

***AMENDED**
AGENDA
REGULAR MEETING OF THE AMES CITY COUNCIL
COUNCIL CHAMBERS - CITY HALL - 515 CLARK AVENUE
MARCH 5, 2019

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

CALL TO ORDER: 6:00 p.m.

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

1. Motion approving payment of claims
 2. Motion approving certification of Civil Service applicants
 3. Motion approving Contract Change Orders for period February 15 - February 28, 2019
 4. Motion approving a 5-day Class C Liquor License for Gateway Hotel (March 21) at Reiman Gardens, 1407 University Blvd
 5. Motion approving renewal of the following Beer Permits, Wine Permits, and Liquor Licenses:
 - a. Class C Liquor with Outdoor Service and Sunday Sales - Coldwater Golf Links, 1400 S. Grand Avenue
 - b. Class E Liquor with Class B Wine, Class C Beer, and Sunday Sales - Kum & Go #113, 2801 E 13th St
 - c. Class E Liquor with Class B Wine, Class C Beer, and Sunday Sales - Kum & Go #227, 2108 Isaac Newton Dr
 - d. Class A Liquor with Outdoor Service and Sunday Sales - Elks Lodge, 522 Douglas
 - e. Class B Liquor with Class B Wine and Sunday Sales - Ames Sleep Inn & Suites, 1310 Dickinson Avenue - PENDING DRAM SHOP
 - f. Class E Liquor with Class B Wine, Class C Beer, and Sunday Sales - Casey's General Store #2905, 3612 Stange Road
 - g. Special Class C Liquor with Outdoor Service - Filling Station, 2400 University Blvd - Eatery Only - PENDING DRAM SHOP
 - h. Class B Beer with Sunday Sales - Pizza Pit Extreme, 207 Welch Ave. Ste 201
 - i. Class E Liquor with Class B Wine, Class C Beer, and Sunday Sales - Sam's Club #6568, 305 Airport Rd
 - j. Class C Beer with Class B Native Wine and Sunday Sales - Swift Stop #4, 1118 S Duff
 - k. Class C Beer with Class B Wine and Sunday Sales - Swift Stop #5, 3218 Orion Street
 - l. Special Class C Liquor - The Spice Thai Cuisine, 402 Main Street
 6. Resolution approving appointments to various boards and commissions
 7. Resolution approving Agreement with United Way of Story County to administer Human Services Capital Grant Program in the amount of \$200,000 for FY 2019/20
- Former Item No. 18 Moved to Consent:** Resolution approving Agreement with Iowa Department of Transportation for the Jefferson Highway Heritage Byway
8. Resolution approving preliminary plans and specifications for 2017/18 Shared Use Path Maintenance Program - Daley Park; setting April 3, 2019, as bid due date and April 9, 2019, as date of public hearing
 9. Resolution approving preliminary plans and specifications for 2017/18 Shared Use Path Maintenance Program - Stange Road; setting April 3, 2019, as bid due date and April 9, 2019, as date of public hearing

10. Resolution approving preliminary plans and specifications for 2017/18 Storm Water Erosion Control (Kinyon Clark); setting April 3, 2019, as bid due date and April 9, 2019, as date of public hearing

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 three minutes.

HEARING:

11. Hearing on 2019 General Obligation Corporate Purpose Loan Agreement:
 - a. Resolution entering into Loan Agreement in a principal amount not to exceed \$11,880,000 and authorizing Debt Service Levy
12. Hearing on Amendments to Fiscal Year 2018/19 Budget:
 - a. Resolution amending budget for current Fiscal Year ending June 30, 2019
13. Hearing on adoption of FY 2019/20 budget:
 - a. Resolution approving 2019/20 budget
14. Hearing on rezoning of 1114 South Dakota Avenue from Community Commercial/Residential (CCR) to Community Commercial/Residential (CCR) with revised Master Plan:
 - a. First passage of ordinance

FIRE:

15. Transitional Letters of Compliance:
 - a. Motion providing direction to staff
16. Revisiting Discussion of Property Sale Hardship Exemption Request from Robert Howell for 107 S. Riverside

PARKS & RECREATION:

17. Homewood Golf Course Clubhouse Design

PUBLIC WORKS:

Former Item No. 18 Moved to Consent: Resolution approving Agreement with Iowa Department of Transportation for the Jefferson Highway Heritage Byway

PLANNING & HOUSING:

19. Bicycle Parking Standards

ORDINANCES:

20. First reading of ordinance adjusting water rates by 7%, effective July 1, 2019
21. Second passage of ordinance prohibiting parking at all times on the east side of North Riverside Drive and prohibiting parking at all times on the north side of Harris Street

DISPOSITION OF COMMUNICATIONS TO COUNCIL:

COUNCIL COMMENTS:

***ADDITIONAL ITEM: CLOSED SESSION:**

Motion to hold Closed Session as provided by Section 21.5(1)c, *Code of Iowa*, to discuss matters presently in or threatened to be in litigation

ADJOURNMENT:

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

MINUTES OF THE AMES CIVIL SERVICE COMMISSION

AMES, IOWA

FEBRUARY 28, 2019

The Regular Session of the Ames Civil Service Commission was called to order by Chairperson Mike Crum at 8:17 a.m. on February 28, 2019, 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 Charlie Ricketts, Mike Crum, and Harold Pike were brought into the meeting telephonically.

APPROVAL OF MINUTES OF JANUARY 24, 2019, REGULAR MEETING: Moved by Pike, seconded by Ricketts, to approve the Minutes of the January 24, 2019, Regular Civil Service Commission meeting, as written.

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

CERTIFICATION OF ENTRY-LEVEL APPLICANTS: Moved by Crum, seconded by Ricketts, to certify the following individuals to the Ames City Council as Entry-Level Applicants:

Mechanic Assistant (CyRide)	Chad Moser	82
	Scott Hassler	78
Systems Analyst	Warren McDaniel	83

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

COMMENTS: The next Civil Service Commission meeting will be March 28, 2019, at 8:15 a.m. Assistant City Manager Bob Kindred informed the Commission that he and Human Resources Director Bethany Jorgenson have been meeting with the outside law firm hired to review the Civil Service Commission Policies and Procedures. It is possible that Commission members will be asked to have an in-person meeting on March 28 to go over the proposed changes. Mr. Kindred, Ms. Jorgenson, and the outside attorney would be present at that meeting. All Commission members commented that, at this time, their schedules would allow them to attend an in-person meeting on March 28.

ADJOURNMENT: Moved by Pike to adjourn the meeting at 8:24 a.m.

Michael R. Crum, Chairman

Diane R. Voss, City Clerk



REPORT OF CONTRACT CHANGE ORDERS

Period:	<input type="checkbox"/>	1 st – 15 th
	<input checked="" type="checkbox"/>	16 th – End of Month
Month & Year:	February 2019	
For City Council Date:	March 5, 2019	

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)
Fire	Inspections Permitting Hardware/Software	2	\$238,200.00	Tyler Technologies, Inc.	\$26,485.00	\$875.00	B. Phillips	MA
			\$		\$	\$		
			\$		\$	\$		
			\$		\$	\$		
			\$		\$	\$		
			\$		\$	\$		

Name of Applicant: Freinds of ISU Holdings

Name of Business (DBA): Gateway Hotel and Conference Center

Address of Premises: 1407 University Blvd

City Ames **County:** Story **Zip:** 50011

Business (515) 268-2209

Mailing 2100 Green Hills Drive

City Ames **State** IA **Zip:** 50014

Contact Person

Name Zach Case

Phone: (515) 268-2209 **Email** zachc@gatewayames.com

Classification Class C Liquor License (LC) (Commercial)

Term:5 days

Effective Date: 03/21/2019

Expiration Date: 01/01/1900

Privileges:

Class C Liquor License (LC) (Commercial)

Status of Business

BusinessType: Limited Liability Company

Corporate ID Number: XXXXXXXXXX **Federal Employer ID** XXXXXXXXXX

Ownership

Doug Drees

First Name: Doug **Last Name:** Drees

City: Waukee **State:** Iowa **Zip:** 50014

Position: Manager

% of Ownership: 1.00% **U.S. Citizen:** Yes

Insurance Company Information

Insurance Company: General Casualty

Policy Effective Date: 03/21/2019 **Policy Expiration** 03/26/2019

Bond Effective **Dram Cancel Date:**

Outdoor Service Effective **Outdoor Service Expiration**

Temp Transfer Effective **Temp Transfer Expiration Date:**

MEMO



To: Mayor John Haila and Ames City Council Members
From: Lieutenant Tom Shelton, Ames Police Department
Date: February 9, 2019
Subject: Beer Permits & Liquor License Renewal Reference City Council Agenda

The Council agenda for March 5, 2019, includes beer permits and liquor license renewals for:

Class C Liquor, Outdoor Service, Sunday Sales - LC0032481 - Coldwater Golf Links, 1400 S. Grand Avenue
 Class E Liquor, Class B Wine, Class C Beer, Sunday Sales - LE0002122 - Kum & Go #113, 2801 E 13th St
 Class E Liquor, Class B Wine, Class C Beer, Sunday Sales - LE0002121 - Kum & Go #227, 2108 Isaac Newton Dr
 Class A Liquor, Outdoor Service, Sunday Sales - LA0001072 - Elks Lodge, 522 Douglas
 Class B Liquor, Class B Wine, Sunday Sales - LB0002123 - Ames Sleep Inn & Suites, 1310 Dickinson Ave
 Class E Liquor, Class B Wine, Class C Beer, Sunday Sales - LE0003019 - CASEY'S GENERAL STORE #2905, 3612 STANGE RD
 Special Class C Liquor, Outdoor Service - BW0095754 - Filling Station, 2400 University Blvd - Eatery Only
 Class B Beer, Sunday Sales - BB0036828 - Pizza Pit Extreme, 207 Welch Ave. Ste 201
 Class E Liquor, Class B Wine, Class C Beer, Sunday Sales - LE0000829 - Sams Club #6568, 305 Airport Rd
 Class C Beer, Class B Native Wine, Sunday Sales - BC0023733 - Swift Stop #4, 1118 S Duff
 Class C Beer, Class B Wine, Sunday Sales - BC0025354 - Swift Stop #5, 3218 Orion Street
 Special Class C Liquor - BW0092569 - The Spice Thai Cuisine, 402 Main Street

A routine check of police records for the past 12 months found no liquor law violations for the above listed businesses. The Police Department recommends renewal of licenses for all the above businesses.

MEMO**CITY OF
Ames™***Caring People ♦ Quality Programs ♦ Exceptional Service*

TO: Members of the City Council

FROM: John A. Haila, Mayor

DATE: March 5, 2019

SUBJECT: Appointments to City Boards and Commissions

Attached you'll find a listing of the City's various boards/commissions that have upcoming vacancies and the names of individuals I have selected to fill them. Those with an asterisk (*) by them are names of individuals who are currently serving and are eligible to be reappointed. I am requesting your approval of these appointments.

I was pleased that so many residents applied this year for the open positions. In order to evaluate each candidate, the selection process included careful review of each application, meeting with Brian Phillips, and/or the respective department heads who work with a board or commission. Additionally, in some cases, telephone interviews of applicants were also conducted.

I'm also pleased that we are able to broaden the heritage of board and commission members. Each year, I will continue to seek individuals from a variety of ethnicities in order to have representation of various cultures who call Ames home!

In the event you have any questions on one or several of the applicants, please let me know. Amy Colwell has all appointee applications on file should you wish to review them.

**MAYOR'S APPOINTMENTS
TO CITY OF AMES BOARDS AND COMMISSIONS
2019**

(* Incumbents) **XXXXX** = remains open

<u>Board/Commission</u>	<u>Vacancies</u>	<u>Name</u>
ASSET	2	* Mary Beth Golemo * Andrea Rich
Building Board of Appeals	3	Andrew Tulp – Architect PE- General Contractor -
Campus & Community Commission	1	* Tom Lindsley
Commission on The Arts (COTA)	2	* Tom Lockhart Troy Rutter
Electric Utility Operations Review & Advisory Board (EUORAB)	1	Ken Kruempel
Historic Preservation Commission	2	* Ted Nordbrock Megan Klein-Hewett
Human Relations Commission	4	* Wayne Clinton – 3 yr. term * Liming Pals – 2 yr. term (<i>completing Heidi Thompson's term</i>) Jill Crosser (1st) – 2 yr. term (<i>completing Anneke Mundel's term</i>) Madesh Samanu 1 yr. (ISU st.)
Library Board of Trustees	4	* Charles Glatz – 3 yr. term * Sarah Barchman – 3 yr. term Sandra Looft – 3 yr. term Carolyn Myers – 2 yr. term (<i>completing Tong Wang's term</i>)
Parks and Recreation Commission	4	* Sarah Cady * Sarah Litwiller * Kelsey Culbertson Duane Reeves
Partner Cities Association	2	* Karlai Thornburg Kim Linduska – 2 yr. term (<i>filling open slot – 2 yr. term</i>)

Planning and Zoning Commission	3	<ul style="list-style-type: none"> * Doug Ragaller – 3 yr. term * Anuprit Minhas – 3 year term Ruth Hulstrom – 2 yr. term <i>(completing Mindy Bryngelson's term)</i>
Property Maintenance Appeals Board	2	<p>Colleen Schwartz (Neighborhood representative) XXXXX (Student Representative)</p>
Project Share	1	* Keliena Caldwell
Public Art Commission	6	<ul style="list-style-type: none"> * Olivia Madison * Sara Sherman * Paola Sepulveda Penny Adam Andrew Ward Karen George
Transit Agency Board of Trustees	1	* Liz Jeffrey
Zoning Board of Adjustment	2	<p>Ronald Schappauh Aladdin Al Katheri (3rd)</p>

(Updated March 1, 2019)

COUNCIL ACTION FORM

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

BACKGROUND:

At the January 6, 2019, City Council meeting, the City Council directed staff to initiate a second round of human services capital grants for FY 2019/20. At total of \$250,000 in City funds would be used to finance this program, with \$50,000 from the General Fund and \$200,000 from the Local Option Sales Tax Fund.

