestrian Commercial District (NPC) allows the stormwater release rate to be at the 5-year storm of the current conditions (instead of 100% grass) <b>(this is anticipated to be eliminated with zoning code revisions taking place now for adoption in May 2018)</b></p>
<p><b><u>Iowa City</u></b></p>	<p>1. Development which results in an aggregate gross area of three (3) acres or more of drainage from or to a single drainage area. The gross aggregate drainage area shall include streets and other dedicated lands.</p>	<p>2. <b>Excludes the central business district.</b>                  3. Excludes the area designated as the new south side neighborhood.</p>
<p><b><u>Sioux City</u></b></p>	<p>1. Construction activity creating 5,000 or more square feet of impervious surface.</p>	<p>1. Logging or agricultural activity consistent with an approved soil conservation plan or a timber management plan.                  2. Additions or modifications to existing single-family structures.                  3. Developments that do not create more than 5,000 square feet of impervious surface, provided they are not part of a larger common development plan.                  4. Repairs to any storm water treatment practice deemed necessary by the City Engineer.</p>
<p><b><u>Waterloo</u></b></p>	<p>1. Land disturbing activity exceeding forty-three thousand five hundred sixty (43,560) square feet or more in area on land previously vacant of buildings or largely free of previous land disturbing activity; or                  2. Land disturbing activity creating five thousand (5,000) square feet or more in area of impervious surface; or                  3. Land disturbing activity that is smaller than the minimum area criteria set forth in this subsection, if such activities are part of a larger common plan of development that may or may not take place at the same time; or                  4. Construction of new parking and storage areas or the expansion, reconstruction or hard surfacing of existing parking lots or storage areas. The addition of granular material to the existing footprint of a granular surfaced parking lot or storage area shall not be considered reconstruction.</p>	<p>1. <b>Development or redevelopment of property within the central business district, as defined in the current city of Waterloo zoning ordinance.</b>                  2. Any additions or modifications to existing single-family dwellings provided that said additions and/or modifications do not create a dwelling with impervious surfaces greater than five thousand (5,000) square feet.                  3. Any logging activity consistent with an approved timber management plan.                  4. Any agricultural activity consistent with an approved soil conservation plan.</p>

**The exemption period for ten (10) years.** The amount of the partial exemption is equal to a percent of the Actual Value added by the improvements, determined as follows:

For the first year	80%
second	70%
third	60%
fourth	50%
fifth	40%
sixth	40%
seventh	30%
eighth	30%
ninth	20%
tenth	20%

**The exemption period for five (5) years.**

For the first year	100%
second	80%
third	60%
fourth	40%
fifth	20%

**The exemption period for three (3) years.** All qualified real estate is eligible to receive a 100% exemption on the Actual Value added by the improvements for each of the three years.

Staff Report

**REQUEST FOR A COUNTY-WIDE HOUSING STUDY**

November 14, 2017

**BACKGROUND:**

The Story County Board of Supervisors requested the City consider partnering in a new housing study for Ames/Story utilizing the same approach followed in a joint study in the 1990's. The prior housing study was a joint effort between participating jurisdictions to identify housing needs throughout the county which enabled Ames/Story jurisdictions to apply and receive grant funds from the Iowa Department of Economic Development based upon the needs identified in the study. The cost of the study was shared between the County and the City of Ames and included a 25 member taskforce to identify priorities for the study and to review its findings. RDG was the consultant for preparation of the study. At that time, the project was staffed by the City's Housing Coordinator and Planning Director from the County. The study included a survey of housing preferences, a visual assessment of housing conditions, and demographic data.

City staff recently met with Supervisor Lauris Olson to discuss the scope of the request. She has suggested that we follow the format of the original study and establish a task force and hire of a consultant. Staff from the County and City would be needed to provide support for the project. The cost of hiring a consultant to conduct the study is estimated to be \$70,000, and the County would anticipate that the study to occur in the 2018-2019 fiscal year.

**STAFF COMMENTS:**

The City has two significant housing and demographic informational reports planned for 2018. This includes a demographic assessment and growth projections for the upcoming new Comprehensive Plan and a federally mandated Affirmatively Furthering Fair Housing (AAFH) study for the fall of 2018. Notably, the AAFH study includes all of Story County as required by the Housing and Urban Development (HUD) and also must include public input sessions. The analysis for this report will not include visual assessments and preference surveys as was the case in the prior countywide study. However, the AAFH study will provide insight on a variety of fair housing issues and housing data. Additionally, the City must complete its federal 5-year Consolidated Plan in 2019.

**Due to the work involved in the upcoming studies, staff does not believe it currently has the resources to participate in a third housing study. The County would not need to assess conditions within Ames due to our own upcoming studies if they were to undertake a county-wide study. The City would be able to share its findings with the County and they could be incorporated into an overall study, if desired by the County.**

**COUNCIL ACTION FORM**

**SUBJECT:**                    **DEPOT DEVELOPMENT AGREEMENT**

**BACKGROUND:**

Following the City Council meeting of October 24, the Depot Development Agreement was updated with the direction given by the City Council. The agreement allows the owner of the Depot property, Merry Bee Properties, LLC, to use 100 of the 198 spaces for tenant and other private use while retaining 98 spaces for public use. These spaces will be reserved for public use for 50 years following approval of the agreement.

The City Council also directed that the spaces reserved for the public be retained in the middle of the Depot property. If the agreement is approved, staff will work with the owner on identifying those spaces.

In addition, the City Council directed that the commercial buildings maintain functional entrances abutting public streets for each tenant. In addition, the main entrance at the corner of Main Street and Clark Avenue shall remain as a functional entrance.

Language from the prior agreements regarding maintaining the historic façade of the Depot and the view of the Depot from Main Street also has been incorporated into this agreement.

**Alternatives:**

1. The City Council can approve the new agreement for the Depot regarding parking, maintaining the historic façade and view of the Depot, and retaining public entrances.
2. The City Council can deny the new agreement for the Depot.

**CITY MANAGER'S RECOMMENDED ACTION:**

The proposed agreement reflects the direction given by the City Council and also meets the request of the owner. **Therefore, it is the recommendation of the City Manager that the City Council accept Alternative 1, to approve the agreement.**

<b>INSTRUMENT PREPARED BY:</b>	Brian D. Torresi, 2605 Northridge Pkwy., Ames, IA 50010 (515) 288-2500
<b>RETURN TO:</b>	City of Ames, Iowa, Attn: City Clerk, 515 Clark Ave., Ames, IA 50010

**AMENDED AND RESTATED  
AMES DEPOT DEVELOPMENT AGREEMENT**

**THIS AMENDED AND RESTATED AMES DEPOT DEVELOPMENT AGREEMENT** (this "Amendment") is made and entered into as of the Effective Date (as that term is defined herein) by and between Merry Bee Properties, LLC (the "Owner") and the City of Ames, Iowa (the "City") (the Owner and the City are hereinafter collectively referred to as the "Parties" or individually as a "Party"). This Amendment shall be effective as of the date the last of the Parties hereto executes same (the "Effective Date").

**RECITALS**

**WHEREAS**, pursuant to that certain Ames Depot Development Agreement dated August 5, 1993, and filed in the office of the Recorder of Story County, Iowa, on July 25, 1994, as Instrument No. 94-08439 (the "Original Agreement"), the City and Main Street Station, L.C. ("Prior Owner-1") agreed on various terms and conditions related to the development of real property in Ames, Story County, Iowa, as legally described on the attached Exhibit A (the "Property"); and

**WHEREAS**, the Original Agreement was amended pursuant to: (a) an Amendment to Development Agreement dated November 23, 1993, and filed in the office of the Recorder of Story County, Iowa, on March 10, 1995, as Instrument No. 95-01792, and on July 27, 1995, as Instrument No. 95-06255 (collectively, "Amendment-1"); (b) an Amendment Ames Depot Development Agreement dated May 24, 1994, and filed in the office of the Recorder of Story County, Iowa, on March 10, 1995, as Instrument No. 95-01794, and on July 27, 1995, as Instrument No. 95-06256 (collectively, "Amendment-2"); (c) an Amendment to Ames Depot Development Agreement dated June 30, 1994, and filed in the office of the Recorder of Story County, Iowa, on March 10, 1995, as Instrument No. 95-01796, and on July 27, 1995, as Instrument No. 95-06258 (collectively, "Amendment-3"); (d) an Amendment Ames Depot Development Agreement dated June 9, 1998, and filed in the office of the Recorder of Story County, Iowa, on August 6, 1998, as Instrument No. 98-10956 ("Amendment-4"); and (e) an Amendment Ames Depot Development Agreement dated May

8, 2001, and filed in the office of the Recorder of Story County, Iowa, on May 14, 2001, as Instrument No. 01-05737 (“Amendment-5”) (the Original Agreement, Amendment-1, Amendment-2, Amendment-3, Amendment-4, Amendment-5, and any and all other amendments to the Original Agreement, recorded or unrecorded, are hereinafter collectively referred to as the “Agreement” and are incorporated herein by this reference as if fully set forth); and

**WHEREAS**, the City conveyed the Property, and any and all rights under the Agreement except as expressly reserved therein, to Prior Owner-1 by Quit Claim Deed dated July 25, 1995, and filed in the office of the Recorder of Story County, Iowa, on July 27, 1995, as Instrument No. 95-06260 (“QCD-1”), and by Quit Claim Deed dated October 26, 1995, and filed in the office of the Recorder of Story County, Iowa, on October 27, 1995, as Instrument No. 95-09570 (“QCD-2”) (QCD-1 and QCD-2 are hereinafter collectively referred to as the “Deed”); and

**WHEREAS**, Prior Owner-1 conveyed the Property to Main Street Station II, LLC (“Prior Owner-2”) by Warranty Deed dated June 1, 2006, and filed in the office of the Recorder of Story County, Iowa, on June 12, 2006, as Instrument No. 06-06773, and Prior Owner-2 conveyed the Property to Owner by Warranty Deed dated June 1, 2017, and filed in the office of the Recorder of Story County, Iowa, on June 1, 2017, as Instrument No. 17-05233; and

**WHEREAS**, in the Deed, the City reserved certain easements on the Property and certain parking provisions set forth in Paragraph 11 of the Original Agreement (collectively, the “Reserved Rights”); and

**WHEREAS**, Owner and the City desire to, among other things, amend the Reserved Rights and to revive certain provisions in the Agreement related to the historic characteristics of the Property.

