



To: Mayor and City Council

From: Kelly Diekmann, Director of Planning and Housing

Date: March 21, 2025

Subject: Response from City Attorney and Fire Chief regarding Proceeding with Annexation

City Council reviewed the status of the proposed northern Ames annexation, which includes the Ames Golf and Country Club (AGCC) and homes within the Irons Subdivision, at the March 11 meeting. The AGCC and Irons properties are subject to agreements obligating them to apply for annexation at the City's request. After initiating the annexation and failing to receive a substantial number of annexation applications, the March 11 discussion was held to seek direction from Council regarding how to proceed. The original report with its alternative can be [found at this link](#).

At the meeting, Council directed staff to sever the Borgmeyer related lands and to proceed with its annexation separately from the Irons and AGCC properties. **Notably, by splitting the annexation area, the AGCC land is the most significant component of pursuing annexation, as its land area alone would allow for an 80/20 annexation of the Irons properties regardless of status of the individual Irons homeowner submitting applications.**

City Council also received a letter from the AGCC on March 11 questioning certain elements of the original agreement and proceedings for annexation (See attached). The letter indicated that AGCC did not want to be annexed at this time but would be willing to discuss future annexation. At the March 11 meeting, Council directed staff to provide a response regarding fire protection and an opinion about the legal status of the agreement for the March 25 meeting. Attached are memos regarding these topics. The Fire Chief believes the facilities serving the area are consistent with our normal firefighting practices and as a career fire department, it has staff at three stations 24-hours a day to respond to emergencies. The City Attorney's office opined that the agreement is valid as a covenant and the agreement to annex at City Council direction still applies.

With the information provided to Council, staff now seeks direction on how to proceed.

#1. Direct the City Attorney to send notice requesting annexation applications from the Irons and AGCC by April 30 and notifying those who remain noncompliant that court action will be pursued to compel performance of the covenant. With annexation, initiate rezoning of the properties to FS-RL (Original Staff Recommendation)

#2. Request annexation applications from the Irons and AGCC by April 30 with an offer to transition City imposition of taxes over three years on a 75%, 50%, 25% abatement schedule. With annexation, initiate rezoning of the properties to FS-RL.

#3. Direct staff to reach out to representatives of AGCC for meeting before April 2nd to discuss their proposed timeline of annexation to not occur until the sanitary sewer and water mains reach the southern boundary of the Irons subdivision. (Suggested by AGCC Attorney in a March 20th email.

#4. Agree not to initiate annexation until such time in the when the Irons subdivision would become island as a result of an annexation. (Suggested by Daryle Vegge in a March 9th email to the City Council)

ATTACHMENT(S):

[Water Pressure Memo for CC - March 25 2025 Mtg._.docx](#)

[City Attorney Memo to Council.pdf](#)

[AGCC Letter to City Council March 11th](#)

[J. Schroeder - City of Ames & AGCC, Annexation Follow up.pdf](#)

[D. Vegge - Annexation of the Irons.pdf](#)