The City will partner with United Way of Story County (UWSC) to administer this program. This partnership will be in the same form as was used by the City and UWSC to administer human services capital grant funding in 2017-2018, with the exception that UWSC may retain \$3,500 of the total funding to cover its administrative costs.

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. Of this total, \$3,500 may be retained by UWSC for administrative expenses and \$246,500 may be awarded to human service agencies.
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, 2020. 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 **1st day of July, 2019**, 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; and

WHEREAS, United Way of Story County, Inc. and the City of Ames entered into a successful partnership in November 2017 to distribute City funds to human services agencies for capital improvements to their facilities;

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. Of this remittance, UWSC may retain an amount not to exceed \$3,500 to compensate for its expenses and time in administering this program.

B. UWSC agrees to distribute the remaining \$246,500 in 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 1st year after completion of the improvements
- 80% shall be repaid during the 2nd year after completion of the improvements
- 60% shall be repaid during the 3rd year after completion of the improvements
- 40% shall be repaid during the 4th year after completion of the improvements
- 20% shall be repaid during the 5th year after completion of the improvements.”

7. UWSC agrees to disburse funds to grant recipients no later than June 30, 2020. 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 July 1, 2019, until June 30, 2020. 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

MOVED TO CONSENT

ITEM#: 18
DATE: 03-05-19

COUNCIL ACTION FORM

SUBJECT: AGREEMENT FOR SIGNAGE FOR THE JEFFERSON HIGHWAY HERITAGE BYWAY AS A STATE HERITAGE BYWAY

BACKGROUND:

On March 3, 2015, City Council approved a resolution endorsing the application to designate the Jefferson Highway Heritage Byway as an Iowa Heritage Byway. The Jefferson Highway was the first major hard-surfaced north-south highway in the United States. Stretching from Winnipeg, Manitoba, Canada to New Orleans, Louisiana, it was known as the "Pine-to-Palm Highway." In Ames, the highway enters from the eastern corporate limits on East Lincoln Way, then turns south on South Duff Avenue (U.S. Highway 69), following that road south out of Ames.

As part of the designation as a State Heritage Byway, signs will be provided and installed by the Iowa Department of Transportation (DOT) along the route. Once installed, the DOT would replace any missing or damaged signs in its jurisdiction on state routes (e.g., U.S. Highway 69). **The Iowa DOT would provide sign materials to replace any missing or damaged signs under the City's jurisdiction (currently only East Lincoln Way), but the City would provide the labor to install them. The City would also be responsible to provide replacement poles and hardware, as needed. This is similar to the Lincoln Highway designation, already in place.**

The Iowa DOT encourages the City in the agreement to adopt Iowa DOT's restrictions regarding off-premises advertising signs erected adjacent to the highway. However, the Iowa DOT has no jurisdiction over East Lincoln Way. In addition, this agreement does not obligate the City to adopt these restrictions on East Lincoln Way, and the staff has no intention at this time to recommend such restrictions.

ALTERNATIVES:

1. Approve the agreement with the Iowa DOT for the Jefferson Highway Heritage Byway.
2. Reject the agreement with the Iowa DOT for the Jefferson Highway Heritage Byway.

MANAGER'S RECOMMENDED ACTION:

The Jefferson Highway was an important international transportation link for the nation and community of Ames in the early 20th century. Its designation as a heritage byway will help inform local residents about its history and may draw visitors who are interested in traveling on the historic route. The designation as an Iowa Heritage Byway would not impose any financial obligation upon the City, other than City staff time to replace any broken or missing signs on the City portion of the route. This cost would be minimal.

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

February 14, 2019

Damion Pregitzer, Traffic Engineer
City of Ames
PO Box 811
Ames, IA 50010-0811

RE: Resolution No. 15-118



Dear Jefferson Highway Heritage Byway host jurisdiction,

The Iowa Byways Program is pleased to announce that the graphic design for the Jefferson Highway Heritage Byway™ designated in 2016 is complete and plans to fabricate and install signs along the new byway route are in place. When this signing is complete, all fourteen Iowa byways will share the distinctive Iowa Byways™ brand

At this time, the Iowa DOT is asking local jurisdictions of the “Jefferson” to sign the Jurisdiction Agreement for Designated Iowa Byways™; and to participate in communications and planning for sign installation as needed. Nearly all of this byway route travels along state highways which DOT will manage, however local jurisdictions may be consulted when the historic designated route is off the state route or other assistance is needed in cities.

Jurisdiction Agreement

During the application process, jurisdictions along the route signed documents supporting the route for official designation. This post-designation document confirms the responsibilities of the Iowa DOT and the local jurisdictions that host byways in the Iowa Byways program. **Please have two copies of the attached Jurisdiction Agreement signed by the appropriate jurisdiction authority and send both originals back to the Iowa Byways Program Manager by March 15, 2019.** The Iowa DOT will then execute both copies and send an original back to the jurisdiction.

Communications and Preconstruction Information

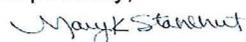
The following resources provide additional information for your consideration:

- The route may be viewed in an interactive map here: <https://iowadot.gov/iowasbyways/iowas-byways-home>
- An informational website including Iowa Byways Signage Policy and construction / sign placement maps may be found at the Iowa Byways Signage webpage: <http://www.iowadot.gov/iowasbyways/signage.html>.
- For other questions about the byway signing project, please contact your Iowa DOT District Maintenance Manager whom you normally do business with or Brad Fleming, Chief Deputy Maintenance Supervisor; phone: (515) 239-1628, or e-mail: brad.fleming@iowadot.us.

Thank you for your prompt attention to executing and returning the agreement. We look forward to working with you as we install the beautiful new Jefferson Highway Heritage Byway signs in 2019.

If you have questions about the Iowa Byways™ program, please contact me directly.

Respectfully,



Mary K. Stahlhut
Iowa Byways Program Manager

MKS:plr
Enclosure

**Jurisdiction Agreement for Designated Iowa Byways™
Byway Management, Off-Premise Sign Management and
Signage Installation and Maintenance**

The Iowa Scenic Byways Program was established under Iowa Code Chapter 306D and provides for state and local development and Department designation of Iowa Byways. The Iowa Byways program was established to identify, protect and enhance roadways in Iowa which exemplify the state's scenic and historic resources. This effort is carried out through volunteer work and cooperation between interested citizens, organizations, local governments, and the Department.

The following provides the terms of agreement between the Iowa Department of Transportation (herein known as the Department) and the city City of Ames (herein known as the Jurisdiction) for the installation and maintenance of byway signage on the Jefferson Highway Heritage Byway. Signature by authorized parties establishes acceptance of these terms.

Iowa Byways™ Designation

1. Applications to designate Jefferson Highway Heritage Byway as an Iowa scenic byway were submitted with the official endorsement of the Jurisdiction; and the Department has designated the Jefferson Highway Heritage Byway on the route proposed.
2. Upon designation as a state scenic byway, local sponsors are responsible for funding tourism and promotional plans and activities and no federal or state funding is inherent these designations.
3. The Department will enforce certain restrictions of off-premise signs along portions of the byway which follow interstate or primary highways in accordance with Iowa Administrative Code Chapter 761 - 117.3(1); and the Jurisdiction will be responsible for signing ordinances and compliance for roadways under their jurisdiction.

Iowa Byways™ Signage

1. Signs, posts and hardware for marking the route for the above referenced Iowa Byway shall be furnished and installed by the Department for the life of the designated byway.
2. The installations shall comply with the Department's Traffic and Safety Manual Chapter 02G Iowa Byways Signage Policy.
3. Initial installation of signs shall be coordinated between the Iowa Byways Program, the local Department maintenance staff and the Jurisdiction. This may include a shared review of the signing plan if needed, coordination of materials, location and installation, particularly in cities.
4. The Department is responsible for installing and maintaining referenced signage for the life of the designated byway in accordance with the signage plan for the Jefferson Highway Heritage Byway.
5. Missing or damaged sign panels shall be ordered from the Department through the Iowa Byways Program at no cost on an as needed basis. Replacement signage and materials shall be delivered to the closest Department maintenance facility.
6. The local byway managing entity and/or the Department shall conduct periodic inventories to further assure proper placement and condition of the byway signage.
7. Intentionally damaging signage or unauthorized removal is considered a federal offense and is punishable by federal law. The Jurisdiction shall do everything in its power to apprehend and prosecute offenders who damage or remove signage from its installed location.

IN WITNESS WHEREOF, each of the parties hereto has executed this Agreement as of the date shown opposite its signature below.
For the Jurisdiction:

By _____ Date _____, _____

Title _____

ATTEST:(for RECIPIENT)

PRIMARY PROJECT CONTACT

Signed _____

Name _____

Title _____

Title _____

Date _____, _____

E-mail _____

Phone _____

**For the Iowa Department of Transportation:
Office of Systems Planning:**

By _____ Date _____, _____
Craig Markley, Director

ITEM#: 8
DATE: 03-05-19

COUNCIL ACTION FORM

SUBJECT: 2017-18 SHARED USE PATH MAINTENANCE PROGRAM #1 – DALEY PARK

BACKGROUND:

This program provides for maintenance activities along shared use paths as patching, joint repairs, micro surfacing, and complete replacement. Locations are determined using a condition inventory, visual inspection of paths, and input from users. Improvement to the paths will enhance the safety and usability of the path/trail system and improve the aesthetics within the right-of-way.

This project location is in **Daley Park** on the west side of Ames. The current path exhibits a lot of joint failures and loss of oil binder in the surface due to the age of the path. This project will remove and replace the path with a new 5” thick hot mixed asphalt.

Staff has completed plans and specifications for this project with an estimated cost of \$131,356 with engineering and construction administration expenses estimated at \$16,000, bringing the **estimated project cost to \$147,356**.

There is \$125,000 of Local Option Sales Tax allocated for this program annually in the Capital Improvement Plan. These funds have been accumulated and carried over into the current budget. A number of smaller joint sealing and patching contracts have been funded through this program leaving **\$441,958 of available revenue** to fund the two projects shown below.

<u>Project:</u>	<u>Expenses</u>	<u>Revenue</u>
2017-18 SUP Maintenance #1 – Daley Park (<u>this project</u>)	\$147,356	
2017-18 SUP Maintenance #2 – Stange Road (estimated)	\$163,606	
2018-19 CIP Budget	\$310,962	\$441,958

Remaining revenue will be used for other shared use path maintenance priorities.

ALTERNATIVES:

1. Approve the plans and specifications for the 2017/18 Shared Use Path Maintenance Program – Daley Park and establish April 3, 2019 as the date of letting and April 9, 2019 as the date for report of bids.
2. Direct Staff to make changes to the project.

MANAGER'S RECOMMENDED ACTION:

Routine maintenance activities are no longer effective on this shared use path in Daley Park. The path is in need of replacement to restore the condition of the path for all users of the park and improve the safety and reliability of this portion of the shared use path system.

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

ITEM#: 9
DATE: 03-05-19

COUNCIL ACTION FORM

SUBJECT: 2017-18 SHARED USE PATH MAINTENANCE PROGRAM #2 – STANGE ROAD

BACKGROUND:

This program provides for maintenance activities along shared use paths as patching, joint repairs, micro surfacing, and complete replacement. Locations are determined using a condition inventory, visual inspection of paths, and input from users. Improvement to the paths will enhance the safety and usability of the path/trail system and improve the aesthetics within the right-of-way.

This project location is along the **west side of Stange Road between 24th Street and Northridge Parkway**. The current path is experiencing many large contraction joints and is also experiencing issues with nearby tree root intrusion causing large areas of the path to buckle. This project will replace the existing path and include root barriers near existing trees when roots are encountered to minimize future root problems.

Staff has completed plans and specifications for this project with an estimated cost of \$146,106 with engineering and construction administration expenses estimated at \$17,500, bringing the **estimated project cost to \$163,606**.