**NOW, THEREFORE**, in consideration of the Recitals, and for other good and valuable consideration, the Parties hereby agree as follows:

- 1. INCORPORATION OF RECITALS.** The foregoing Recitals are incorporated herein and made a part of this Amendment as if fully set forth verbatim. The Recitals and exhibits hereto, if any, are a substantive, contractual part of this Amendment.
- 2. MODIFICATION OF RESERVED RIGHTS.** The rights reserved by the City in the Deed with respect to parking on the Property, as specifically set forth in Paragraph 11 of the Original Agreement, are hereby amended by completely replacing said Paragraph 11 and the Reserved Rights with the following language (the “Modified Reserved Rights”):

“Parking. (a) The Owner shall provide to the City, at the Owner's cost, parking on the Property for 98 automobiles for public parking in the central area of the parking lot serving the Property (the “Parking Area”) and the Owner shall have the right to relocate the Parking Area, from time to time on the Property. (b) In consideration of

the Owner's obligation to provide and maintain the Parking Area, the City agrees that it will, at its sole cost, monitor and regulate the parking on the Parking Area and enforce the City's parking regulations with respect to the Parking Area. The City shall have the sole right and obligation to establish and enforce parking regulations with respect to the Parking Area. Such regulations shall promote the use of the Parking Area by tenants, employees, customers, business visitors, and business guests of the Project and of the central business district of the City. The City shall not, without the prior written consent of the Owner: (i) install parking meters on the Parking Area, (ii) impose any fees for parking in the Parking Area, or (iii) permit longer than three (3) hour parking in the Parking Area. The Owner may, from time to time, request a change in the regulations established by the City for the Parking Area, but any change requested by the Owner shall be consistent with the use of the Parking Area for the parking of motor vehicles by the general public. The City shall have the right to enter upon the Property for the purpose of allowing the City to perform its obligations under this paragraph. The City's right to enter upon the Property pursuant to the foregoing provision shall be limited to that portion of the Property constituting the Parking Area. (c) During the period that the Owner is obligated to provide parking pursuant to this paragraph, the Owner shall perform all maintenance of the Parking Area at its sole cost and expense, such maintenance to include by way of specification, but not limitation, repairing and restriping the pavement, lighting, cleaning, snow and ice removal, all to standards not less than those standards that are adhered to by the City for City parking lots. If necessary, the Owner shall have the right to temporarily close all or a portion of the Parking Area to permit the Owner to (i) relocate the Parking Area, (ii) perform its maintenance obligations with respect to the Project and the Parking Area, and (iii) to perform future construction on the Property. (d) Nothing contained in this paragraph shall be deemed to be a gift or dedication of any portion of the Property to the general public; it being the intention of the Parties that this paragraph will be strictly limited to the purposes expressed herein. (e) Unless earlier terminated by the agreement of the City, the Owner's obligations pursuant to this paragraph shall terminate fifty (50) years from the Effective Date.”

**3. DESIGN QUALITIES.** Owner agrees that the former railroad depot building on the Property (the “Depot”), as it exists as of the Effective Date, shall be preserved and reused. Alterations or additions to the Depot shall be compatible with the exterior historic qualities thereof. To preserve the view of the Depot from Main Street, Owner hereby agrees that Owner shall not construct any structure (excluding light poles, landscaping, traffic signage, directional signage, parking signage, project signage, and banner poles) more than thirty-six (36) inches in height in the area that lies twenty-five (25) feet on either side of a line perpendicular to the center of the Depot extended North to the South line of Main Street, without the prior approval of the City. Commercial buildings existing on the Property as of the Effective Date shall maintain a functional entrance or exit to an abutting public street for each tenant space, except that tenant spaces solely facing the Parking Area

are exempt from this standard. The entrance at the corner of Main Street and Clark Avenue shall remain as a functional entrance for the public.

4. **PRIOR AGREEMENTS.** The Parties hereby understand, acknowledge, and agree, that except for the Modified Reserved Rights and except for the Depot preservation standards as set forth herein, the Agreement, and any and every other agreement in any way related thereto, is of no force or effect whatsoever, and that any rights the City may have with respect to the Property are being completely dissolved, amended, modified, and/or replaced, as the case may be, by this Amendment, without regard to the impact of the Deed on the Agreement.

5. **MISCELLANEOUS.** This Amendment shall run with the Property and shall be binding upon Owner, its successors and assigns. Time is of the essence in this Amendment. The failure to promptly assert any rights herein shall not, however, be a waiver of such rights or a waiver of any existing or subsequent default. To facilitate execution, this Amendment may be executed in as many counterparts as may be required and the Parties may execute facsimiles of this Amendment. It shall not be necessary that the signature on behalf of the Parties appear on each counterpart. All counterparts shall collectively constitute a single agreement.

6. **JURY TRIAL WAIVER. THE PARTIES HERETO, AFTER CONSULTING OR HAVING HAD THE OPPORTUNITY TO CONSULT WITH COUNSEL, KNOWINGLY, VOLUNTARILY, AND INTENTIONALLY WAIVE ANY RIGHT THEY MAY HAVE TO A TRIAL BY JURY IN ANY LITIGATION BASED ON OR ARISING OUT OF THIS AMENDMENT OR INSTRUMENT, OR ANY RELATED INSTRUMENT OR AGREEMENT, OR ANY OF THE TRANSACTIONS CONTEMPLATED HEREBY OR ANY COURSE OF CONDUCT, DEALING, STATEMENTS, WHETHER ORAL OR WRITTEN, OR ACTION OF ANY PARTY HERETO. NO PARTY SHALL SEEK TO CONSOLIDATE BY COUNTERCLAIM OR OTHERWISE, ANY SUCH ACTION IN WHICH A JURY TRIAL HAS BEEN WAIVED WITH ANY OTHER ACTION IN WHICH A JURY TRIAL CANNOT BE OR HAS NOT BEEN WAIVED. THESE PROVISIONS SHALL NOT BE DEEMED TO HAVE BEEN MODIFIED IN ANY RESPECT OR RELINQUISHED BY ANY PARTY HERETO EXCEPT BY A WRITTEN INSTRUMENT EXECUTED BY ALL PARTIES.**

IN WITNESS WHEREOF, the Parties have executed this Amendment as of the dates set forth below.

(SIGNATURE PAGE FOLLOWS)



**SIGNATURE PAGE OF  
AMENDED AND RESTATED  
AMES DEPOT DEVELOPMENT AGREEMENT**

**MERRY BEE PROPERTIES, LLC, Owner**

By: \_\_\_\_\_

Clifford Smith, Manager

DATE: November \_\_, 2017

STATE OF IOWA, COUNTY OF STORY, ss:

This instrument was acknowledged before me on this \_\_\_ day of November, 2017, by Clifford Smith, as a Manager of Merry Bee Properties, LLC.

\_\_\_\_\_  
Notary Public in and for the State of Iowa  
My commission expires \_\_\_\_\_

**CITY OF AMES, IOWA, the City**

By: \_\_\_\_\_

Ann H. Campbell, Mayor

Attest by: \_\_\_\_\_

Diane R. Voss, City Clerk

STATE OF IOWA, COUNTY OF STORY, ss:

On this \_\_\_ day of November, 2017, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Ann H. Campbell, Mayor, and Diane R. Voss, City Clerk, to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

\_\_\_\_\_  
Notary Public in and for the State of Iowa  
My commission expires \_\_\_\_\_

**EXHIBIT A**  
**PROPERTY**

Parcel A of the Plat of Survey filed in the Office of the Recorder of Story County, Iowa, on the 17th day of June, 1994, in Book 12, Page 86, as Instrument No. 94-06868, for a part of Section Two (2), Township Eighty-three (83) North, Range Twenty-four (24) West of the 5th P.M., located in the City of Ames, Story County, Iowa, described as follows:

Being Block 16 Blair's Addition to Ames and a part of Block 46 Blair's 3rd Addition and Chicago Northwestern Railway Company Station Grounds described as: Commencing at the SE Corner of Lot 28, Block 17, Blair's Addition to Ames, Iowa; thence S 0°55'13" W, 80.00 feet along the West line of Clark Avenue to the South line of Main Street and the Point of Beginning; thence S 0°55'13" W, 258.14 feet along the West line of Clark Avenue to a point 35.00 feet radial distance from the centerline of the North Track of said Chicago Northwestern Railway Company; thence N 82°16'33" W, 74.98 feet; thence N 81°21'58" W, 75.03 feet; thence N 80°21'20" W, 74.98 feet; thence N 79°23'54" W, 75.01 feet; thence N 78°39'24" W, 75.02 feet; thence N 78°06'03" W, 75.07 feet; thence N 77°52'40" W, 74.98 feet; thence N 77°34'23" W, 74.98 feet; thence N 77°24'24" W, 74.99 feet; thence N 77°12'46" W, 74.95 feet; thence N 77°10'20" W, 60.36 feet to a point on the East line of Grand Avenue in the City of Ames, Iowa, said point also being 35.00 radial distance from the centerline of the North track of said railroad; thence N 0°57'31" E, 104.92 feet along the East line of Grand Avenue to the South line of Main Street as established in Deed dated August 4, 1937 from the Chicago Northwestern Railway Company to the State of Iowa; thence N 88°30'24" E, 211.72 feet along the South line of Main Street; thence, continuing along the South line of Main Street, S 89°10'16" E, 585.59 feet to the Point of Beginning, containing 3.50 acres, more or less

## Staff Report

**INITIATE AN AMES URBAN FRINGE PLAN MAP AMENDMENT  
FOR TIMBER CREEK ACRES**

November 14, 2017

**BACKGROUND:**

On October 24, 2017, the City Council referred a request from Dickson Jensen to initiate an Ames Urban Fringe Plan Map Amendment for Timber Creek Acres to staff (*See attached Location Map*). Timber Creek Acres is a previously developed rural home area south of Ames off of Highway 69. Mr. Jensen, property owner and developer, is interested in pursuing a change of approximately 75.02 acres of land from an urban fringe land use designation of “*Agriculture and Farm Service*” to “*Rural Residential*”, which are both subcategories of the “*Rural Service and Agricultural Conservation Area*.” The subject area is composed of four parcels of land, including Parcel C (19.35 acres); Parcel D (16.51 acres); Parcel E (33.08 acres); and, Parcel F (6.08 acres).

The purpose for the change in Urban Fringe Plan Map designations is to allow the division of each of the four existing parcels into two parcels, resulting in a total of eight parcels, for the construction of additional single-family detached dwellings in the Ames Urban Fringe. The current Urban Fringe designation, Agriculture and Farm Service, is limited to non-agricultural residences that existed at the time of adoption of the Ames Urban Fringe Plan in 2006, or remaining scattered building sites where farmstead homes once existed or homes on very large parcels of ground typical of the agricultural setting. Otherwise, subdivision for the creation of new residential development is not supported within the Agriculture and Farm Service designation.