There is \$125,000 of Local Option Sales Tax allocated for this program annually in the Capital Improvement Plan. These funds have been accumulated and carried over into the current budget. A number of smaller joint sealing and patching contracts have been funded through this program leaving **\$441,958 of available revenue** to fund the two projects shown below.

<u>Project:</u>	<u>Expenses</u>	<u>Revenue</u>
2017-18 SUP Maintenance #1 – Daley Park (estimated)	\$147,356	
2017-18 SUP Maintenance #2 – Stange Road (<u>this action</u>)	\$163,606	
2018-19 CIP Budget		\$441,958
	\$310,962	\$441,958

Remaining revenue will be used for other shared use path maintenance priorities.

ALTERNATIVES:

1. Approve the plans and specifications for the 2017/18 Shared Use Path Maintenance Program – Stange Road and establish April 3, 2019 as the date of letting and April 9, 2019 as the date for report of bids.
2. Direct Staff to make changes to the project.

MANAGER'S RECOMMENDED ACTION:

This path is being prioritized for maintenance due to user input and growth in the area it serves. The path is in need of replacement to restore the condition of the path for all users and to improve the safety and reliability of this shared use path system.

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

COUNCIL ACTION FORM

SUBJECT: **2017/18 STORM WATER EROSION CONTROL
(KINYON – CLARK SUBDIVISION)**

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 improvements provide a more permanent control of erosion and will reduce recurring maintenance costs in these areas.

This project includes the following improvements and benefits in the Kinyon-Clark area, north of Bloomington Road:

- Stabilize existing stream bank to protect the property of homeowners
- Incorporate resiliency in construction to prevent further erosion of the streambank
- Reduce long-range costs with a self-maintaining channel while avoiding adverse effects on residential property
- Enhance natural aesthetics and native vegetation in the affected reach

On May 8, 2018, a professional services agreement contract with WHKS of Ames, Iowa was approved in an amount not to exceed \$35,100. WHKS and City staff held a project informational meeting with area property owners and residents. Staff also had one-on-one discussions with property owners directly being impacted by the stream erosion to gain input on the project timing, staging and design. Comments received were considered with the project design.

Plans and specifications were completed for this contract with a total estimated construction cost of \$187,901. Engineering and construction administration costs are estimated at \$45,000 bringing the **total estimated costs to \$232,901**. The Storm Water Erosion Control Program is shown in the 2017/18 Capital Improvement Plan with financing of \$475,000 from the Storm Sewer Utility Fund.

ALTERNATIVES:

1. Approve the plans and specifications for the 2017/18 Storm Water Erosion Control (Kinyon – Clark Subdivision) project and establish April 3, 2019, as the date of letting and April 9, 2019, as the date for report of bids.
2. Direct staff to revise the project.

MANAGER'S RECOMMENDED ACTION:

By approving these plans and specifications, it will be possible to stabilize the channel and prevent erosion from migrating closer to the homes in this 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: PUBLIC HEARING AND NOTICE OF INTENT TO ISSUE \$11,880,000 ESSENTIAL CORPORATE PURPOSE GENERAL OBLIGATION BONDS, AND ASSOCIATED TAX LEVY FOR DEBT SERVICE

BACKGROUND:

The FY 2019/20 budget includes a number of General Obligation (G.O.) Bond-funded capital improvements. A public hearing is required to authorize issuance of bonds and the levy of property taxes for debt to be issued. The dollar amounts and corresponding property tax levy for the planned G.O. bond issue are included as part of the FY 2019/20 budget. City Council set March 5, 2019 as the date of the public hearing for issuance of the bonds.

The G.O. Bonds and debt service levy for the FY 2019/20 budget are based on projects listed in the table below. Council authorization will be required at a later date to authorize the sale of the bonds. Bonds are expected to be issued shortly after the start of the new fiscal year.

The Capital Improvements Plan’s 2019/20 G.O. Bond issue includes the following:

City-Wide Radio System	\$1,240,000	
Grand Avenue Extension	2,000,000	
Campustown Improvements	1,000,000	
Cherry Avenue Extension	300,000	
Arterial Street Pavement Improvements	1,600,000	
Bridge Rehabilitation	120,000	
Concrete Pavement Improvements	2,800,000	
Collector Street Pavement Improvements	500,000	
Asphalt Street Improvements	<u>1,000,000</u>	
Subtotal Tax Supported Bonds		\$ 10,560,000
City-Wide Radio System (Abated)	280,000	
ISU Research Park Phase IV (TIF)	<u>314,204</u>	
Subtotal Abated Bonds		<u>\$594,204</u>
Total Bond Funded Projects		\$11,154,204
Issuance Cost and Allowance for Premium		725,796
Grand Total – 2019/20 G.O. Issue		<u>\$ 11,880,000</u>

Please note that in addition to the amount to fund the \$11,154,204 in G.O. Bond-funded capital projects, the not-to-exceed amount for the issuance includes a \$725,796 additional authorization to allow for issuance costs and the option to sell our bonds at a premium over the face value of bonds. This will allow the City to accept an optimum bid with face value of bonds greater than the \$11,154,204 needed to accomplish our projects. In any case, debt will not be issued in an amount where debt service exceeds

the property tax levy included in the proposed budget. The proposed bond issue complies with the Council approved debt policy.

ALTERNATIVES:

1. Hold a public hearing to authorize the issuance of Essential Corporate Purpose General Obligation Bonds in an amount not to exceed \$11,880,000. After the public hearing and approval of the bond issuance, a property tax pre-levy resolution to pay principal and interest on the bonds is required.
2. Reject the action to approve the bond issue and levy of taxes. Rejection of the bond issue and levy of taxes will prevent the City from completing the bond-funded projects reflected in the CIP.

MANAGER'S RECOMMENDED ACTION:

Prior to the issuance of debt, state law requires that a public hearing be held and that a pre-levy resolution be adopted for bonds not yet issued to be repaid from the property tax levy. This is a required step in order to accomplish the Council's approved capital improvements for the upcoming fiscal year.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 thereby, after the public hearing, authorizing the issuance of Essential Corporate Purpose General Obligation Bonds and in an amount not to exceed \$11,880,000.

COUNCIL ACTION FORM

REQUEST: REZONING OF COMMUNITY COMMERCIAL/RESIDENTIAL (CCR) WITH A MASTER PLAN AMENDMENT FOR 1114 SOUTH DAKOTA AVENUE

BACKGROUND INFORMATION:

Dickson and Luann Jensen own a 4.68 acre parcel on the northeast corner of South Dakota Avenue and Mortensen Road that was zoned Community Commercial/Residential (CCR) with a Master Plan August 22, 2017 (Attachment A). The 2017 rezoning with Master Plan approval limited the site to development of commercial trade and office uses with an option for mixed use multiple-family residential development limited to 48 units made up of only one and two bedroom units. The Plan also restricted use of the site for short-term lodging. The Master Plan did not include specific site design parameters. The approved Master Plan is Attachment E.

At a recent meeting with staff, it was pointed out to the applicant that this use is not allowed under the current Master Plan for this site, as Vehicle Service Facilities are listed under the Miscellaneous Use Category and not as a Commercial Trade Use. **The purpose of the proposed amendment to the Master Plan is to amend the permitted uses to allow Miscellaneous Use of Vehicle Service Facilities, including gas stations. The applicant refers to the use as a convenience store.**

At the time of the 2017 rezoning approval, the site was zoned F-PRD and had been used as church for a number of years. The church has been demolished and the site is currently vacant. The 2017 rezoning included a discussion of appropriate zoning options to change from residential to a commercial zone and the general compatibility and desirability of different uses. The condominium owners north of the site had concerns about buffering and certain uses, including short term lodging. The applicant ultimately proposed to develop the site with the master plan limitations on use as were approved. In 2017 there was no discussion of Miscellaneous Uses.

After a preliminary review meeting with the applicant, Staff indicated to the developer that the gas station use is classified as a Miscellaneous Use and would require an amendment to the Master Plan. There are many uses that fall under this category besides Vehicle Service Facilities. A table of uses permitted that fall under the Miscellaneous Use category can be found in Attachment B. Most of the uses would not be considered appropriate for this area based upon the desire for commercial uses that serve the immediate area. **In order to support future compatibility of development in this area, staff is recommending that only the Vehicle Service Station use be added to the Master Plan rather than the entire category of Miscellaneous Uses.**

The developer proposes to maintain the residential use as part of the Master Plan. In CCR

zoning residential development is only allowed when located above non-household living uses. Other commercial buildings with residential above could be built adjacent to the gas station. This would be a relatively close proximity of a use that is typically seen as less desirable for compatibility to residential uses due to the hours of operation, lighting, and traffic levels. There are limited examples of this type of proximity in the city, with the Kum n Go at the corner of Lincoln Way and South Dakota Avenue as the most analogous condition that also has buffering between the uses. However, this site may or may not develop with both uses. Keeping the residential use as a permitted use within the Master Plan allows the developer flexibility for development when marketing the site and is desired as an option by the applicant.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission held a public hearing on February 20th to review the proposed request. The applicant and one neighbor spoke concerning the project and supported the proposed change. The Commission raised concerns regarding the implications of a gas station at this location. Topics concerning potential car and pedestrian conflicts given the number of apartments in the area and the proximity to the middle school, access onto South Dakota, general design of the site given the proximity to the Southwest Gateway Overlay District, and appropriateness of the use situated along arterial streets. **The Planning and Zoning Commission was deadlocked with a 3-3 vote to approve and a 3-3 vote to deny the request due to the current vacancy on the Commission. Ultimately, the Commission voted 5-1 to send the request onto City Council with no recommendation regarding the proposed change.**

ALTERNATIVES:

1. The City Council can approve on first reading of an ordinance to amend the CCR Zoning District with Master Plan for the following use allowances and limitations subject to receipt of an amended zoning agreement by the third reading of the ordinance:
 - a) Vehicle Service Stations (e.g. gas station, car wash, minor auto repair)
 - b) Stand-alone office and commercial trade;
 - c) Maximum of 48 household living apartments with office or commercial trade uses below, not to exceed two bedrooms per unit; and
 - d) Prohibit Short-Term Lodging

2. The City Council can approve an amendment to the CCR Zoning District with Master Plan to allow the following uses subject to receipt of an amended zoning agreement for the following uses:
 - a) Miscellaneous Uses
 - b) Stand-alone office and commercial trade;
 - c) Maximum of 48 household living apartments with office or commercial trade uses below, not to exceed two bedrooms per unit; and
 - d) Prohibit Short-Term Lodging

3. The City Council can deny the addition of Miscellaneous Use/Vehicle Service Facility as a permitted use within the Master Plan for the site.

CITY MANAGER'S RECOMMENDED ACTION:

As noted in the attached addendum, the proposed rezoning is consistent with the Land Use Policy Plan land use designations and policies. A Community Commercial Node is shown on the LUPP map at the interchange with Highway 30 that is south of the site. The CCR Node was created to provide for large scale commercial uses to serve west Ames and the Southwest Growth Area. CCR, Community Commercial/Residential zoning is intended to create clustered development as compared to strip commercial development. The existing zoning and master plan allow for the site to be developed in a consistent manner of the CCR node. The addition of Vehicle Service Station use, will allow for a gas station to be developed along with other allowed uses under the Master Plan and still maintain a development that is compatible with surrounding development.

Development of a gas station would not use the entire 4.6 acres included in the Master Plan, providing room for other permitted uses to be developed. Issues such as vehicle trips, access and auto and pedestrian movement would be evaluated through the Minor Site Development Plan review and approval process. Therefore, staff is recommending to add the specific use type Vehicle Service Station as allowable. **Therefore, it is the recommendation of the City Manager that the City Council supports Alternative #1, which is to approve the Master Plan amendment subject to the four allowances/limitations listed above and receipt of an amended zoning agreement.**

ADDENDUM

Existing Land Use Policy Plan. As stated in the August 2017 rezoning report, the LUPP designation of the subject site is Low Density Residential with a Community Commercial Node shown at the interchange with Highway 30 that is south of the site. This area is also with the Gateway Protection area associate with Highway 30/South Dakota interchange as a gateway into the community.

The CCR Node was created to provide for large scale commercial uses to serve west Ames and the Southwest Growth Area. The LUPP also identifies the Highway 30 interchange as warranting aesthetic enhancement as a gateway to the City. At the time of the adoption of the 1997 LUPP, there was minimal development in west Ames and no commercial development. Two commercial zones are options for implementation of the CCR Node. The two zones are the Convenience Commercial Node and Community Commercial/Residential. Each of the zones permit a wide range of trade and office uses, with the principal difference being that CCR permits mixed use residential. Both Node zoning choices were intended to create clustered development as compared to strip commercial development typically associated with Highway Oriented Commercial zoning.

The CCR Node is intended to encompass between 40 and 75 acres and 100,000-800,00 gross square feet of commercial development. The gross area of this Southwest CCR Node with CCN zoning and CCR zoning is 57 acres. While a square foot total was not calculated, some of the existing development is not made up of commercial uses intended to serve the community, e.g. the Iowa State Women's Basketball Complex. The acreage and potential square footage of this site is not inconsistent with the expectations of the LUPP due to current mix of uses in the area and the underdevelopment of commercial square footage.

When determining consistency of a rezoning with the Land Use Policy Plan, it must be consistent with the Land Use Policy Plan Land Use Map as well as other policies of the Plan. Nodes are meant to be a general depiction of land use intent and overlay other land use designations. This means that although the land use designation is Low Density Residential, a change to commercial zoning can be found to be consistent with the LUPP because of the Node. This is similar to the existing commercial zones in this area that all have a residential land use designation, even though they are developed as commercial properties. Applying the Gateway Overlay to the property could also be found consistent with the LUPP.

Existing Zoning. The site is zoned Community Commercial/Residential with a Master Plan. CCR zoning district was created and applied to this area in response to the already approved mixed use developments. CCR zoning was modified in 2008 to clarify that household living is only allowed above a non-residential use and cannot be permitted above short term lodging that occurred within part of the West Towne Condominiums project. The area to the south of the subject site is zoned RH, Residential High Density. An excerpt of the zoning map can be found in Attachment A.

Existing Uses of Land. Land uses that occupy the subject property and other surrounding properties are described in the following table:

Direction from Subject Property	Existing Land Uses
Subject Property	Vacant
North	Willow Creek Estates Condominiums
East	University West Apartments
South	Coconino Place and University West Apartments
West	Commercial/Vacant

Master Plan. The City Council has the authority to require a Master Plan for a rezoning if the area will contain more than one type of residential dwelling unit and be developed phases or if Council determines that more careful consideration should be given to how the layout and design of a site affect surrounding areas. (Section 29.1507(3)(b)(i) and (iv). City Council can address both uses and layout of a site with a master plan. Staff worked with the developer to approve a Master Plan that allowed office and commercial uses, limited residential development to 48 apartments, and prohibited short term lodging to provide certainty on the type of development. Staff feels that the addition of the use, Vehicle Service Station will still maintain that certainty of development. It is also a type of use that is targeted to serving the commercial needs of the general area.

Apartment Matrix. The matrix used to evaluate apartment locations was included with the original rezoning in 2017. The matrix remains unchanged. This is a location where residential may be acceptable in a small quantity since a high amount of high to medium density residential exists in the surrounding area. It may be a desired housing type but not a necessary housing type in this area from staff's prior evaluation. The unique consideration of housing on the site is the compatibility with the commercial uses themselves, there are some potential land use conflicts internally between the proposed uses without proper site planning for separation and buffering.

Infrastructure. Sanitary sewer and water connections are readily available, as are electric services. The site is within the sanitary sewer service area that is known to be at or near capacity with the full development of properties to the west. Depending on timing of the development of this site and the intensity of proposed development, the City may require a sanitary sewer evaluation to confirm downstream capacity for uses that result in a substantial increase in effluent.

The inclusion of a vehicle service facility expands the commercial development options for the site. Gas stations with C-stores are a high trip generating use within commercial zones. The City's traffic engineer estimates the peak pm peak hour trip counts for the in and out access to the site would average 276 trips based upon a 12 fueling station concept. Other variables in the potential trip generation include size of the C-store building itself. The 276 trips do no account for other commercial development that could occur on the site in addition to the vehicle service facility use.

The intersection of Mortenson Road and South Dakota is a large multi-lane arterial intersection that has fully signalized and controlled turning movements. Under current conditions the intersection performs consistent with the City's Level of Service (LOS) standards with LOS C. The most recent analysis was in 2017 with the Trinitas project traffic study. The study calculated existing conditions in 2017 as morning operations at Level of Service (LOS) B and evening peak hour operations at LOS C. **Development of the site will likely affect traffic patterns through the intersection as the customers access and leave the site, however, staff does not anticipate significant changes to the signal operations with development of the site based upon the prior LOS calculations.**

Access. Today, access to the site is available from both Mortensen Road and South Dakota Avenue. From preliminary review by the City's traffic engineer, access to the site will be restricted with future development. With two full access driveways, staff would anticipate a roughly even split in driveway traffic for the vehicle service facility component. Full turning movements (left and right) from South Dakota may be permitted with a driveway moved to north property line from its current location. Full turning movements from Mortenson into the site will be restricted to the middle of the site or further east due to the presence of a turning lane on Mortenson. Site access and turning movement effects may be evaluated in greater detail at the time of site development.

Applicant's Statements. The applicant has provided an explanation of the reasons for the amendment to the Master Plan in Attachment C.

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

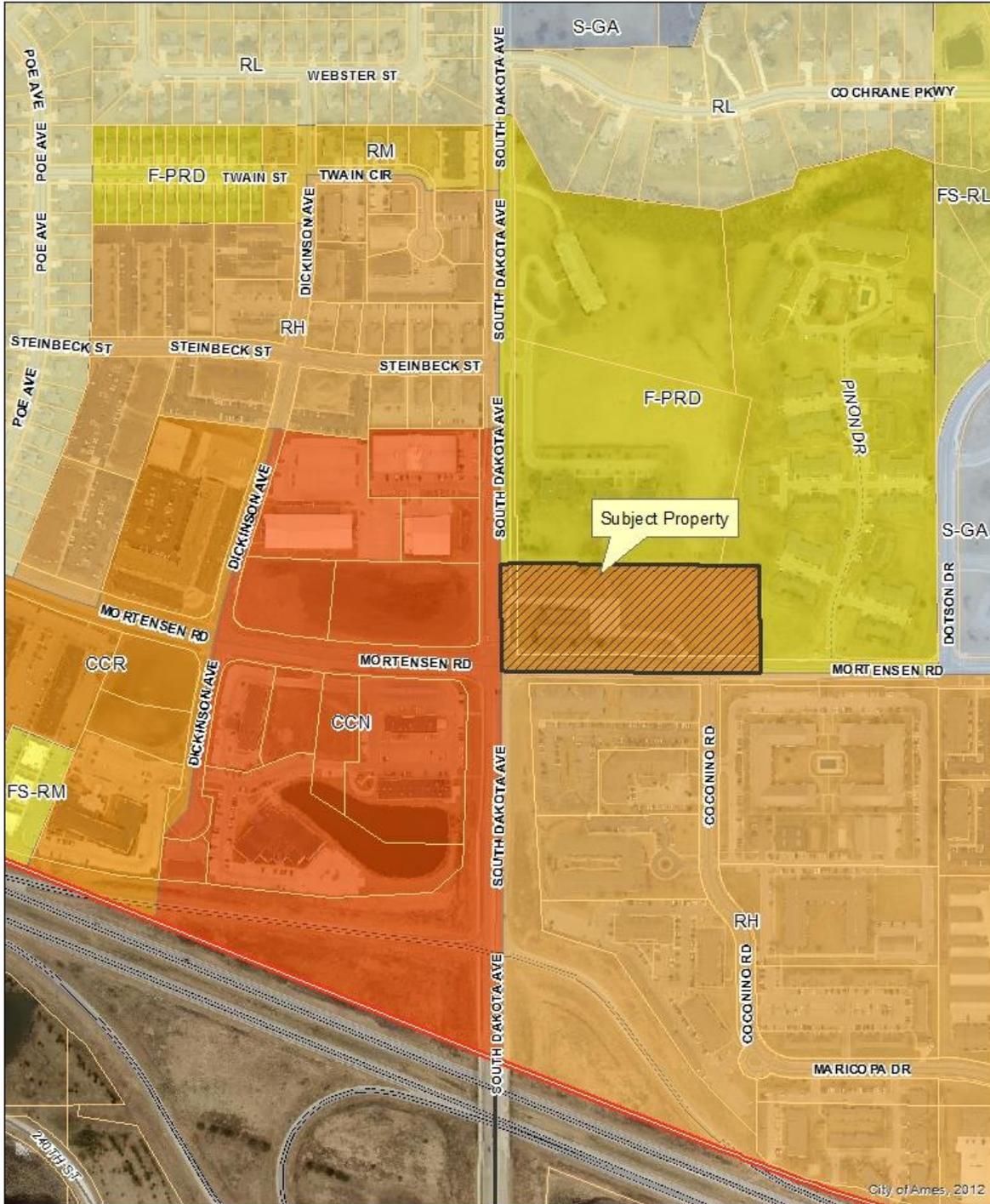
1. Ames *Municipal Code Section 29.1507(2)* allows owners of 50 percent or more of the area of the lots in any district desired for rezoning to file an application requesting that the City Council rezone the property. The property represented by the applicant is entirely under one ownership representing 100 percent of the property requested for rezoning.
2. The subject property has been designated on the Land Use Policy Plan (LUPP) Future Land Use Map within the service area of a Community Commercial Node.
3. The "Community Commercial Node" land use designation supports the "CCR, Community Commercial/Residential zoning designation. Under the "CCR" zoning designation, all of the proposed development options are allowed.
4. The proposed Master Plan identifies a mix of uses that supports a commercial rezoning and includes appropriate limits on the use and arrangement of the site to provide predictable and compatible development patterns.
5. Infrastructure is currently adequate to serve the site.

Public Notice. Notice was mailed to property owners within 200 feet of the subject site and a sign was posted on the subject property. The notice distance was expanded to

include the 700 address range of the abutting Willow Creek Condominiums. As of this writing, no comments have been received. During the initial rezoning process in 2017 the applicant did meet with the adjacent property owners to the north. The developer has been in contact with them since then and provided updates on the status of the potential development of this site. The developer will meet with members of the Willow Creek Condominiums prior to the Planning & Zoning Commission meeting.

Conclusions. Based upon the analysis in this report, staff concludes that the proposed amendment to the Master Plan of the subject property is consistent with the Future Land Use Map, as well as the Goals and Objectives of the City of Ames Land Use Policy Plan.

Attachment A: Location and Current Zoning



1114 S Dakota Avenue



Attachment B: Miscellaneous Use Categories

Accessory Uses

Wireless communication transmission building

Rail Lines and Utility Corridors

Definition. Railroad tracks and lines for the movement of trains on land owned or leased by the railroad. This category also includes public or private passageways, excluding easements, for the express purpose of transmitting or transporting electricity, gas, oil, water, sewage, communication signals, or other similar services on a regional level.

Exceptions: Railroad lead and spur lines for delivery of rail cars on specific sites are classified as accessory to the Principal Use of the site. Rail lines and utility corridors that are located within motor vehicle rights-of-way are not included. Railroad yards

Uses Included

Rail trunk and feeder lines
Regional electrical transmission lines
Regional gas and oil pipelines

Railroad Yards

Definition. Areas with multiple railroad tracks used for rail car switching, assembling of trains.

Exception: Facilities for the transshipment of goods from other transportation modes to trains are classified as Warehouse and Freight Handling.

Accessory Uses

Offices, employee facilities, storage areas, and rail car maintenance and repair facilities.

Table 29.501(4)-7

MISCELLANEOUS USE CATEGORIES

Adult Entertainment Facilities

Definition. Establishments including bookstores, bars, restaurants, movie theaters, and arcades where films are shown, or videotapes, magazines, books, or other printed matter are sold, or live performances take place, that are characterized by an emphasis upon the depiction or exposure of Specified Sexual Activities or Specified Anatomical Areas. Massage parlors where services are not administered by a licensed medical practitioner, chiropractor, acupuncturist, therapist or similar person licensed by the state are also included in this Use Category.

Uses Included

Adult motion picture arcades
Adult bookstores
Adult cabarets
Adult motion picture theaters
Adult theaters
Bars featuring "topless" or "exotic" dancers or striptease performances
Massage parlors

Agricultural and Farm Related Activities

Definition. Establishments primarily engaged in supplying soil preparation services, crop services, landscaping, horticultural services, veterinarian and other animal services, and farm labor and management services.

Uses Included

Farms
Stables

Accessory Uses

Seed sales and sale of other farm produce

Commercial Outdoor Recreation

Definition. Large, generally commercial facilities, that provide continuous or seasonal recreation or entertainment-oriented activities. They generally take place outdoors or may take place in a number o structures that are arranged together in an outdoor setting.

Exceptions. Golf courses and botanical gardens/arboretums are classified as Parks and Open Space. Uses that draw large members of people to periodic events, rather than on a continuous basis, such as stadiums and amphitheaters, are classified as Major Event Entertainment.

Uses Included

- Amusement parks
- Beach clubs
- Campgrounds (private)
- Golf driving ranges
- Miniature golf facilities
- Zoos

Accessory Uses

Accessory uses may include concessions restaurants, caretakers' quarters, and maintenance facilities.

Detention Facilities

Definition. Facilities for judicially required detention or incarceration of people. Inmates and detainees are under 24-hour supervision by sworn officers, except when on an approved leave.

Exception. Programs that provide transitional living experience for former offenders, such as halfway houses, where residents are not supervised by sworn officers, are classified as Group Living.

Uses Included

- Alternative incarceration centers
- Jails
- Juvenile detention homes
- Probation centers

Accessory Uses

Offices, recreational and health facilities, therapy facilities, maintenance facilities, and hobby and manufacturing activities.