Subdivision review in the Agriculture and Farm Service designation is the purview of Story County. Mr. Jensen has applied for a Residential Parcel Subdivision with Story County to create the four new lots within the current A-1 zoning. Story County reviewed the proposed subdivision and found that it met the County’s development standards but was not consistent with the current Fringe Plan designation and condition the subdivision approval on seeking a Fringe Plan Amendment. Staff consulted with the Story County Planning Department and concurred with their findings during the subdivision review.

The proposed amendment is change the designation to Rural Residential to reflect the existing use of the area and desired change to add four additional home sites. The Rural Residential designation is intended for residential land uses that are developed at a rural density and in areas where urban infrastructure may not be in place for a time period beyond the Ames Urban Fringe Plan. The Rural Residential designation

recognizes a residential market segment seeking large lots in a rural setting, benefitting from agricultural activities on a small scale. This land use designation includes all single-family residential land uses/developments that involve maximum average net densities of one unit per acre. Full urban infrastructure standards are not required. Rural Residential designation can be found consistent with the A-1 zoning that already exists.

**OPTIONS:**

**Option 1: *Initiate the Urban Fringe Plan Map Amendment as a Minor Amendment***

This option would initiate the process to change the current urban fringe land use designation from “Agriculture and Farm Service” to “Rural Residential”. Approval of the Map Amendment would allow the division of four existing parcels into a total of eight parcels to provide locations for the construction of four additional single-family residential homes. Each parcel would be required to meet the maximum average density of one unit per acre. The subdivision would be reviewed by Story County.

**Option 2: *Retain the Current Urban Fringe Designation and Do Not Initiate the Urban Fringe Plan Map Amendment***

This option would retain the current Urban Fringe land use designation of “Agriculture and Farm Service.” The property owner/developer’s proposal to divide the existing four parcels into eight new parcels for the construction of additional single-family detached dwellings in the urban fringe, would not be allowed on the subject properties as being inconsistent with the current Land Use designation of the Fringe Plan.

**STAFF COMMENTS:**

The Story County Board of Supervisors has approved the proposed Residential Parcel Subdivision requests to divide each of the existing parcels into two new parcels, with the condition that the applicant request an amendment to the Ames Urban Fringe Land Use Framework Map designation from Rural Service and Agricultural Conservation Area – Agriculture and Farm Service to the Rural Residential subcategory.

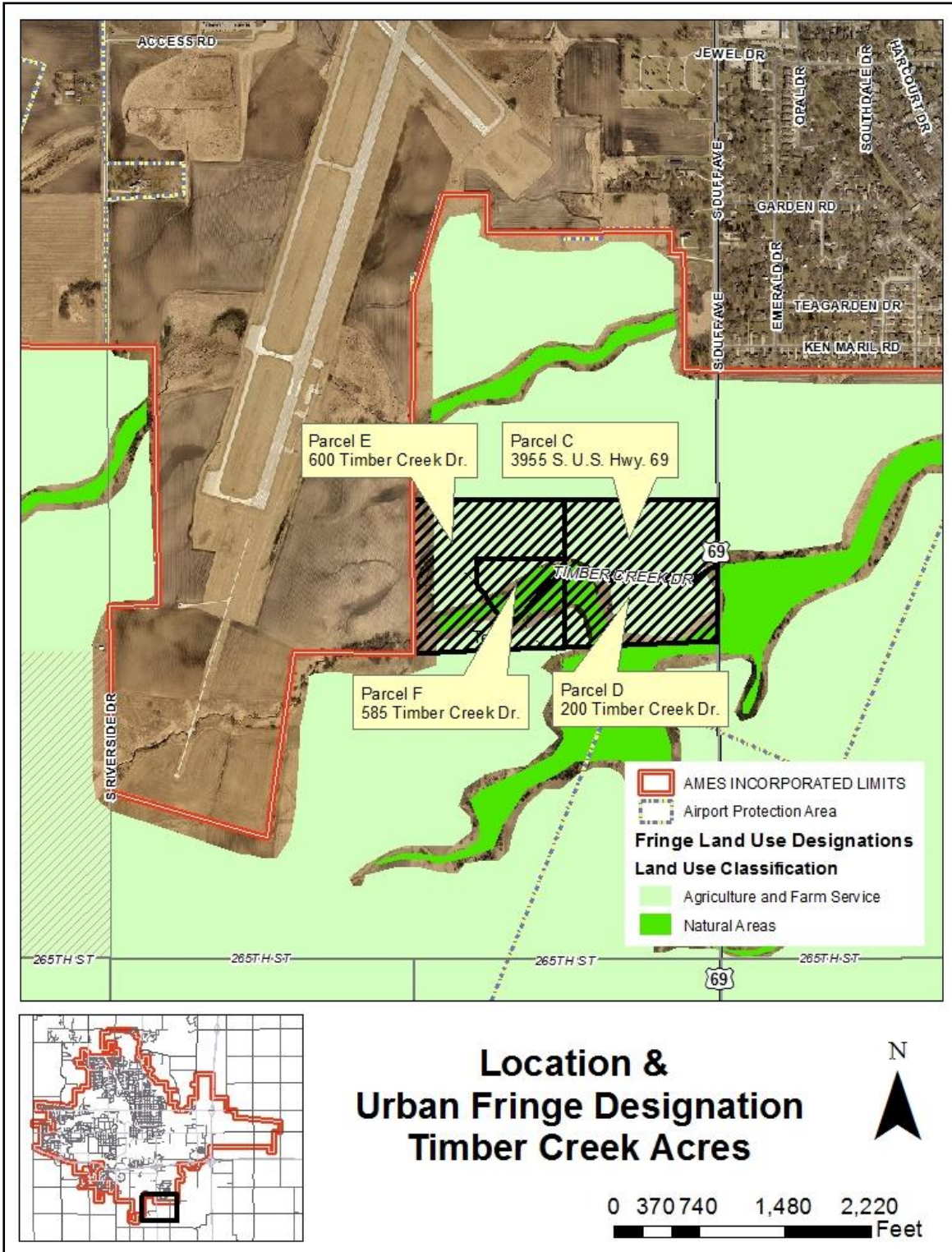
A majority support from the City of Ames, the City of Gilbert, and Story County is required to proceed with the submittal and consideration of the proposed amendment application. Ultimately, approval by all three entities of the requested amendment at a public meeting is required to change the land use designation.

**The Planning and Housing Department, and the Story County Planning and Development staff support having the applicant seek an amendment to the Fringe Plan to address the existing use of the area (Option 1). The proposed change would not lead to a rezoning to more intense rural development options than the current A-1 zoning. The proposed change is minor in nature due to the current**

**rural residential development pattern of the area and that there would be no impact on agricultural resources in the area.**

If the City Council selects Option 1, staff will provide notice of a public hearing with the Planning and Zoning Commission on December 6, 2017. and subsequently bring the Planning and Zoning Commission recommendation to the Council for a final decision on the Ames Urban Fringe Plan Map Amendment for Timber Creek Acres.

# Attachment 1 Location Map



**COUNCIL ACTION FORM**

**SUBJECT: AGREEMENT WITH UNITED WAY OF STORY COUNTY TO ADMINISTER HUMAN SERVICES CAPITAL FUNDING PROGRAM**

**BACKGROUND:**

At the September 12, 2017, City Council meeting, the City Council provided direction to staff regarding the establishment of a program to fund capital projects for local human services agencies. While \$500,000 have been appropriated for this program, the Council indicated its desire initially to expend \$250,000 to support this initiative, and provided direction regarding the parameters of the program, which will be administered by United Way of Story County (UWSC).

Staff has prepared an agreement that outlines the terms of the program as expressed by the City Council. The agreement has been approved by UWSC. The key points are as follows:

1. UWSC will receive \$250,000 from the City of Ames to be used for the program.
2. Funds may only be used for new construction or renovation work on primary or secondary buildings.
3. Fund recipients must provide matching funds of at least 50% of the total project cost. Matching funds must be in cash; in-kind contributions will not be acceptable as a match.
4. Grant awards will be a minimum of \$7,500 and a maximum of \$100,000 for each individual project.
5. Only agencies that have been accepted into the ASSET process as of the time of the award will be eligible to receive funding.
6. Requests will be prioritized on the basis of the current City of Ames ASSET priorities.
7. UWSC may determine the application process, required submittals, and grant agreements, and will make awards to agencies it determines best meet the requirements of the program.
8. UWSC will incorporate a paragraph into the grant agreement with recipients requiring repayment of grant funds if, within five years of the completion of the

improvements, the recipient sells, transfers, leases, or sub-leases the improved property, or ceases occupancy of the property for reason other than the property becoming uninhabitable due to disaster, or if the recipient defaults on any of the grant terms or conditions. The repayment will be based on a graduated scale, with 100% of the grant being repaid if in the first year, 80% being repaid if in the second year, and so forth until 20% is required to be repaid in the fifth year. The grantee is not obligated to repay any funds after the fifth year. Any repaid funds will be returned to the City, not to UWSC.

9. UWSC agrees to disburse the funds received no later than June 30, 2018. Funds not disbursed by this date are to be returned to the City.
10. The agreement requires UWSC to document to whom the funds were disbursed. UWSC must keep any documents related to the grant program for a period of five years, which are to be made available for review at the City's request.

**ALTERNATIVES:**

1. Approve the Human Services Capital Program Administration agreement with United Way of Story County.
2. Direct staff to modify the agreement.
3. Do not approve an agreement with United Way of Story County.

**MANAGER'S RECOMMENDED ACTION:**

The City Council has provided direction regarding the components of a human services agency capital grant program, and City staff has incorporated those components into the attached agreement signed by United Way of Story County. This agreement will provide a structure for the disbursement of \$250,000 in City funds for human services capital projects.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the Human Services Capital Program Administration agreement with United Way of Story County.



**CONTRACT WITH UNITED WAY OF STORY COUNTY, INC.  
FOR ADMINISTRATION OF  
HUMAN SERVICES AGENCY CAPITAL FUNDING PROGRAM**

**THIS AGREEMENT**, made and entered into the \_\_\_ day of \_\_\_\_\_, 2017, by and between the **CITY OF AMES, IOWA**, a municipal corporation organized and existing pursuant to the laws of the State of Iowa (hereinafter sometimes called “City” or “City of Ames”) and **United Way of Story County, Inc.** (an entity organized and existing pursuant to the laws of the State of Iowa and hereinafter sometimes called “UWSC”);

**WITNESSETH THAT:**

**WHEREAS**, the City of Ames has determined that capital funds should be distributed to human services agencies that participate in the Analysis of Social Services Evaluation Team (ASSET) process; and

**WHEREAS**, United Way of Story County, Inc. has an established process to solicit proposals and determine award amounts for worthy capital improvement projects undertaken by ASSET agencies;

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

**I  
SCOPE OF SERVICES**

- A. The City of Ames agrees to remit to UWSC the sum of \$250,000.
- B. UWSC agrees to distribute these funds to human services agencies through a capital improvement grant program in accordance with the following conditions:
  - 1. Funds may only be used for new construction or renovation work on primary or secondary buildings.
  - 2. Fund recipients must provide matching funds of at least 50% of the total project cost. Matching funds must be in cash; in-kind contributions will not be acceptable as a match.
  - 3. Grant awards will be a minimum of \$7,500 and a maximum of \$100,000 for each individual project.
  - 4. Only agencies that have been accepted into the ASSET funding process as of the time of the award will be eligible to receive funding.
  - 5. Requests will be prioritized on the basis of the current City of Ames ASSET priorities.

6. UWSC may determine the application process, required submittals, and grant agreements. UWSC shall make awards to agencies that it determines best meet the requirements of this program, using whatever process UWSC deems appropriate.

Notwithstanding the previous paragraph, UWSC shall ensure that grantees retain their ownership or rental of any properties improved through this program for a period of five years, or those grantees would be obligated to repay UWSC some or all of the grant funds. UWSC agrees that any funds repaid to UWSC shall be returned to the City of Ames. To effectuate this provision, UWSC agrees to incorporate the following statement into its grant agreement with fund recipients:

“The grant recipient shall occupy the premises improved with these funds for a period of at least five years from the date the improvements are completed. The recipient shall repay any grant funds received in the event of any of the following during that five-year period:

- a. Any portion of the improved property is sold, transferred, leased, or sub-leased to another party.
- b. Occupancy of the property by the grant recipient ceases for any reason, except for instances in which the property is destroyed or otherwise rendered uninhabitable due to fire, flood, wind, or other disaster.
- c. Any default under or breach of the promises, terms, and conditions stated in the program policies and procedures or this agreement.

Any grant funds required to be repaid under this paragraph shall be repaid in accordance with the following schedule:

100% shall be repaid during the 1<sup>st</sup> year after completion of the improvements  
80% shall be repaid during the 2<sup>nd</sup> year after completion of the improvements  
60% shall be repaid during the 3<sup>rd</sup> year after completion of the improvements  
40% shall be repaid during the 4<sup>th</sup> year after completion of the improvements  
20% shall be repaid during the 5<sup>th</sup> year after completion of the improvements.”

7. UWSC agrees to disburse funds to grant recipients no later than June 30, 2018. Any funds not disbursed after that date shall be returned to the City.

## **II FINANCIAL ACCOUNTING AND ADMINISTRATION**

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

B. UWSC shall submit to the City of Ames documentation evidencing in proper detail the disbursement of funds to recipient agencies. All checks or other accounting documents pertaining in whole or in part to this Agreement shall be clearly identified as such and readily accessible for examination and audit by the City or its authorized representative for a period of five years from the creation of such documents.

C. At such time and in such form as the City may require, there shall be furnished to the City such statements, records, reports, data, and information as the City may require with respect to the use made of monies disbursed hereunder. UWSC may dispose of such documents only after a period of five years from their creation.

**III  
DURATION**

This Agreement shall be in full force and effect from and after \_\_\_\_\_, 2017, until June 30, 2018. Either Party may terminate this Agreement by giving written notice to the other Party at least sixty (60) days before the effective date of such termination. From and after the effective date of termination, no further disbursement of funds to recipient agencies shall be made by UWSC. Any money disbursed to UWSC and unencumbered or unspent as of the effective date of termination shall be repaid to the City.

**IV  
DISCRIMINATION PROHIBITED**

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

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

**CITY OF AMES, IOWA**

ATTEST:

BY \_\_\_\_\_  
Authorized Representative

\_\_\_\_\_  
Diane Voss, City Clerk

**UNITED WAY OF STORY COUNTY, INC.**

BY \_\_\_\_\_  
Authorized Representative



CITY OF  
Ames™

Always Ames – Campaign Results  
November 14, 2017



## AMES BRAND COMMUNICATIONS

Support the Ames City Council goal of getting young adults transitioning to families to relocate to Ames.

# CAMPAIGN TIMELINE

## 2015 - 2016

- *IGNITION* Day
- Market Research
- Research Report / City Council Presentation
- Communications Audit
- Brand Manifesto
- Heart / Mind / Soul
- Campaign Development

## Jan. – August 2017

- Digital outdoor
- Digital banner & retargeting ads
- Landing page
- ISU Research Park videos + web articles, supporting social
- Always Ames question in City of Ames resident survey

## September – December 2017 (in process)

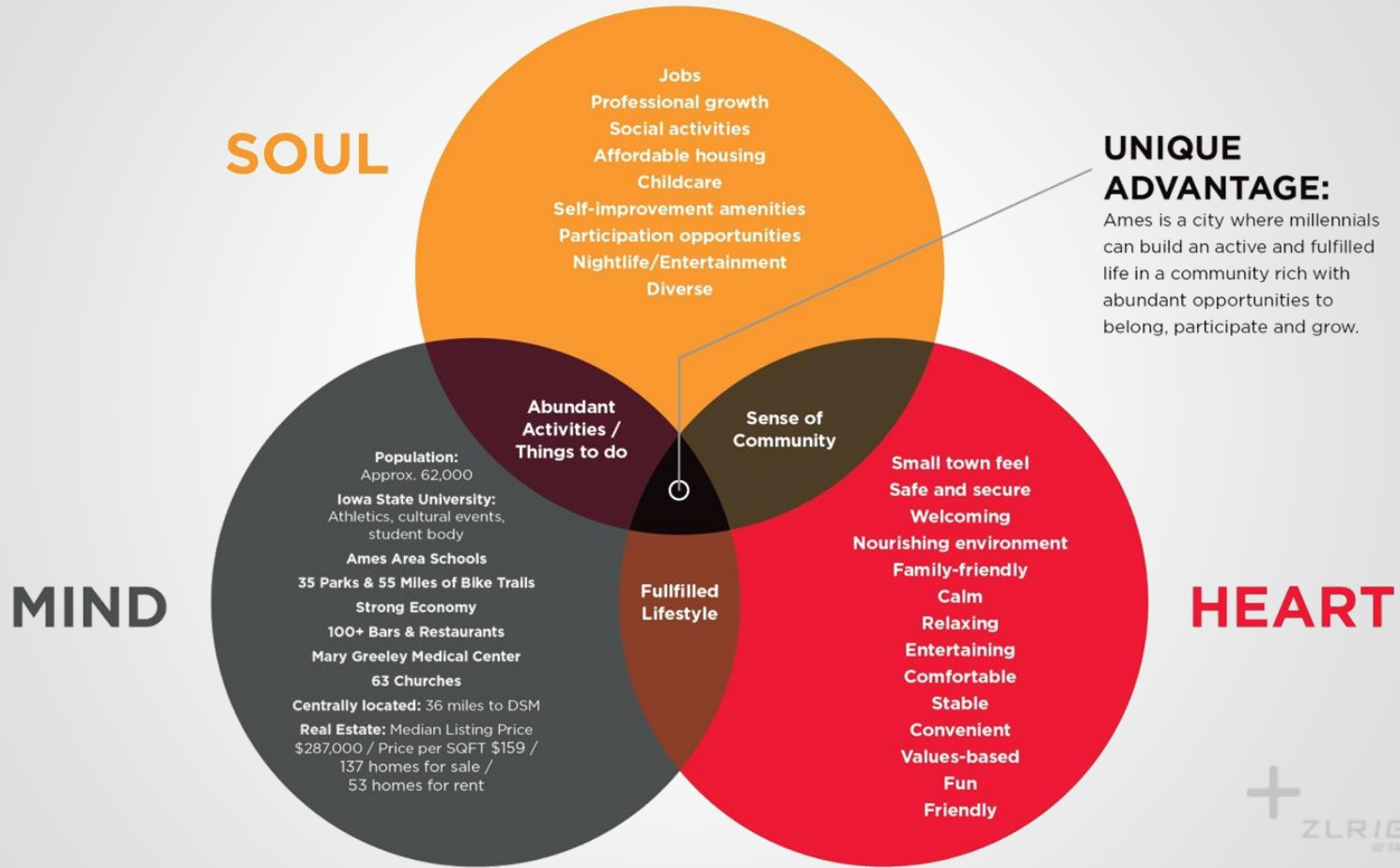
- Campaign reporting Ames lifestyle content package (video, social)
- Social sharing activated

## 2018

- Campaign results
- Include a recall question in City of Ames resident survey (March 2018)

# CAMPAIGN CONSTRUCT

# HEART / MIND / SOUL – Ames for Millennials



**SOUL**

**MIND**

**HEART**

Jobs  
 Professional growth  
 Social activities  
 Affordable housing  
 Childcare  
 Self-improvement amenities  
 Participation opportunities  
 Nightlife/Entertainment  
 Diverse

Population:  
 Approx. 62,000  
 Iowa State University:  
 Athletics, cultural events,  
 student body  
 Ames Area Schools  
 35 Parks & 55 Miles of Bike Trails  
 Strong Economy  
 100+ Bars & Restaurants  
 Mary Greeley Medical Center  
 63 Churches  
 Centrally located: 36 miles to DSM  
 Real Estate: Median Listing Price  
 \$287,000 / Price per SQFT \$159 /  
 137 homes for sale /  
 53 homes for rent

Sense of Community  
 Small town feel  
 Safe and secure  
 Welcoming  
 Nourishing environment  
 Family-friendly  
 Calm  
 Relaxing  
 Entertaining  
 Comfortable  
 Stable  
 Convenient  
 Values-based  
 Fun  
 Friendly

**UNIQUE ADVANTAGE:**

Ames is a city where millennials can build an active and fulfilled life in a community rich with abundant opportunities to belong, participate and grow.



## **Campaign Construct – Ames Unique Advantage (Millennials)**

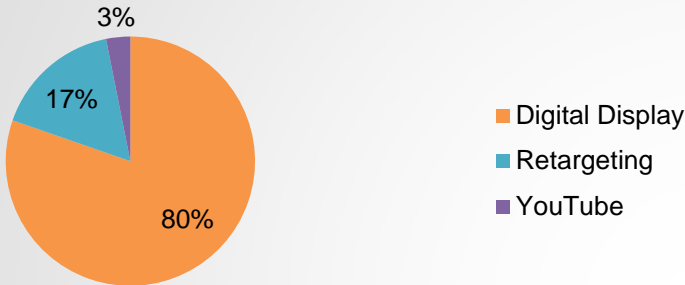
Ames is a city where millennials can build an active and fulfilled life in a community rich with abundant opportunities to belong, participate and grow.