Major Event Entertainment

Definition. Activities and structures that draw people to spectate or participate at specific events or shows.

Exception: Motion picture theaters, including drive-in theaters, are classified as Entertainment, Restaurant and Recreations Trade.

Uses Included

- Auditoriums
- Bazaars and carnivals
- Coliseums
- Exhibition and meeting areas (more than 20,000 sf)
- Fairgrounds
- Sports arenas
- Stadiums

Accessory Uses

Restaurants, bars, concessions, and maintenance facilities

Vehicle Service Facilities

Definition. Either of the following subcategories of uses:

Vehicle service Stations. Any use where gasoline and other petroleum products are sold and/or light maintenance activities such as engineer tuneups, lubrication, minor repairs, and carburetor cleaning is conducted. Service station uses shall not include premises where heavy automobile maintenance activities such as engine overhauls, automobile painting, and body fender work are conducted.

Vehicle Repair Facilities. Businesses servicing passenger vehicles, light and medium trucks and other consumer motor vehicles such as motorcycles, boats and recreational vehicles, including premises where heavy automobile maintenance activities such as engine overhauls, automobile painting and body fender work are conducted.

Exception: Repair and service of industrial vehicles and equipment and of heavy trucks, towing and vehicle storage, and vehicle wrecking and salvage are classified as Industrial Service.

Uses Included

Vehicle Service Station Uses:

- Car washes
- Publicly and privately owned vehicle emission test sites
- Gas stations
- Minor auto repair and tire sales
- Quick lubrication services

Vehicle Repair Facility Uses:

- Auto body shops
- Auto detailing shops
- Auto upholstery shops
- Tire sales and mounting shops
- Transmission or muffler shops
- Vehicle repair shops

Accessory uses

Offices, sales of parts, and vehicle storage

Solar Energy Conversion

Definition. The use of Solar Energy Systems for the collection, inversion, storage, and distribution of solar energy for electricity generation, space heating, space cooling or water heating; primarily for use on-site as an accessory use to the principal use pursuant to Section 29.1309.

(Ord. No. 4013, 11-10-09)

Sports Practice Facilities

Definition. An indoor facility dedicated solely to the training and development of sports teams. Uses shall not include the playing of scheduled games, matches, championships, or tournaments. The facility may have limited observation seating for family and associates of the players who wish to watch the practice, but it is not open to the public; nor is the facility used for other assembly-type uses when not otherwise used for sports practice. The facility may also include ancillary offices.

Wind Energy Conversion

Definition. The use of Wind Energy Systems for the conversion of the power of wind into electrical energy primarily for on-site as an accessory use to the principal use pursuant to Section 29.1310.

(Ord. No. 4040, 6-22-10)

(Ord. No. 3993, 06-16-09)

Attachment C: Updated Applicant's Statement

1114 S. Dakota Rezoning Application Checklist

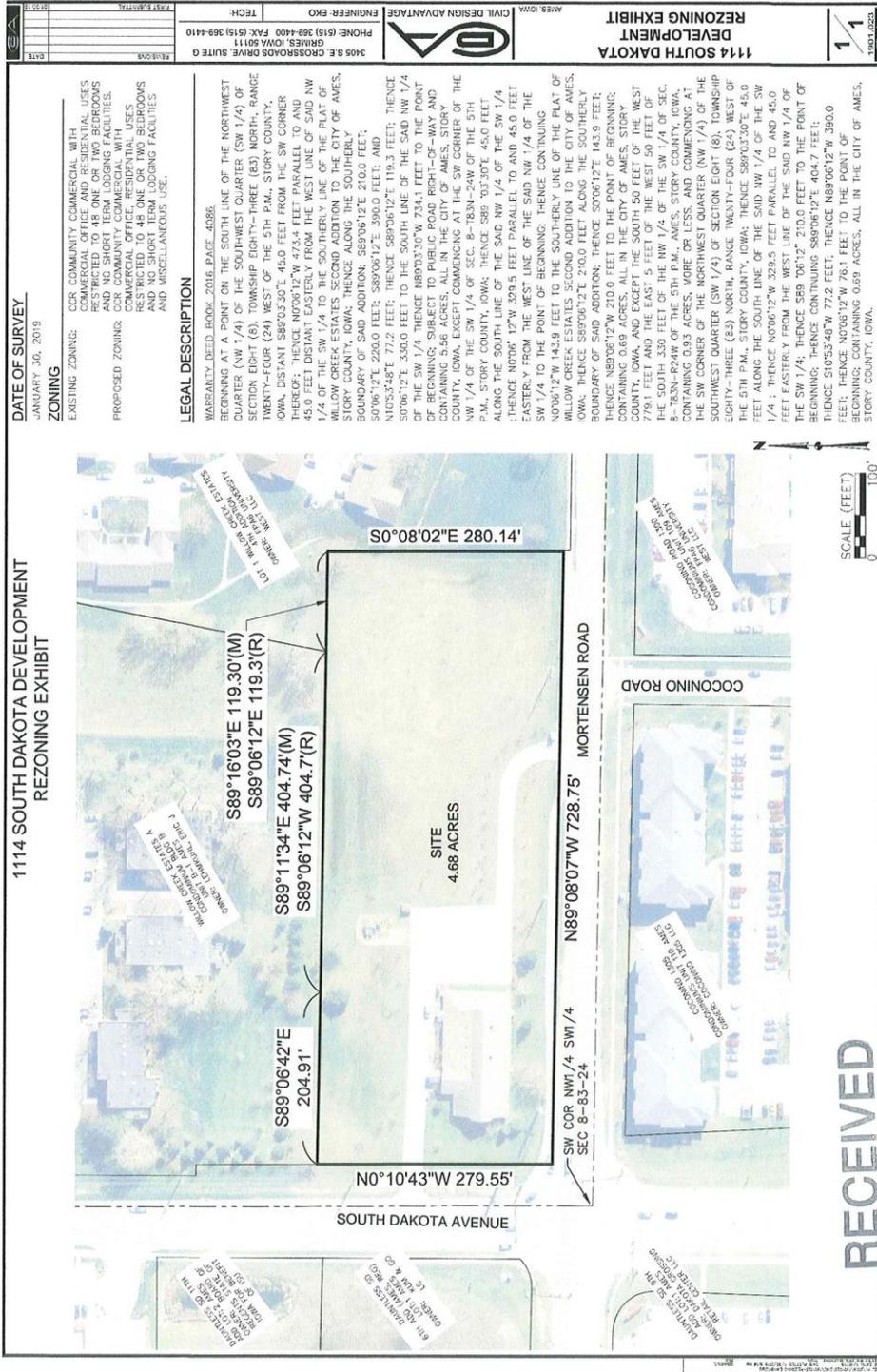
1. *Reason for requesting rezoning:* Requesting an amendment to the Master Plan approved summer 2017. At the time of rezoning, the applicant had understood a neighborhood convenience store to be under the commercial use. Through a DRC meeting it was discovered that a neighborhood convenience store falls under the "Miscellaneous Use." This Master Plan amendment would facilitate an allowable use and initiate a substantial investment of an Iowa owned convenience store operator.
2. *Consistency of this zoning with the Land Use Plan:* The subject property has been identified as having flexible commercial/residential uses in an underserved area of the Ames community. The property is in the exact vicinity of the commercial node as identified by the Future Land Use Plan. Modern planning would see a neighborhood convenience store as a preferred and logical land use.
3. *Current Zoning:* CCR Community Commercial/Res Node
4. *Proposed Zoning:* CCR Community Commercial/Res Node WITH Miscellaneous Use as an allowable use for the master plan. The previous uses and restrictions would still apply.
5. *Proposed Use:* Specifically it would be for a Miscellaneous Use--which would allow for a Neighborhood Convenience Store
6. *Complete Legal Description:* Attached
7. *Land Area:* 4.68 Acres
8. *MAP:* Attached

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JAN 31 2019

CITY OF AMES, IOWA
DEPT. OF PLANNING & HOUSING

Attachment D: Proposed Master Plan Exhibit



1114 SOUTH DAKOTA DEVELOPMENT REZONING EXHIBIT

CIVIL DESIGN ADVANTAGE
ENGINEER: EKO
PHONE: (515) 269-4400 FAX: (515) 969-4410
3405 E. CROSSROADS DRIVE, SUITE G AMES, IOWA

DATE OF SURVEY: JANUARY 30, 2019

ZONING: CR COMMUNITY COMMERCIAL WITH MIXED USE, RESTRICTED TO 48 ONE OR TWO BEDROOMS AND NO SHORT TERM LODGING FACILITIES. PROPOSED ZONING: CR COMMUNITY COMMERCIAL WITH MIXED USE, RESTRICTED TO 48 ONE OR TWO BEDROOMS AND NO SHORT TERM LODGING FACILITIES AND MISCELLANEOUS USE.

LEGAL DESCRIPTION: WARRANTY DEED, BOOK 2018, PAGE 4086. BEGINNING AT A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION EIGHT (8), TOWNSHIP EIGHTY-THREE (83) NORTH, RANGE TWENTY-FOUR (24) WEST OF THE 5TH P.M., STORY COUNTY, IOWA, DISTANT S89°03'30"E 45.0 FEET FROM THE SW CORNER HEREIN; THENCE N0°06'12"W 473.4 FEET PARALLEL TO AND 45.0 FEET WEST OF THE SOUTHERLY LINE OF THE PLAT OF 1/4 OF THE SW 1/4 TO THE SOUTHERLY LINE OF THE PLAT OF MLOW CREEK ESTATES SECOND ADDITION TO THE CITY OF AMES, STORY COUNTY, IOWA; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID ADDITION; S89°06'12"E 210.0 FEET; S0°06'12"E 226.0 FEET; S89°06'12"E 396.0 FEET; AND N10°53'48"E 77.2 FEET; THENCE S89°06'12"E 119.3 FEET; THENCE S0°06'12"E 330.0 FEET TO THE SOUTH LINE OF THE SAID NW 1/4 OF THE SW 1/4; THENCE N89°03'30"W 734.1 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE SOUTHERLY LINE OF SAID ADDITION; S89°06'12"E 45.0 FEET; S0°06'12"E 45.0 FEET; THENCE N89°06'12"W 210.0 FEET TO THE POINT OF BEGINNING; CONTAINING 0.69 ACRES, ALL IN THE CITY OF AMES, STORY COUNTY, IOWA, AND EXCEPT THE SOUTH 50 FEET OF THE WEST 779.1 FEET AND THE EAST 5 FEET OF THE WEST 50 FEET OF THE SOUTH 330 FEET OF THE NW 1/4 OF THE SW 1/4 OF SEC. 8--183N--24W OF SEC. 8--183N--24W OF THE SW 1/4 OF THE SW 1/4 OF SEC. 8--183N--24W OF THE 5TH P.M., STORY COUNTY, IOWA; THENCE S89°03'30"E 45.0 FEET ALONG THE SOUTH LINE OF THE SAID NW 1/4 OF THE SW 1/4; THENCE N0°06'12"W 329.5 FEET PARALLEL TO AND 45.0 FEET EASTERLY FROM THE WEST LINE OF THE SAID NW 1/4 OF THE SW 1/4; THENCE S89°06'12"E 210.0 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S89°06'12"E 404.7 FEET; THENCE S10°53'48"W 77.2 FEET; THENCE N89°06'12"W 390.0 FEET; THENCE N0°06'12"W 76.1 FEET TO THE POINT OF BEGINNING; CONTAINING 0.69 ACRES, ALL IN THE CITY OF AMES, STORY COUNTY, IOWA.

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JAN 31 2019

CITY OF AMES, IOWA
DEPT. OF PLANNING & HOUSING

ORDINANCE NO. _____

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

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

Section 1: The Official Zoning Map of the City of Ames, Iowa, as provided for in Section 29.301 of the *Municipal Code* of the City of Ames, Iowa, is amended by changing the boundaries of the districts established and shown on said Map in the manner authorized by Section 29.1507 of the *Municipal Code* of the City of Ames, Iowa, as follows: That the real estate, generally located at 1114 South Dakota, is rezoned from Community Commercial/Residential (CCR) to Community Commercial/Residential (CCR) with an amended Master Plan.