# CAMPAIGN RESULTS

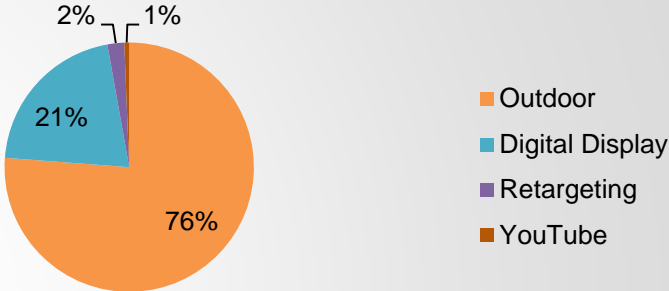
(Jan. 2017 – Oct. 18, 2017)

# OVERALL CAMPAIGN PERFORMANCE

## Campaign Clicks



## Campaign Impressions



- To date the campaign has sent **9,632 users** to the website and generated a **0.08% CTR**
  - This CTR is right at the industry average
  - Banner ads on KCCI.com are the most engaged with the Always Ames message
- The campaign has generated **6.5 million impressions from digital and outdoor placements**
  - Outdoor billboards have generated 5.2 million or 76% of the impressions

# DIGITAL OUTDOOR



**ALWAYS SPIRITED.**

Always Ames.

[AlwaysAmes.com](http://AlwaysAmes.com)



**ALWAYS CREATING.**

Always Ames.

[AlwaysAmes.com](http://AlwaysAmes.com)



**ALWAYS ENTERTAINING.**

Always Ames.

[AlwaysAmes.com](http://AlwaysAmes.com)



**ALWAYS SURPRISING.**

Always Ames.

[AlwaysAmes.com](http://AlwaysAmes.com)



+ ZLRIGNITION  
BE SMART. BE BOLD. BE PROUD.

# DIGITAL DISPLAY

“Sports”



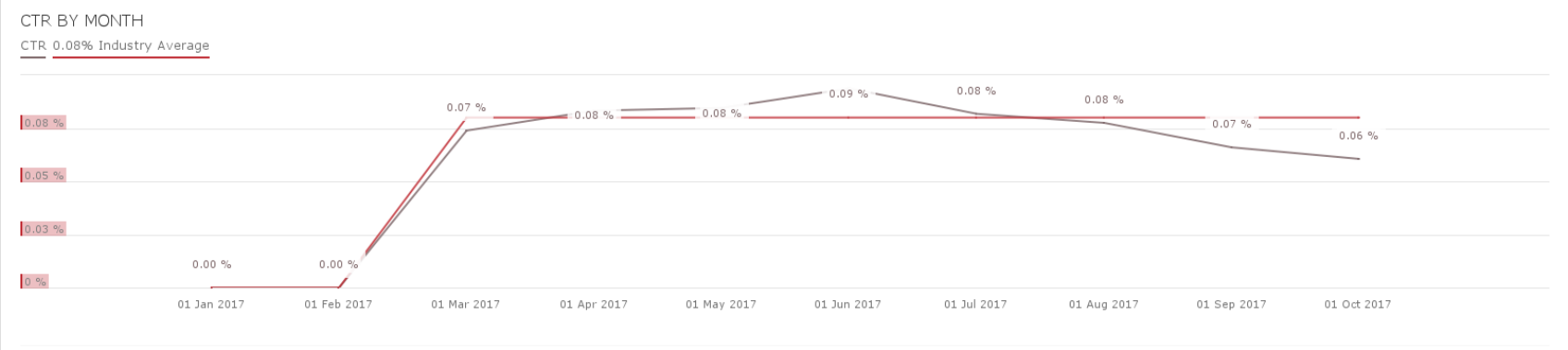
“Bike”



“Exhibits”



# DIGITAL DISPLAY METRICS



- To date, the creative campaign has sent **9,632 users to the landing page**
  - Overall, the Always Ames campaign is generating a 0.08% (click-thru rate, CTR), which is in-line with industry average display ads
  - CTR spiked over a .09% in June which can be attributed to the summer months
  - Due to slowly saturating the market receiving the banner ads CTR has seen a slow decrease from a .09% in June to a .06% in October.

# CREATIVE PERFORMANCE

Ad Content <span>?</span> <span>✕</span>	Acquisition			Behavior		
	Sessions <span>?</span> ↓	% New Sessions <span>?</span>	New Users <span>?</span>	Bounce Rate <span>?</span>	Pages / Session <span>?</span>	Avg. Session Duration <span>?</span>
Sports	<b>4,061</b> (0.66%)	84.26%	3,422 (1.14%)	91.50%	1.16	00:03:26
Bike	<b>3,594</b> (0.58%)	81.89%	2,943 (0.98%)	92.79%	1.14	00:03:31
Exhibit	<b>1,579</b> (0.26%)	17.86%	282 (0.09%)	82.58%	1.37	00:05:17

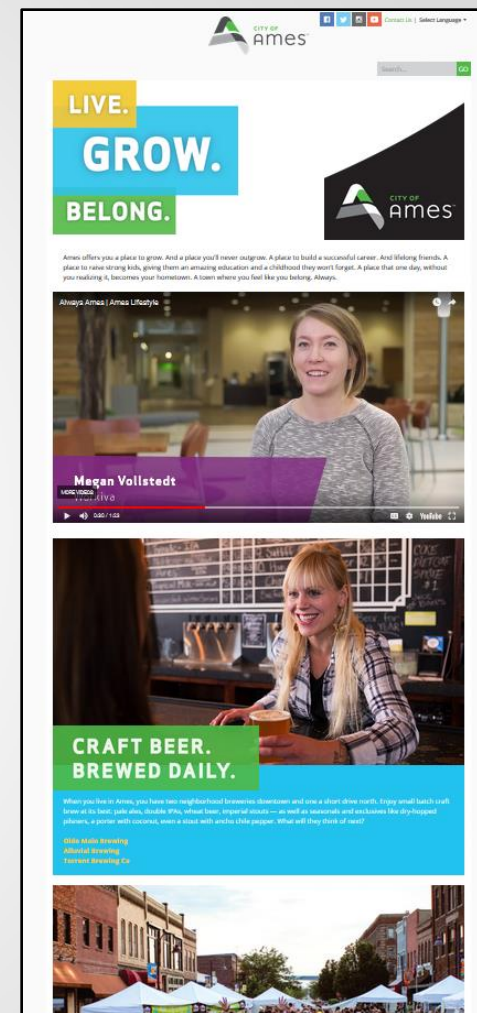
- “Sports” creative ad has driven more traffic to AlwaysAmes.com
- “Exhibit” retargeting banner ad has healthy time-on-site.
- The average session times are really encouraging, users are either watching the video and/or engaging with the rest of the landing page content.



# ALWAYSAMES.COM METRICS

Page <sup>?</sup>	Pageviews <sup>?</sup> ↓	Unique Pageviews <sup>?</sup>
	12,102 % of Total: 0.73% (1,660,913)	11,146 % of Total: 0.83% (1,349,610)
1. <a href="/about-ames/always-ames">/about-ames/always-ames</a>	11,434 (94.48%)	10,534 (94.51%)
2. <a href="/about-ames/always-ames/isu-research-park-copy">/about-ames/always-ames/isu-research-park-copy</a>	599 (4.95%)	557 (5.00%)
3. <a href="/about-ames/always-ames/technology-round-up">/about-ames/always-ames/technology-round-up</a>	31 (0.26%)	28 (0.25%)

- Since social media sharing picked up in September & October, the Always Ames articles / pages are seeing great referral traffic.
  - The Facebook post sharing the link to the ISU Research Park article drove 257 users to the article with two minutes on the page
  - Twitter sent 100 people to the ISU Research Park article within three minutes on page
- These website metrics suggest interest in these topics





# SOCIAL MEDIA ENGAGEMENT

**City of Ames - City Government**  
October 7 at 10:10am

New amenities coming to @ISUResearchPark including retail stores and restaurants. Learn more <http://bit.ly/2ycLKgS> #AlwaysAmes

Live, Work and Play at ISU Research Park | City of Ames, IA

ISU research park expansion

CITYOFAMES.ORG

Like Comment Share

20 Chronological

**Lee Andrew Mason** Live? What sort of housing is available? Single home or apartments?  
Like · Reply · 1 · October 7 at 10:14am

**Christine Laumer** The new park, the Tedesco Environmental Learning Corridor, is going to be great! Check out this article <http://www.amestrib.com/.../story-county-conservation-to-...>, and stay updated through Story County Conservation <http://www.storycountyiowa.gov/conservation>  
Like · Reply · October 7 at 11:52am

Write a comment...



**cityofames** Follow

cityofames Sunday sunrise over the Somerset business district. Smells like something delicious is baking! #AlwaysAmes

25 likes  
OCTOBER 1

**cityofames** Follow

cityofames Happy Monday, Ames! It feels like another warm day, but we'll miss this weather when it's a sheet of ice outside and barely hitting single digits. Get out and enjoy the sunshine! #SmartChoice #AlwaysAmes

17 likes  
MAY 18

**City of Ames** @cityofames · Sep 26  
#DYK #Ames is the U.S. city with the lowest unemployment rate? #AlwaysAmes #Jobs #Iowa  
4 10

**City of Ames** @cityofames · Sep 25  
You know your Monday in Ames is going to be just fine when it starts out this beautiful. #AlwaysAmes

**City of Ames** @cityofames · Oct 16  
#DYK #Ames was named one of the 25 Best Cities for Entrepreneurs via @Entrepreneur #AlwaysAmes #Iowa #startup  
1 5

**City of Ames** @cityofames · Oct 14  
Did you know Ames has one of the lowest unemployment rates among U.S. cities? #Jobs #AlwaysAmes #Iowa  
1 2 15

# MEDIA RECOMMENDATION

## MEDIA RECOMMENDATION

- The original paid media budget for Always Ames campaign was \$89,350.
  - \$24,000 – digital outdoor
  - \$65,350 – digital banner ads, retargeting, YouTube video pre-roll
- Due to the hyper-targeted audience receiving the digital banner ads the Always Ames message has saturated the market, causing the CTR to decrease starting in September.
- **MARKETING SHIFT** with the weeks remaining in the year:
  - Continue digital outdoor
  - Pull back on digital banner, retargeting, YouTube
  - Consider other areas of focus

## MEDIA – NEXT STEPS

- Use the remaining funds for additional marketing tactics to support the campaign:
  - Photos of neighborhoods, schools, workforce, Main Street
  - Develop content to counter some of the issues identified in the focus groups: housing, daycare, lack of nightlife, etc.
  - Refresh the Always Ames landing page directing users to [WorkInAmes.com](http://WorkInAmes.com) or to find neighborhoods/housing options
  - Other options.

## ACTION ITEMS

- ZLR to wrap-up Main Street / livability video, suggested social content end of October
- January 2018 - agency to roll-up complete campaign results, deliver key assets to City of Ames

# FEEDBACK

- One-year campaign initially
- Is there the desire to continue into 2018?

Independently

Through partnerships

## Staff Report

**STATUS OF MUNICIPAL POOL AIR QUALITY**

November 14, 2017

**BACKGROUND:**

In early 2017, Council members and staff received concerns regarding the air quality at Municipal Pool. Since the Ames Community School District is responsible for Municipal Pool maintenance, staff met with Gerry Peters, School District Facilities Director, to discuss the issue and better understand the concerns. To evaluate how well equipment was working and what the chloramine levels were, a contract was initiated by the School District with RES for mechanical engineering, System Works for building operations, and Impact 7G for chloramine testing. RES reviewed the current system to determine if it was functioning properly. System works conducted testing to determine how the air was flowing within the pool area. Impact 7G conducted a test to determine the level of chloramines present throughout the day.

After the testing was complete, improvement opportunities were sought in four areas: 1) Personal Responsibility, 2) Ventilation, 3) Chemicals, and 4) Filtration. It was also decided to be methodical in the approach and make changes one at a time so it could be determined what impact the change had on air quality. Both RES and System Works made recommendations which are shown in the following two sections to improve the operation of facility equipment.

**WHAT HAS BEEN DONE:**

Listed below are the items that have been accomplished to date:

**Personal Responsibility:**

1. Since chloramines are formed when free chlorine combines with organic material (e.g., body oils, urine, etc.), decreasing the amount of organic material entering the pool would, in theory, help reduce chloramines. Therefore, pool users are reminded to shower before entering the pool.
2. Signage was placed in the locker rooms to educate users on appropriate behavior such as showering before swimming and using rest rooms rather than urinating in the pool.

**Ventilation:**

1. The DesertAir air handling unit was evaluated and needed repairs (e.g., fans, belts, bearings, refrigerant, condensers, compressors, coils, actuators, and controls) were performed.

2. The overhead exhaust system was connected to the DesertAir unit so they operate in conjunction with each other. Prior to this the two units were working independent of each other.
3. The overhead ductwork was rotated so air is now being pushed to the water surface to help break the chloramine bubble that forms.
4. Two fans were added to the pool deck to increase air flow across the water surface to move chloramines away from the swimmers.
5. The deck exhaust system was improved by sealing the tunnel below the pool deck so more air can be exhausted from the pool deck.

### **Chemicals:**

1. A new control system was installed for the chlorine feeder.
2. Dave Peters, Lonza Chemical, and Certified Pool Operators from the City and School District met to discuss chemical levels. It was determined the chemical levels are consistently within the approved range and minor tweaking of chemical set points may help.
3. Minor adjustments were made to chemical set points.

### **Filtration:**

1. Currently evaluating how to degrease the filters as this will improve the filters ability to remove organic material from the water.

### **NEXT STEPS:**

The above items have improved the air quality to some degree at Municipal Pool, however, there are four more items being explored.

1. Install a UV Disinfection System on the water line. This will help reduce chloramines and some pools with UV have experienced chloramines in the 0.0 – 0.2 parts per million (ppm). Municipal Pool chloramine levels are usually in the 0.4 – 0.6 ppm. Cost to install is approximately \$50,000.
2. Perform a factory start-up on the system. This will include DesertAir evaluating all components of the system and identifying repairs needed so it will operate as it would if it just came from the factory. This evaluation will cost approximately \$2,000.
3. Contract with a company to perform monthly preventative maintenance service on the air handling unit.



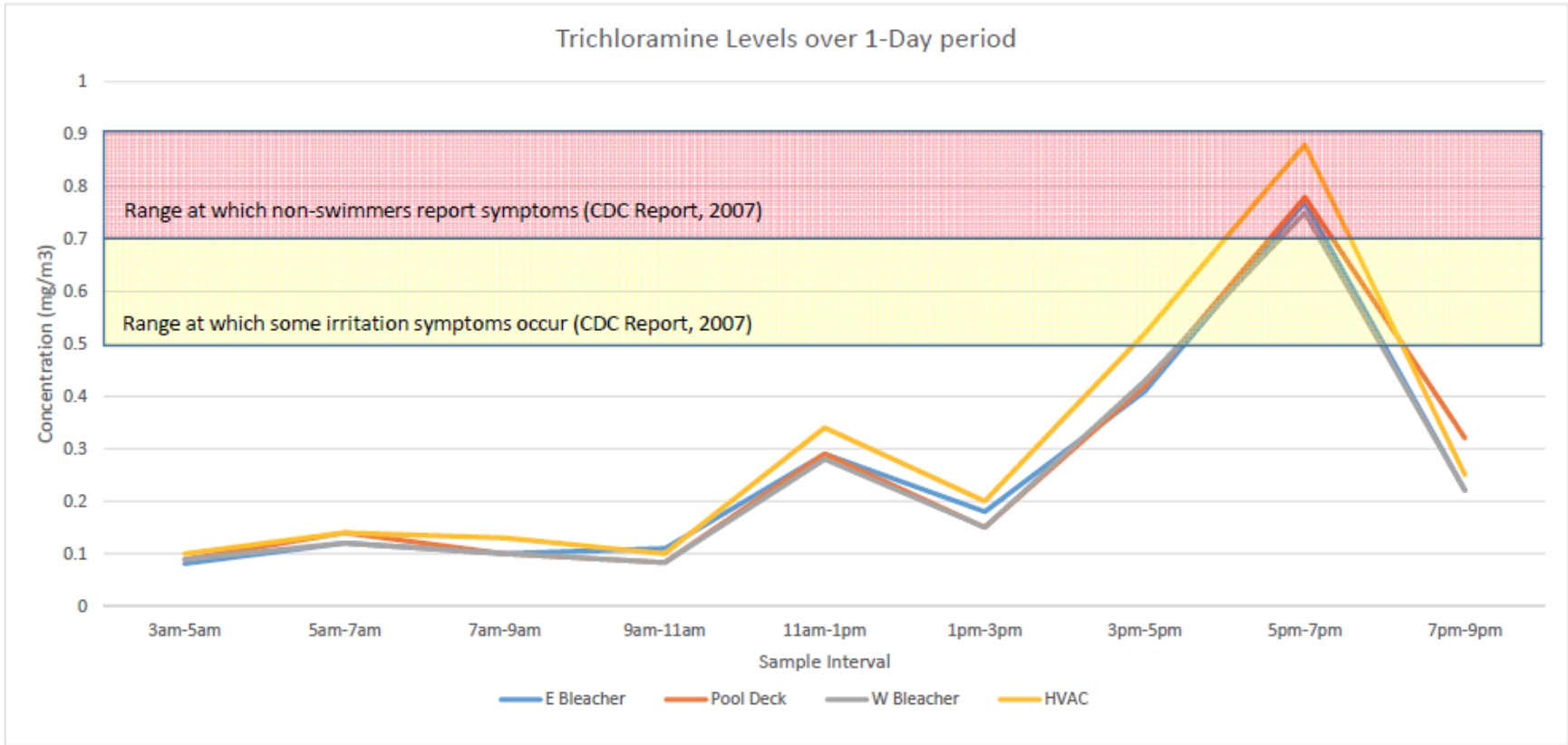
4. Determine if another chloramine test should be completed to see if the improvements made have helped reduce the chloramine levels.

**STAFF COMMENTS:**

The School District hired consultants to assess the equipment and suggest possible solutions. Most of the recommendations have been implemented or are being considered for next steps. Some users have commented the air quality is better, yet others indicate the problem still exists. After Mr. Peters researched a recent concern by a parent of two ACAC swimmers, he discovered one of two fans on the air handling unit was removed for repairs. Thus the air handling unit was not working to capacity and most likely had a negative impact on the air quality. We have been told that the fan has since been repaired and reinstalled, and is working properly.

Considering the age and design of the facility, there is only so much that can be done short of replacing the entire air handling system. The improvements thus far have yielded some positive results, but School District officials have indicated that they will continue pursuing the next steps to improve the air quality even further.

# ATTACHMENT A



**COUNCIL ACTION FORM**

**SUBJECT: IOWA CLEAN AIR ATTAINMENT PROGRAM (ICAAP) GRANT APPLICATION FOR GRAND AVENUE EXTENSION IMPROVEMENTS**

**BACKGROUND:**

This project is part of the Grand Avenue Extension to extend South Grand Avenue to South 16<sup>th</sup> Street. The proposed project, as shown in the Capital Improvements Plan (CIP), involves the extension of South Grand Avenue south of the proposed 5th Street extension to the existing south stub section of South Grand Avenue (approximately 2800') through the area of the existing Coldwater Golf Course. The road will include a 10-foot wide shared use path west of and adjacent to vehicular lanes and a 5-foot wide sidewalk on the east side of the vehicular lanes. The proposed project will generate a marked improvement in reducing air borne automobile emissions and traffic congestion.

The Iowa DOT administers grants through the Iowa Clean Air Attainment Program (ICAAP) to help fund transportation projects and programs that result in attaining or maintaining the national ambient air quality standards (NAAQS). The program provides approximately \$4 million annually to fund projects with the highest potential for reducing transportation-related congestion and air pollution. **The Ames Area Metropolitan Planning Organization (AAMPO) Transportation Policy Committee (TPC) unanimously voted to certify that this project conforms to the ICAAP program and the application was submitted on September 29, 2017. However, IDOT has requested a resolution from the governing authority and ,therefore, City Council action is necessary at this time.**

There are other requirements for this grant. First, an official certification from the governing body (in this case the City Council) is needed to commit the necessary local matching funding for project implementation and, upon project completion, to assume responsibility for adequately maintaining the project for public use during the project's useful life. Secondly, an end-of-project report on emissions benefits will also be required.

**ALTERNATIVES:**

1. Authorize the ICAAP application for the Grand Avenue Extension Improvements project up to the maximum amount equaling 80% of the total estimated eligible project costs, and provide official certification in the form of a resolution to commit the necessary local matching funds for the project and to assume responsibility to maintain the facility for public use during the project's useful life.
2. Direct staff to withdraw this grant application from further consideration.

**MANAGER'S RECOMMENDED ACTION:**

The ICAAP grant funding is available to aid in funding this project, which will help relieve traffic congestion along Lincoln Way (between Grand Avenue and South Duff Avenue) and South Duff Avenue (between Lincoln Way and South 5<sup>th</sup> Street). **The AAMPO TPC has previously certified that this project and application meet ICAAP program requirements.**

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

**COUNCIL ACTION FORM**

**SUBJECT: ZONING TEXT AMENDMENTS TO ALLOW THE USE OF DOG GROOMING WITHIN VILLAGE ZONING**

**BACKGROUND:**

The City Council referred a request to allow for Dog Grooming within the Somerset commercial area. Somerset is subject to the Village Zoning District standards and allowed uses. Somerset is intended to provide for office, retail, and service uses, but in a more selective manner than larger scale commercial areas. Animal Grooming Salons is a listed use in Article V of the Zoning Ordinance as a Retail Personal, Business, and Repair Services and is not included by reference as a permitted use within Village zoning.