Real Estate Description: Beginning at a point on the south line of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of Section Eight (8), Township Eighty-three (83) North, Range Twenty-four (24) West of the 5th P.M., Story County, Iowa, distant S89°03'30"E 45.0 feet from the SW Corner thereof; thence N0°06'12"W 473.4 feet parallel to and 45.0 feet distant easterly from the west line of said NW ¼ of the SW ¼ to the southerly line of the plat of Willow Creek Estates Second Addition to the City of Ames, Story County, Iowa; thence along the southerly boundary of said Addition: S89°06'12"E 210 feet; S0°06'12" 220.0 feet; S89°06'12"E 390.0 feet; and N10°53'48"E 77.2 feet; thence S89°06'12"E 119.3 feet; thence S0°06'12" 330.0 feet to the South line of the said NW ¼ of the SW ¼; thence N89°03'30"W 734.1 feet to the point of beginning; subject to public road right-of-way and containing 5.56 acres, all in the City of Ames, Story County, Iowa, *except* Commencing at the SW Corner of the NW ¼ of the SW ¼ of Sec. 8-T83N-24W of the 5th P.M., Story County, Iowa; thence S89°03'30"E 45.0 feet along the south line of the said NW ¼ of the SW ¼; thence N0°06'12" 329.5 feet parallel to and 45.0 feet easterly from the west line of the said NW ¼ of the SW ¼ to the point of the beginning; thence continuing

N0°06'12"W 143.9 feet to the southerly line of the plat of Willow Creek Estates Second Addition to the City of Ames, Iowa; thence S89°06'12"E 210.0 feet along the southerly boundary of said Addition; thence S0°06'12"E 143.9 feet; thence N89°06'12"W 210.0 feet to the point of beginning; containing 0.69 acres, all in the City of Ames, Story County, Iowa, **and except** The South 50 feet of the West 779.1 feet and the East 5 feet of the West 50 feet of the South 330 feet of the NW ¼ of the SW ¼ of Sec. 8-T83N-R24W of the 5th P.M., Ames, Story County, Iowa, containing 0.93 acres, more or less, **AND** Commencing at the SW Corner of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of Section Eight (8), Township Eighty-three (83) North, Range Twenty-four (24) West of the 5th P.M., Story County, Iowa; thence S89°03'30"E 45.0 feet along the south line of the said NW ¼ of the SW ¼; thence N0°06'12"W 329.5 feet parallel to and 45.0 feet easterly from the west line of said NW ¼ of the SW ¼; thence S89°06'12"E 210.0 feet to the point of beginning; thence continuing S89°06'12"E 404.7 feet; thence S10°53'48"W 77.2 feet; thence N89°06'12"W 390.0 feet; thence N0°06'12"W 76.1 feet to the point of beginning; containing 0.69 acres, all in the City of Ames, Story County, Iowa.

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

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

ADOPTED THIS _____ day of _____, _____.

Diane R. Voss, City Clerk

John A. Haila, Mayor



MEMO

Item No. 15

To: The Mayor and Members of the Ames City Council
From: Sara Van Meeteren, Building Official
Date: March 1, 2019
Subject: Transitional Letters of Compliance

The South Campus Area Neighborhood (SCAN) emailed Council on January 10, 2019 with some concerns and suggestions regarding the administration of Transitional Letters of Compliance. Council made a motion at the January 15, 2019 Council Meeting requesting a memo from staff in response to the email. On February 26, 2019, the Council asked that this item be placed on a future agenda for discussion.

Prior to the 2018 Rental Code changes, the Transitional Letter of Compliance language read:

13.301(10) Transitional Letter of Compliance.

A Transitional Letter of Compliance may be issued for a property which the owner is seeking to rent, if all of the following conditions apply:

- a) After initial inspection, it is determined that the property is not in compliance with the Rental Housing Code provisions; and*
- b) There are no life safety code violations present that constitute an immediate danger to occupants; and*
- c) One of the following shall exist:*
 - i. The unit is to be used for less than a year as a rental unit; or*
 - ii. The unit is for sale and rental is temporary until sale occurs; or*
 - iii. The unit was previously a registered rental unit and is in the process of being brought into code compliance.*

A Transitional Letter of Compliance (LOC) shall be in effect for a maximum of one year.

At the April 10, 2018 Council Meeting, Councilman Martin made the following motion:

Direct staff to prepare an Ordinance to allow for a one-year Transitional license as currently done and can have multiple of them separated by 12 months and each owner of the property would be eligible for one occurrence of a two-year period of Transitional license.

That motion carried unanimously and there was no further direction in regards to additional criteria. Staff drafted the motion into ordinance format and presented to Council for their approval on April 24, 2018.

The final reading for the additional language was approved on May 22, 2018. The approved language states:

A Transitional Letter of Compliance (LOC) shall be in effect for a maximum of one year and is renewable for a period of time not to exceed one additional year. Each property is eligible for only one Transitional LOC renewal per property ownership. No new Transitional LOC will be issued until one year has elapsed between Transitional LOCs. If a property is acquired by a new owner, the new owner is eligible for Transitional LOC without regard to the prior owner having obtained a Transitional LOC.

The renewal of a Transitional LOC only applies to the second year extension. A Transitional LOC acquired after the one year break is considered a new Transitional LOC. This language applies to all properties regardless of their location within a capped neighborhood.

SCAN listed the following items in their January 10, 2019 email that they perceive to be problems with the Transitional LOC ordinance:

- 1.) **There is no provision that, if a property is deemed to be an illegal rental, it is ineligible for a Transitional LOC.**
- 2.) **There is currently no requirement that the property be the primary residence of the applicant.** If it isn't a primary residence, then the property is most likely either illegal or parent-owned. A parent-owned home, which, in capped neighborhoods, previously could only accommodate a child and one roommate, can obtain a Transitional LOC and house up to 5 adults (depending on number of bedrooms.) This circumvents the cap and makes it much more economically feasible to purchase these homes for student-children.
- 3.) **A "new" owner can apply for a Transitional LOC without the required one-year gap for a single owner to re-apply.** In the absence of a primary residence requirement, long-term circumvention of the rental cap is now possible. The property can be "sold" every two years among members of a family or group of investors.

The bold text in the list above indicates true statements. There are currently no criteria that prohibit rentals that were potentially being operated illegally or that are not the owner's primary residence from being eligible for a Transitional Letter of Compliance.

In response to the problems identified above, SCAN has recommended the following solutions in their email:

- 1.) Illegal rentals should be prohibited from obtaining a Transitional LOC. An investigation must be conducted prior to accepting an application.
- 2.) A Transitional Letter of Compliance applicant must demonstrate that the property is the owner's primary residence.

In determining whether or not text amendments to this Code section are necessary, Council should keep in mind that this section applies city-wide and is not limited to the Percentage Cap Neighborhoods. There may be instances in which the above mentioned solutions hinder an owner's ability to rent while determining what to do with the property. For instance, Inspections receives a report of an un-registered rental. After making contact with the owner, they find that the owner isn't sure he can afford to comply with the Rental Code or that he wants to be a permanent rental. In this situation, he would have no option but to vacate the property and put it up for sale. The temporary LOC buys him time to determine how he wants to proceed.

Another situation to consider would be when a parent buys a property for their child that will be attending Iowa State in a year. Since the child can live in the property without registering it, there's no reason for the owners to comply with the rental code. Without the Transitional Letter of Compliance, the owners would have to let the house sit empty until their child moved in.

Problem 3 in SCAN's list of issues highlights a loophole in which an owner could sell the property to a family member or an LLC and gain another two years. However, the primary residence requirement may not prohibit this situation. For example, John Doe has a Transitional Letter of Compliance on a three bedroom house. He resides in the home with two roommates. The property is required to be registered, but it is still John's primary residence. In two years, John sells the property to John Doe LLC, which he is the owner of, creating a new owner and allowing for an additional two year Transitional Letter of Compliance. **It may be possible to close this loophole by adding language that prohibits consecutive Transitional Letters of Compliance.**

STAFF COMMENTS:

The City Council first will need to determine if text amendments are desired to rectify the problems identified by SCAN. Second, if text amendments are sought, the Council should decide if the focus should be on the Percentage Cap Neighborhoods only.

In addition, the State Legislature is considering SSB 1212 which would prohibit a city from adopting or enforcing a regulation, restriction, or other ordinance related to residential property rental permit caps on single-family homes or duplexes. How this legislation will impact this issue should it pass is yet to be determined.

MEMO

Legal Department

Item No. 16

To: Mayor & City Council

From: Mark O. Lambert, City Attorney

Date: March 1, 2019

Subject: Procedural issue re: vote on Howell application for Property Sale Hardship Exception.

There was a procedural error in the handling of the vote on the Property Sale Hardship Exception request by Robert Howell, which the Council considered at the last Council meeting, on Tuesday, February 26, 2019.

First a vote to deny the application was made, which was defeated on a 3-3 vote.

Then a vote to approve the application was made. The Council vote was 3-3. Thinking it was a Motion, and relying on incorrect advice from me in that regard, the Mayor voted in favor, thereby breaking the tie.

The problem is, the vote should have been handled as a Resolution. The Mayor can break a tie on a Motion, but has cannot cast a vote on a Resolution.

The Council needs to revisit this situation. The fact is that it should have been a Resolution, which was consistent with how other such matters have been handled in the past. The Council has always approved quasi-judicial matters by Resolution. A Resolution would also result in a formal document from the City to the property owner, which doesn't happen in the case of a motion (except for, perhaps, a copy of the minutes).

A roll call vote was taken, which is the proper type of vote for a Resolution. A Motion is typically a voice vote.

I don't think it's as easy as just saying let's do a new vote. The vote took place, and I think we have to acknowledge that. The vote was, in reality, a Resolution, and the vote was taken by roll call, like we do with Resolutions. The solution to this procedural problem is to recognize that a vote was taken, it was a Resolution, not a Motion, and therefore the Mayor's vote doesn't count, which means it was a 3-3 vote, and the Resolution to approve the exception failed.

My advice is that we acknowledge at the Tuesday, March 5, 2019 Council meeting that the vote took place, and that as it stands now, the Howells' application for the exception was not granted because of the tie (3-3) vote. If the Council feels that they should vote again on the matter, a council member on the prevailing side (a "no" vote in this case) can move to reconsider the vote. If the motion to reconsider passes, a new vote can be taken on the application.

The Howells have been notified of the procedural issue with this vote, and are being provided a copy of this memo.

In the future, we will take steps to identify in advance, on matters like this, whether the action is a Resolution or Motion, and make sure that is noted in the Council Action Form or on the Agenda.

#

COUNCIL ACTION FORM

SUBJECT: **HOMWOOD GOLF COURSE CLUBHOUSE DESIGN**

BACKGROUND:

The current Homewood Golf Course clubhouse is a converted home that was moved to its current location in 1967. In FY 2017/18 the City Council allocated \$50,000 for the design of a new facility and \$750,000 in FY 2018/19 for construction. The architect/engineer's initial project cost estimate is \$1,089,462 which includes design fees and other soft costs. As a result of this estimate, the City Council approved an additional \$250,000 from the General Fund balance for this project, bringing the total funding for the clubhouse project to \$1,050,000.

Staff has contracted with Design Alliance, Waukee, Iowa for \$50,000 to design the new clubhouse. The project principal architect for Design Alliance is a LEED Accredited Professional. A rendering of the clubhouse design is shown in Attachment A and the floor plan for the basement and first floor can be seen in Attachment B. The current timeline is to bid the project in March, start construction in late summer, and have the clubhouse operational in April 2020.

Through the design process, decisions have been made to make the new clubhouse as energy efficient as possible. For example, geothermal heating and cooling is part of the design. This has been done with City Council's sustainability goal in mind, however, getting LEED certified has not been the focus.

LEED DEFINED:

According to the U.S. Green Building Council (USGBC) website, LEED, or Leadership in Energy and Environmental Design, is the most widely used green building rating system in the world. Available for virtually all building, community and home project types, LEED provides a framework to create healthy, highly efficient and cost-saving green buildings. LEED certification is a globally recognized symbol of sustainability achievement. Projects pursuing LEED certification earn points across several categories, including energy use and air quality. Based on the number of points achieved, a project can earn one of four LEED rating levels: Certified, Silver, Gold or Platinum. The number of points needed, out of 110 possible, for each level is shown below:

- Certified (40-49 points earned)
- Silver (50-59 points earned)

- Gold (60-79 points earned)
- Platinum (80+ points earned)

There have been different versions of LEED certification requirements and the most recent version is LEED v4. Since the first certification in 2000, the requirements have become more difficult to attain. The reason for this is some items that points were awarded for early on are now standard industry practice and/or have become LEED prerequisites. Because of this, USGBC continues to strive for new and innovative practices to be part of the certification process.

There are several categories to identify projects and the clubhouse would fall into the Building Design and Construction (BD+C) New Construction category. Each category may have different criteria based on the type of building it is. For example, a healthcare facility may have different criteria than a commercial facility.

LEED certification involves two steps. The first is the registration process and the second is the certification process. Generally, the registration of a project happens prior to design so the design team understands what is needed and can design accordingly. LEED also assigns an individual to the project to ensure criteria are being met. The certification process is done at the end as the project owner submits the project for certification.

The City has several facilities either LEED certified or currently being evaluated. These are shown below:

Facility	Category	Version	Level	Points Earned	Points Possible
CyRide Office Addition	BD+C: New Construction	v2.2	Gold	39	69
Ames Public Library	BD+C: New Construction	v3	Gold	60	110
Ames Water Treatment Plant	BD+C: New Construction	v3	In Progress	TBD	110
CyRide Bus Expansion	BD+C: New Construction	v3	In Progress	TBD	110
Ames Intermodal Facility	BD+C: New Construction	v3	Certified	43	110

LEED certifications are good for the life of the building and designate the building was designed and constructed to LEED standards. A plaque can be purchased designating the certification level achieved which can be displayed within the facility. The project is also listed on the USGBC website.

LEED EVALUATION OF CURRENT DESIGN AND POTENTIAL IMPLICATIONS:

Design Alliance evaluated the current design based on LEED standards and categorized the possible points into three categories:

- Yes** – These include items already in the current design or could be added to the design with minimal additional design and construction cost.
- Maybe** – Items in this category may be achieved at additional design and construction cost.
- No** – Design Alliance feels these items are not achievable for this project. For example, to earn the Bicycle Facilities point, shower facilities need to be provided and it does not seem feasible to do so for this facility.

This breakdown is shown in Attachment C. As you see, there are 25 yes points and 19 maybe points. If all of these were achieved for a total of 44 points, LEED certification is possible, however, there are other implications that need to be considered. Of most concern is the additional cost associated with pursuing LEED certification at this point. Additional costs will come in the way of redesigning some components, additional design/engineering costs, construction material and labor costs, and LEED certification costs. **Attachment D shows the project costs could climb to approximately \$1.26 million on the low side to \$1.44 million on the high side. This would result in a funding shortfall range of \$205,000 to \$386,000.**

Another implication will be delaying all aspects of the project. Pursuing LEED would delay bidding until late summer 2019 which is generally not a good time to bid projects. If bids were let by the end of August, a contract wouldn't be awarded until mid to late October which may push the start of construction to spring 2020. This delay may also increase the cost of temporary operations (e.g. office trailer, etc.).

CARBON FOOTPRINT:

Another way to assess the clubhouse design is to determine the estimated carbon footprint for the proposed clubhouse. Design Alliance developed three different scenarios regarding the clubhouse.

Scenario 1: Code Based Building

This building illustrates the amount of carbon consumed (**±75 Tons CO₂/year**) to operate a clubhouse designed to meet the minimum requirements of the 2012 International Energy Conservation Code with standard efficiency forced air furnaces & condensing units, a standard efficiency water heater, and fluorescent lighting.

Scenario 2: Currently Designed Building

This building illustrates the amount of carbon consumed (**±62 Tons CO₂/year**) to operate a clubhouse designed to meet the current considerations which include a geothermal heat pump system (minimum of 15 EER efficiency), a high efficiency water heater, and LED lighting with standard switching and dimming control.

Scenario 3: LEED Certified Level Building

This building illustrates the amount of carbon consumed (**±57 Tons CO₂/year**) to operate a clubhouse designed either informally or formally to meet the LEED Certified number of points.

The reduction of an additional 5 tons of CO₂/year in Scenario 3 compared to Scenario 2 can be attributed to three items which are shown below:

- Geothermal heat pumps (minimum 17.5 EER efficiency):
 - Savings of 4410 KWH/year or ±2.00 Tons CO₂/year. This would add \$6,000 to construction costs.
- LED lighting with switching and dimming control, plus additional daylighting controls to reduce lighting with good natural lighting levels:
 - Savings of 4750 KWH/year or ±2.25 Tons CO₂/year. This would add \$6,500 to construction costs.
- Added electrical receptacle controls to turn off power at some locations at unoccupied times:
 - Savings of 1550 KWH/year or ±0.75 Tons CO₂/year. This would add \$4,500 to construction costs.

By including these three items into the Currently Designed Building, the same carbon footprint can be achieved as if a LEED certification is pursued. Additional cost for these three items is \$17,000 compared to the \$205,000-\$386,000 it will cost to pursue LEED certification.

PARKS AND RECREATION COMMISSION RECOMMENDATION:

The Homewood Clubhouse design was discussed at a Special Commission meeting on January 29, 2019 and the Commission was made aware City Council will make the final determination regarding design. The items below are Commissioner comments from the meeting:

- The city could spend \$250,000 pursuing a plaque we don't get.

- Staff could optimize energy performance, but for some reason only qualify for two of the four points in a category.
- Pointed out that the Ames City Council goals do not include pursuing LEED certification, just being as energy efficient as we can.
- Staff has a good eye on energy efficiency and that the LEED Certification seems like a risk.
- We are not gaining that much more energy efficiency and sustainability by pursuing LEED and staff has always been mindful in the design process.
- To fund LEED certification, other projects could be delayed or go away and there are a lot of projects that we need to do for the community.
- A year delay increases costs and delays the income received from facility rental.
- The golf community has waited for this facility for a long time and it is long overdue and there is a need in the community for the meeting space that is included in the project.
- Know staff will pursue all options and we can be energy efficient without LEED Certification.
- Something like solar panels for charging the carts would be really visible and interesting to pursue instead of some of those nit-picky items in the LEED Certification.

The Commission then recommended staff not pursue LEED Certification, but continue with current design and include as many energy efficient options as possible while staying within the one million dollar construction budget.

ALTERNATIVES:

1. Direct staff to continue with the current Homewood Clubhouse design and incorporate as many energy efficient items as the budget allows.
2. Direct staff to pursue LEED certification for the Homewood Clubhouse.
This alternative will require the identification of an additional \$386,000 to fund the project.
3. Refer back to staff.

MANAGER'S RECOMMENDED ACTION:

The new Homewood Golf Course Clubhouse will be a great addition and will not only serve golfers, it will provide a community room that can be used year round by Ames residents. Staff has been working with the architect to design a building that is functional, attractive, and energy efficient. Geothermal heating and cooling, LED lighting, and a high

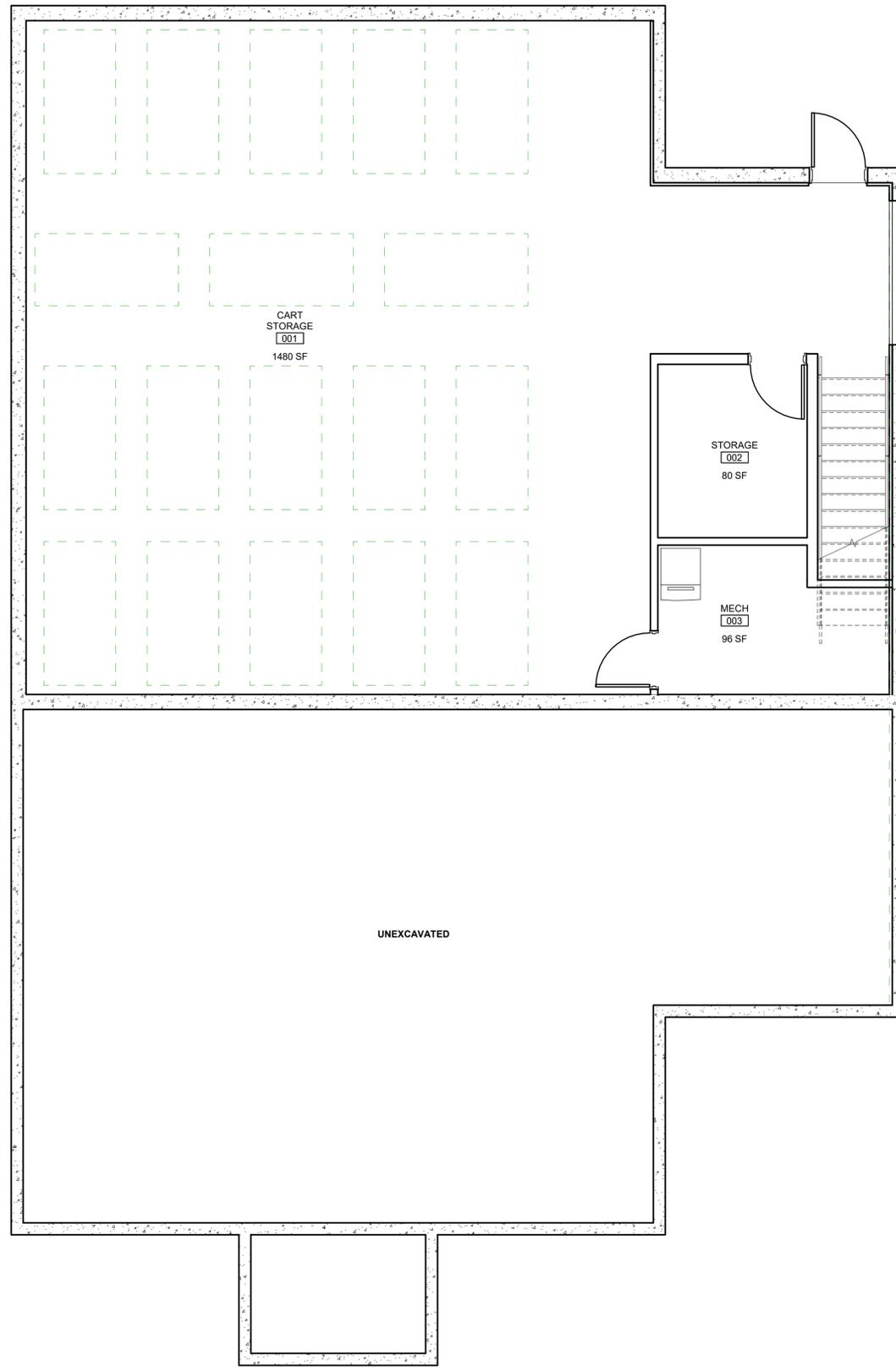
efficiency water heater are some of the items included in the design to keep the building's carbon footprint as low as possible.

Council has a sustainability goal promotes energy efficiency and staff has been working with the architect to achieve this goal. The question has been raised as to whether or not staff should pursue LEED certification for this building. As shown in the CAF, the cost of LEED certification could be almost \$400,000 more than what is allocated for this project. The impact on the carbon footprint of pursuing LEED is estimated to be a reduction of ± 5 Tons CO₂/year. This same reduction in the buildings carbon footprint can be achieved by including the items highlighted in the CAF at a cost of \$17,000.

Therefore, it is the recommendation of the City Manager that the City Council support Alternative #1, which directs the staff to continue with the current Homewood Clubhouse designer to incorporate as many energy efficient items as the budget allows, without pursuing LEED certification.

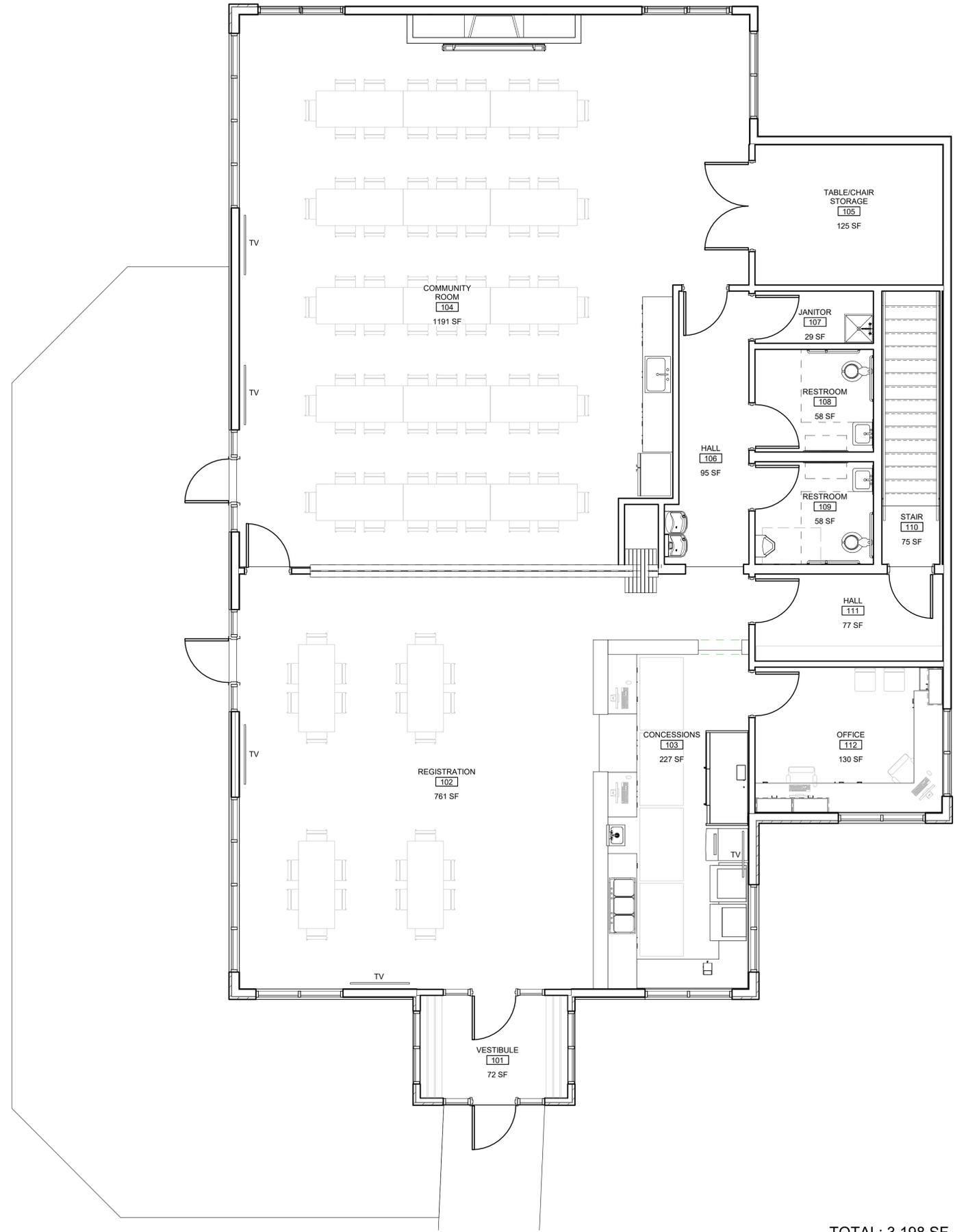


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TOTAL: 1,826 SF

1 FURNITURE FLOOR PLAN - BASEMENT
1/4" = 1'-0"



TOTAL: 3,198 SF

2 FURNITURE FLOOR PLAN - MAIN FLOOR
1/4" = 1'-0"



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Waukee, Iowa 50263
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FAX 515.225.9649
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PROGRESS PRINT
NOT FOR CONSTRUCTION
01/14/19