**The proposed Amendment will add Animal Grooming Salon to the allowable uses within the Village Zoning district for a Commercial Shop Front building. Similar uses for pets and services are already permitted within the zoning district for small animal veterinarian services and indoor kennels. Adding the proposed use to Commercial Shop Front building types is consistent with these uses.**

The Planning and Zoning Commission reviewed the amendment at its October 18<sup>th</sup> meeting and voted 6-0 in support of the change.

**ALTERNATIVES:**

1. The City Council can adopt on first reading proposed amendments to permit Animal Groom Salon as a permitted use in Village Zoning District.
2. The Planning & Zoning Commission can recommend the City Council decline to adopt the proposed amendments.
3. The Planning & Zoning Commission can recommend alternative language for the proposed amendments.

**CITY MANAGER'S RECOMMENDED ACTION:**

The proposed change is minor in scope and will allow for a use that is consistent with the intent of Village Zoning to provide for neighborhood scale and convenience commercial uses.

**Therefore, it is the recommendation of the City Manager that the City Council act in accordance with Alternative #1.**

## List of Existing Uses for Village Zoning

(5) **Permitted Uses.** The uses permitted in the F-VR Zone are set forth in Table 29.1201(5) below:

**Table 29.1201(5)  
Village Residential (F-VR) Floating Zone Uses**

USE CATEGORY	NEIGHBORHOOD CENTER	NEIGHBORHOOD GENERAL	NEIGHBORHOOD EDGE
<b>RESIDENTIAL</b>			
Country House	N	N	Y
Village House	N	Y	Y
Village Cottage	Y	Y	N
Single Family Attached (Side-yard House)	Y	Y	N
Single Family Attached (Row-house)	Y	Y	N
Village Apartment	Y	N	N
Garden Apartments, if previously approved	N	Y	N
Assisted Living	N	Y	Y
<b>COMMERCIAL</b>			
Apothecary Shop	Y	N	N
Artist Studio and accessory gallery	Y	N	N
Banks	Y	N	N
Barber Shops	Y	N	N
Beauty Shops	Y	N	N
Car Wash	Y	N	N
Convenience store with gas	Y	N	N
Dance Studio	Y	N	N
Dry Cleaner	Y	N	N
Dwellings above the first floor	Y	N	N
Hardware store	Y	N	N
Kennels (indoor only)	Y	N	N
Grocery, bakery, delicatessen or similar retail stores	Y	N	N
Office Uses	Y	N	N
Pottery Shops	Y	N	N
Retail sales as defined in Section 29.502 of this ordinance	Y	N	N
Restaurants, excluding drive through service	Y	N	N
Veterinary Offices-small animal exclusive	Y	N	N
<b>OTHER USES</b>			
Child Day Care Facilities	Y	Y	N
Community Facilities, except vocational training for handicapped	Y	N	N
Essential Public Services	Y	N	N
Religious Institutions	Y	Y	N
Schools, limited to public and private day schools	N	Y	Y

Y = permitted  
 N = prohibited  
 (Ord. No. 3595, 10-24-00; Ord. No. 4066, 5-24-11)

**COUNCIL ACTION FORM**

**SUBJECT: ZONING TEXT AMENDMENT FOR LANDSCAPE ADMINISTRATIVE STANDARDS AND UPDATES TO GENERAL LANDSCAPE STANDARDS**

**BACKGROUND:**

In June of 2017 new landscape standards were approved that replaced the city's old standards after an 18 month process of development of a new ordinance. In September, staff presented a report to City Council which described additional necessary changes to the landscape standards which included adopting new administrative language that address how the new landscape standards are enforced and implemented as well as some minor needed corrections to the new standards. **The City Council was asked in September to review the conceptual changes and for direction on language relating to requiring landscaping on existing sites in conjunction with new development.** City Council gave direction to not require specific improvement thresholds that triggered adding landscaping to an existing site and instead to rely upon the current practice of removing landscape nonconformities as practicable. Staff has prepared language that reflects the direction of the City Council as part of Article III for existing nonconformities and additional changes to Article IV for the administration of landscaping standards with new development.

Staff has also included corrections to some of the general standards language fixing additional grammatical errors and correcting wording that was originally intended with the adoption of the current standards this past summer that was inadvertently left out or misplaced. Front yard parking related to requirements for parking lot reconstruction are being reformatted to better align with the structure of the landscape standards.

**New Standards**

Based upon the direction from Council in September, new language defining what practicable improvements on existing sites encompass has been included in Article III when addressing existing non-conformities. This includes review of current conditions, planter dimensions, building spacing, and overall scope of improvements. While full compliance may not always be achievable, the intent is to advance a closer to compliance. This expectation will apply to new or redevelopment proposed with a Site Development Plan. The intent of this language is to reflect past practice of staff to tailor improvements to the site to the scope of proposed improvements rather than require full site compliance when making additions or minor modifications to existing sites. Redevelopment of a site would trigger compliance with zoning standards for the site.

The new administrative language also includes obligations to maintain required landscaping and to seek staff approval of changes to existing sites to ensure the intent

of the landscape standards are met when updating landscaping. New development must confirm they have met soil quality standards prior to occupancy of a site. Temporary occupancy permits may be granted for up to 60 days to allow for completion of landscaping work and for a longer period of time due to adverse weather conditions and with financial security.

Among the additional new standards discussed in September, sites with permanent outdoor display, specifically automotive trade uses, must now comply with front yard landscaping requirements prior to establishing a use on a site that was not previously used for such a purpose. This would include a change of use on a site where no site development plan is required. Some examples of these types of uses include automotive dealers and marine craft businesses. Staff has also addressed mechanical screening with an exemption for a site that meets front yard landscaping requirements and equipment is located towards the rear of a site. Mechanical screening exceptions were inadvertently left out of the June update. Staff has also clarified that the option to waive up to 10% of the parking only applies to commercial and industrial projects, not residential development. References to requiring parking lot landscape plans were moved from front yard parking standards to the landscaping section and clarified how the Site Development Plan requirements apply to changes to parking lots. No other substantive changes to standards are part of the proposed ordinance.

#### **ALTERNATIVES:**

1. The City Council can approve on first reading the proposed changes for landscape related standards of Article III and Article IV of the Zoning Ordinance.
2. The City Council can provide direction for alternative language and direct staff to return prior to the first reading of an ordinance.

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

After receiving City Council direction previously and reviewing necessary changes in the existing language, staff believes that the proposed new administrative standards and corrections to existing wording in Chapter 29 Articles 3 and 4 address the remaining needs for the landscape standards. The proposed language establishes a clear process for enforcement and continued implementation of the landscape standards in Section 29.403 that the public and staff can rely upon. The language provides clear instruction on the process staff will use when reviewing existing site redevelopment and to ensure the long term maintenance and health of required site landscaping. The additional corrections to grammar and wording in the remaining existing standards are consistent with the standards adopted earlier this year by the City Council.

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



**ORDINANCE NO.**

**AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY ENACTING A NEW SECTIONS CHAPTER 29, ARTICLE 3 SECTION 29.307(5)(B), SECTION CHAPTER 29 ARTICLE 4, SECTION 29.403(2)(V)(I)(A)(B)(C)(D)(E)(I), SECTION 29.403(3)(K)(L)(M)(N), SECTION 29.403(5), SECTION 29.405(1)(C), SEC. 29.406(2)(C)(7)(A)(B), SECTION 29.408(4)(B)(IV)(C)(I) THEREOF, FOR THE PURPOSE OF UPDATING ADMINISTRATIVE STANDARDS ; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; AND ESTABLISHING AN EFFECTIVE DATE.**

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

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by enacting a new Chapter 29 Article 3, Section 29.307(5)(b) as follows:

**“CHAPTER 29 ARTICLE 3  
ZONING PROCESS**

**Sec. 29.307. NONCONFORMITIES.**

...

**(5) Other Nonconformities.**

...

Development that is consistent with a Site Development Plan approved before the date that this Ordinance became effective shall be deemed to be in conformance with this Ordinance to the extent that it is consistent with the approved plan and to the extent that such plan or conditions imposed thereon directly addresses the specific issue involved in the determination of conformity. However, redevelopment of a site with a prior Site Development Plan approval must conform to the current zoning standards for issuance of a new certificate of compliance.

(b) Policy. Because nonconformities such as those listed above involve less investment and are more easily corrected than those involving lots, buildings and uses, it is generally the policy of the City to eliminate such other nonconformities as quickly as practicable. Practicable improvements take in to account current conditions, planter dimensions, building spacing and scope of improvements proposed for a property. Front yard landscaping, parking lot landscaping and screening shall be reviewed in each instance where new or redevelopment is proposed with a Site Development Plan. Although full compliance may not be achievable, all sites must advance towards compliance with current requirements in terms of location of plantings quantity of plantings.

...

Section Two. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by enacting a new Section Chapter 29 Article 4, Section 29.403(2)(v)(i)(a)(b)(c)(d)(e)(E)(i), Section 29.403(3)(k)(l)(m)(n), Section 29.403(5), Section 29.405(1)(c), Sec. 29.406(2)(c)(7)(a)(b), Section 29.408(4)(b)(iv)(c)(i) as follows:

**CHAPTER 29 ARTICLE 4  
DEVELOPMENT STANDARDS**

**Sec. 29.403. LANDSCAPING AND SCREENING.**

...

**2. Landscaping Requirements for Residential Uses.**

...

(v) Front yards in all areas not between parking lots and streets require the planting of shrubs with a mix of deciduous and coniferous at a rate of 9 shrubs for every 50 linear feet of street frontage not associated with parking lots. Ornamental grasses may be substituted for shrubs at a rate of 3 grasses for 1 shrub. No more than 75% of total required front yard landscaping may be substituted with ornamental grasses.

...

(i) **Surface Parking Lot Landscaped Area**

(a) Parking lots must contain landscaped area equal to 10% of the total gross parking lot. The total gross area of a parking lot is defined as the area of the paved surface measured from the back of the curb or edge of paving excepting landscaped islands, landscaped medians, and driveways within the front yard landscape area.

(b) Perimeter side and rear yard planters abutting a parking lot that are 5 feet in depth or greater may count towards the 10% area requirement.

(c) If parking lot landscaping is placed in perimeter planting areas the landscaping must be located within 10 feet of the edge of paving to count towards the required 10% area.

(d) No area of the front yard landscaping shall count toward parking lot landscaping.

(e) Overstory shade trees must be planted at a rate of 1 tree for every 200 square feet of the required 10% landscape area. Note that to meet the dispersal requirement for the parking lot, a site may need to exceed 10% landscaped area.

...

(E) **Perimeter Parking Lot Landscaping and Bufferyards**

Side and rear yards abutting a parking lot, excepting front yard driveways, require a High Screen adjacent to residential zoning.

(i) Buffer yards adjacent to one and two-family homes must be 10 feet in width and may be reduced to 5 feet in width with installation of a 6 foot solid fence.

...

**3. General Requirements All Sites.**

...

(K) **Detention Ponds and Landscaped Areas**

Detention ponds must be unfenced and contain decorative landscaping elements such as tiered retaining walls, decorative rock features and plantings to be eligible to be counted toward base zone landscape percentage. The area of normal water height shall not count toward the base zone requirements. For 'wet' detention ponds or retention ponds the area of normal water height shall not count towards the base zone landscape percentage.

(L) The Department shall not approve any landscape plan submitted to it pursuant to this section unless the plan conforms to the requirements of this section or conforms to an approved Master Plan or a Major Site Development Plan which the City Council has determined meets the purposes described in Section 29.403.

(M) No surface parking lot shall be constructed, enlarged or reconstructed (excluding paving overlay) until a Parking Lot Landscape Plan for that surface parking lot has been approved by the Department of Planning and Housing. Reconstruction of a parking lot shall be subject to conformance with this ordinance pursuant to 29.307(5)(B).

(N) Surface Parking Lot Landscape Plans shall be prepared and submitted in accordance and the provisions contained in section 29.1502(3), "Minor Site Development Plan". A parking space striping or site landscape plan that includes no new construction may be submitted pursuant to 29.403 (5)(C)(2).

#### **Sec. 29.403(5) ADMINISTRATION.**

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

The property owner shall maintain required landscaping in a healthy and vital condition. The property owner shall permit and support the full maturity of required landscaping, including allowing for trees to reach their mature height and canopy size by not prematurely pruning, removing, "topping," or by other means discourage the growth and health of vegetation.

Dead or unhealthy vegetation shall be removed and replaced consistent with the standards of this ordinance. In kind replacement is required within 60 sixty days of removal of dead or unhealthy landscaping.

(B) Failure to maintain landscaping and planters consistent with the standards of this ordinance is a violation of the Zoning Ordinance. The Zoning Enforcement Officer may require replacement landscaping at larger installation sizes as corrective action to improper landscaping maintenance or removal, in addition to the provisions of Article XVI.

##### **(C) Removal of Landscaping**

(i) Property owners shall not remove existing vegetation that is consistent with an approved Site Development Plan that may no longer be required under the current standards without providing for a whole site review that includes replacement landscaping consistent with all new standards. For example, although side yard buffering is not required in many commercial areas there are additional parking lot landscaping requirements that would need to be addressed with a new landscaped plan before trees could be removed and have a compliant overall site. Existing trees and shrubs cannot be removed without addressing how replacement landscaping that is consistent with current requirements in terms of quantities, areas, quality, and types, will be added to a site to address current landscaping requirements. Approved Special Use Permits must be amended by the Zoning Board of Adjustment if existing vegetation is proposed to be removed and replaced.

(ii) Modifications to landscape plans may be submitted for Planning Director approval as a site landscape plan rather than as a Site Development Plan. However, if there are changes to the planting areas that affect stormwater management or are in conjunction with other changes to the site, a Minor Site Development Plan is required. The Planning Director shall prescribe the landscape plan application requirements for modifications to existing landscaping. The Planning Director may approve a modified landscape plan for existing sites when the overall landscaping planting plan is consistent with the intent of the ordinance for overall site landscaping of parking lots, yards, and screening and the modified plan is determined to not diminish the landscape qualities of the site.

##### **(D) Installation and Inspections**

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

(ii) Prior to requesting occupancy of a building or actual use of a site, whichever occurs first, the property owner or applicant must submit a report verifying that required planter requirements for soil quality and

conditions comply with the ordinance.

(iii) All required landscaping materials, both living and non-living, shall be in place prior to the time of issuance of a final Certificate of Occupancy. The Zoning Enforcement Officer may grant a temporary Certificate of Occupancy for use of a site or building when the property owner has agreed to complete the required plantings within 60 days of the request for occupancy or by October 1st, whichever would occur first. The Planning Director may authorize deferral of landscaping plantings for a specified period of time due to adverse weather conditions and subject to the posting of a cash escrow or irrevocable letter of credit in an amount equal to one and one-half times the estimated cost of the landscaping. Posting of financial security for completing landscaping does not relieve the property owner from installing and maintaining landscaping accordance with the standards of this ordinance.

(iv) The property owner may be found to be in violation of the Zoning Ordinance at any time once the initial delay for installation has been expired, whether a financial security has been provided or a Certificate of Occupancy has been finalized by the Building Official.

...

**Sec. 29.405. OUTDOOR DISPLAY AND STORAGE.**

...

(1) **Outdoor Display of Goods.**

...

(c) Auto and Marine Craft Trade outdoor display areas shall only be established on sites that comply with front yard landscaping requirements of 29.403 (1) or (5).

...

**Sec. 29.406. OFF-STREET PARKING.**

...

(2) **Required Parking Spaces.**

...

(c) The Planning Director may reduce required parking for non-residential uses by 10% in order to increase landscape area within parking lots that exceed 30 or more spaces.

...

(7) **Locating Parking Spaces in Front Yard.**

(a) **Surface Parking Lot Landscaping Plan**

Unless a parking lot plan is submitted as part of the development process pursuant to Section 29.1502, a Surface Parking Lot Landscaping Plan to meet the standards of Section 29.403 and 29.406 shall be submitted to and approved by the Director of Planning and Housing (to be evidenced by a document signed by both the property owner or owner's agent and the said Director), prior to any construction, reconstruction, installation, erection, conversion, alteration, addition, enlargement or development of any structure, improvement, feature or aspect of the premises. A Building/Zoning Permit required by Section 29.1501 shall not be issued until the plan is submitted and approved.

(b) Front yard parking is permitted on commercial or industrial sites unless prohibited by the base zone standards.

...

**Sec. 29.408. OTHER GENERAL DEVELOPMENT STANDARDS.**

...

(4) **Mechanical Units.**

...

(b) Screening Exemptions. Screening of mechanical units is not required in the following instances:

...

(iv) Sites with front yard landscaping as required within Section 29.403 and where mechanical units are located behind the centerline of a building. Where front yard landscaping is not in place, screening is required.

**(c) Location of Mechanical Units**

(i) Mechanical units must meet all screening requirements of Section 29.408(4) and must be located outside of required landscape areas in parking lots or bufferyards. However, in situations where upgrades or relocations of mechanical units for utility services are necessary to provide continued service, the Director of Planning & Housing may approve placement of mechanical units in required landscape areas, and may also waive screening requirements of mechanical units, if the Director determines that such upgrades or relocations could not have been anticipated either at the time of platting or at the time of site development when the utilities were first planned and/or installed, and that there is insufficient room for the relocated or upgraded utility mechanical units to be screened or placed outside of required landscape areas.

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:**           **321 STATE AVENUE PUBLIC INFRASTRUCTURE BIDS**

**BACKGROUND:**

The City Council, at its July 11, 2017, meeting, provided direction to staff to proceed with development of a 37-lot subdivision at 321 State Avenue in partnership with 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. In addition to providing the land for the subdivision that was purchased for \$550,000, the City has budgeted \$550,000 for public infrastructure and the developer has committed to \$400,000 for a total of \$950,000 in relation to public improvements costs.

In order to solidify specifics within the agreement, the first step, was to approve the specifications for public improvements and to solicit bids for their construction to verify project costs compared to the assumed \$950,000 budgeted amount. City Council approved at its October 10<sup>th</sup> meeting the plans and specifications for the installation of public improvements for the proposed subdivision at 321 State Avenue and established November 7, 2017, as the date of letting and November 14, 2017, as the date for report of bids.

On November 7, 2017, bids on the project were received as follows:

<i>Bidder</i>	<i>Amount</i>
Engineer's Estimate	\$ 1,065,900.00
Keller Excavating, Inc.	\$ 1,196,833.26
J&K Contracting, LLC	\$ 1,207,443.16
Valley Plumbing Co., Inc.	\$ 1,313,511.70
King Contracting, LLC, dba King Construction	\$ 1,313,511.70

Based on the above bids amounts received for the public infrastructure improvements, the lowest bid is from Keller Excavating, Inc. in the amount of \$1,196,833.26, which exceeds the proposed project budget by approximately \$246,000. Given this amount for the base bid there is no contingency is included in the budget of the low bid. **Therefore, staff**

**recommends receiving the bids, but to take no action on awarding a contract due to the substantial gap between estimated costs and actual bids.**

**In the meantime, the staff can attempt to determine if the project can be redesigned to lower the infrastructure costs or, working with J-Corp, determine if additional funding can be identified to close the financial gap for this project.**

**ALTERNATIVES:**

1. Accept the report of bids for the 2017/18 community development block grant public infrastructure improvements program for the development of 321 state avenue mixed-income housing subdivision and delay any decision to award the bid.
2. Reject the bids and direct staff to pursue other options.

**CITY MANAGER'S RECOMMENDED ACTION:**

The proposed bids for the public improvements are substantially higher than anticipated by the J-Corp estimate in July and the engineer's estimate with the Plans and Specifications approval in October. In order to continue with the concept from July, staff will need to investigate options for additional funding from the City and J-Corp.

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

**COUNCIL ACTION FORM**

**SUBJECT:** REVISIONS TO CHAPTER 28

**BACKGROUND:**

On October 24, Council approved on first reading an ordinance that makes a number of updates to Chapter 28. **Staff has learned that a minor wording revision is necessary, based on feedback from the Iowa Department of Natural Resources.** The change is a slight alteration to the way Section 28.307(2) references the Code of Federal Regulations.

**Sec. 28.307. INDUSTRIAL PRETREATMENT REQUIREMENTS**

- (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~~ through October 22, 2015 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.

**Because this wording change does not alter the intent or application of the ordinance, the City Attorney recommends that Council first approve the modified wording, then proceed with approving the ordinance, as amended, on second reading.**

**ALTERNATIVES:**

1. a) Approve an amendment to Chapter 28, Section 28.307 to reference the version of the Code of Federal Regulations, Chapter 1, Part 403 dated October 22, 2015.  
b) Approve on second reading the ordinance revising portions of Chapter 28 related to Division II Water Service and Division III Sewers, as amended.
2. Do not approve additional Chapter 28 changes at this time.

**CITY MANAGER'S RECOMMENDED ACTION:**

Staff presented the proposed changes to Council at a workshop on October 17, 2017 and a first reading of the ordinance occurred on October 24, 2017. Following the first reading, one small revision is needed to comply with requirements of the Iowa Department of Natural Resources. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.