HOMEWOOD GOLF COURSE CLUBHOUSE

401 E. 20TH STREET - AMES, IOWA 50010

OWNER
CITY OF AMES

TITLE
FURNITURE,
FURNISHINGS &
EQUIPMENT PLANS

PROJECT NUMBER
218028

DATE

REVISIONS



FFE.1



LEED v4 for BD+C: New Construction and Major Renovation

Project Checklist

Project Name: Homewood Golf Course Clubhouse

Date: 01/14/19

Y ? N

1	1	1	Credit	Integrative Process	1			
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1	1	14	Location and Transportation	16	Fee	Cost	Remarks
			Credit	LEED for Neighborhood Development Location	16		
1			Credit	Sensitive Land Protection	1	0	0
		2	Credit	High Priority Site	2		
		5	Credit	Surrounding Density and Diverse Uses	5		
		5	Credit	Access to Quality Transit	5		
		1	Credit	Bicycle Facilities	1		
		1	Credit	Reduced Parking Footprint	1		
	1		Credit	Green Vehicles	1	0	Y ETI

1	3	6	Sustainable Sites	10	Fee	Cost	Remarks	
Y			Prereq	Construction Activity Pollution Prevention	Required	0	0	CGA
	1		Credit	Site Assessment	1	Y	0	Hire a Level 1 Environmental Study?
		2	Credit	Site Development - Protect or Restore Habitat	2			
		1	Credit	Open Space	1			
	2	1	Credit	Rainwater Management	3	Y	Y	CGA
		2	Credit	Heat Island Reduction	2			
1			Credit	Light Pollution Reduction	1	0	0	ETI

4	1	6	Water Efficiency	11	Fee	Cost	Remarks	
Y			Prereq	Outdoor Water Use Reduction	Required	0	0	
Y			Prereq	Indoor Water Use Reduction	Required	0	0	ETI
Y			Prereq	Building-Level Water Metering	Required	0	0	ETI
	2		Credit	Outdoor Water Use Reduction	2	0	0	
		4	Credit	Indoor Water Use Reduction	6	0	Y	ETI
		2	Credit	Cooling Tower Water Use	2			
	1		Credit	Water Metering	1	Y	Y	ETI

11	7	15	Energy and Atmosphere	33	Fee	Cost	Remarks				
Y			Prereq	Fundamental Commissioning and Verification	Required	Y	Y	ETI			
Y			Prereq	Minimum Energy Performance	Required	0	0	ETI			
Y			Prereq	Building-Level Energy Metering	Required	0	Y	ETI			
Y			Prereq	Fundamental Refrigerant Management	Required	0	0	ETI			
	3	3	Credit	Enhanced Commissioning	6	Y	Y	3rd Party CxA + ETI + DAI			
	8	4	6	Credit	Optimize Energy Performance	18	0	Y	0	Y	ETI; Do we need to do energy model?
	1			Credit	Advanced Energy Metering	1	Y	Y	ETI		
	1			Credit	Demand Response	2	0	Y	ETI		
		3		Credit	Renewable Energy Production	3		?	Purchase Points?		
	1			Credit	Enhanced Refrigerant Management	1	0	0	ETI		
		2		Credit	Green Power and Carbon Offsets	2		?	Purchase Points?		

0	4	9	Materials and Resources	13	Fee	Cost	Remarks	
Y			Prereq	Storage and Collection of Recyclables	Required			Does this even make sense?
Y			Prereq	Construction and Demolition Waste Management Planning	Required			Maybe?
		5	Credit	Building Life-Cycle Impact Reduction	5			
	2		Credit	Building Product Disclosure and Optimization - Environmental Product Declarations	2	Y	Y	
	1	1	Credit	Building Product Disclosure and Optimization - Sourcing of Raw Materials	2	Y	Y	
	1	1	Credit	Building Product Disclosure and Optimization - Material Ingredients	2	Y	Y	
		2	Credit	Construction and Demolition Waste Management	2			

8	2	6	Indoor Environmental Quality	16	Fee	Cost	Remarks	
Y			Prereq	Minimum Indoor Air Quality Performance	Required	0	0	ETI
Y			Prereq	Environmental Tobacco Smoke Control	Required	0	0	
1		1	Credit	Enhanced Indoor Air Quality Strategies	2	Y	Y	ETI + DAI
	1	2	Credit	Low-Emitting Materials	3	Y	Y	DAI
1			Credit	Construction Indoor Air Quality Management Plan	1	Y	Y	ETI + DAI
1		1	Credit	Indoor Air Quality Assessment	2	Y	Y	ETI
1			Credit	Thermal Comfort	1	0	0	ETI
2			Credit	Interior Lighting	2	0	Y	ETI
1		2	Credit	Daylight	3	Y	0	ETI; Do we need to do the modeling?
1			Credit	Quality Views	1			DAI
	1		Credit	Acoustic Performance	1	Y	Y	ETI

0	1	5	Innovation	6	Fee	Cost	Remarks	
		5	Credit	Innovation	5			
	1		Credit	LEED Accredited Professional	1	0	0	LEED AP, not BD+C

0	0	4	Regional Priority	4	Fee	Cost	Remarks	
		1	Credit	Regional Priority: Specific Credit	1			
		1	Credit	Regional Priority: Specific Credit	1			
		1	Credit	Regional Priority: Specific Credit	1			
		1	Credit	Regional Priority: Specific Credit	1			

25 **19** **66** **TOTALS** Possible Points: **110**

Certified: 40 to 49 points, **Silver:** 50 to 59 points, **Gold:** 60 to 79 points, **Platinum:** 80 to 110

44 Potential (YES + MAYBE-?) Points

Homewood Clubhouse - LEED Budget Range Illustration

Date: 01/28/19

By: Design Alliance, Inc.

		Low	High
A) Current Construction Budget Range:		\$823,163	\$943,675
1) Green Building Cost Average:	15.00%	\$946,637	\$1,085,226
2) Green Building Cost Higher :	25.00%	\$1,028,954	\$1,179,594
3) Third Party Commissioning Fees:		\$8,200	\$15,200
B) Current Owner Soft Costs * :		\$140,967	\$145,787
1) Pursue informally ±25 LEED Points (Design Fees):		\$6,000	\$7,500
2) Pursue informally ±42 LEED Points (Design Fees):		\$21,000	\$26,500
3) Pursue Formal LEED Certified (±45 Points) (Design Fees):		\$77,000	\$95,500
C) Current Total Project Budget Range:	(A+B):	\$964,130	\$1,089,462
1) Pursue informally ±25 LEED Points:	(A+A3+B+B1):	\$978,330	\$1,112,162
2) Pursue informally ±42 LEED Points:	(A1+A3+B+B2):	\$1,116,804	\$1,272,713
3) Pursue Formal LEED Certified (±45 Points) :	(A2+A3+B+B3):	\$1,255,121	\$1,436,081

* Owner Soft Costs Include:

- Architect/Engineering Fees
- Geotechnical Engineering Investigation & Report
- Construction Phase - Testing & Inspections
- Furniture, Furnishings & Equipment (Budget)
- Construction Phase - Change Order Contingency

TO: The Mayor and Ames City Council

FROM: Department of Planning and Housing

DATE: March 1, 2019

SUBJECT: Bicycle Parking Standards

The following information was originally provided to City Council at their request in September 2017. The City Council then requested on August 28, 2018 that staff resend the memo for their review prior to determining if the issue should be placed on an agenda for discussion. On January 22, 2019, the City Council asked that this item be placed on a future City Council agenda. This memo includes an overview of general bicycle parking considerations and examples from other Midwestern communities.

Bicycle parking requirements are intended to help meet the day-to-day mobility needs of residents, employees, and visitors. Bicycle parking ordinances help to expand mobility choices by providing a greater expectation that secure parking will be available near destinations for those who may choose to cycle, rather than drive. Lack of bicycle parking at a destination may deter bicycle ridership or result in use of unintended site features, e.g trees, signs, to secure bikes.

Bicycle parking includes two separate types of user needs. **Long term secured parking for a bicycle is most commonly used for residential and employee related needs.** Secured parking often takes the form of a bike locker. Some cities also address needs for locker rooms with long term bike parking requirements. **Unsecured bicycle parking spaces are for short term use and commonly available for customers or visitors to a site.** Short term parking for bicycles is consists of bicycle racks where an individual secures their bicycle to the apparatus. Bicycle parking ordinances commonly address the mix of long and short term parking facilities, location of facilities, and dimensions of bicycle parking facilities.

Bicycle parking can be mandatory, incentivized as an allowable substitute for vehicle parking, or a combination approach of both mandatory and allowing for substitutions. Parking requirements can be based upon the number of required vehicle parking spaces, square footage of the use, or expected occupant levels. One common approach is to require a minimum number of bicycle parking spaces (2 to 5 spaces) and scale up to approximately 5%-10% of the vehicle parking on a site. Cities with a high share of bicycle ridership may have higher standards to meet community needs.

Substitutions can be based upon the amount of space needed for bicycle parking or the percentage of bicycle spaces provided on a site. Depending on the type of rack design and its placement, each “loop”

can serve two bicycles. One example would be for substitution of one vehicle parking space for every 5 bicycle parking spaces with a cap on the total amount of parking space substitutions.

There are a larger variety of cities with bicycle parking ordinances. Staff identified a short list of cities from the Midwest as examples below. Attached to this memo is the Des Moines 2017 proposed bicycle parking standards.

1) Bicycle Parking Minimum Standards:

Dubuque,
Iowa City,
Des Moines,*
Champaign (IL),
Columbia (MO),
Lawrence (KS),
Minneapolis (MN)

2) Bicycle Parking Substitution:

Minneapolis (MN)
Cedar Rapids,
Des Moines*

* denotes proposed ordinance

Cedar Rapids Substitution example:

A reduction in parking shall be granted at a rate of one (1) space for each five (5) rack bike stand. Required bicycle parking must be within fifty-feet (50') of a principal entrance and shall permit the locking of the bicycle frame and one (1) wheel to the rack frame.

Des Moines Draft Standards (August 3, 2017)

135-4.5 Bicycle Parking³

4.5.1 MINIMUM BIKE PARKING RATIOS

Long-term (Class A) and short-term (Class B) bicycle parking spaces must be provided in accordance with the minimum ratios established in [Table 4.5-1](#). Uses for which no bicycle parking ratio is established in [Table 4.5-1](#) are not required to provide off-street bicycle parking.

TABLE 4.5-1. BICYCLE PARKING RATIOS		
USE CATEGORY	Minimum Spaces Required	
Use Subcategory	Class A Bicycle Spaces	Class B Bicycle Spaces
Specific Use Type		
RESIDENTIAL		
Household Living		
Buildings with 6 or fewer dwelling units	None	None
Buildings with 7 or more dwelling units	1 per dwelling unit for first 50 units, then 1 space per each additional 2 dwelling units	1 per 15 dwelling units; minimum 2 spaces
Group Living	0.33 per staff	1 per beds; minimum 2 spaces
PUBLIC, CIVIC AND INSTITUTIONAL		

³ Entire section is new.

TABLE 4.5-1. BICYCLE PARKING RATIOS		
USE CATEGORY	Minimum Spaces Required	
Use Subcategory	Class A Bicycle Spaces	Class B Bicycle Spaces
Specific Use Type		
College or University	Established in accordance with 135-4.3.7 .	
Fraternal Organization	0.125 per 1,000 sq. ft.	0.25 per 1,000 sq. ft.
Hospital	0.067 per 1,000 square feet (1/15,000 sq. ft.)	0.033 per 1,000 square feet (1/30,000 sq. ft.)
Library or Cultural Exhibit	0.125 per 1,000 sq. ft.	0.5 per 1,000 sq. ft.
Parks & Recreation	Established in accordance with 135-4.3.7 .	
Religious Assembly	None	1 per 200 seats; minimum 2 spaces
School	0.25 per classroom	1 per classroom
COMMERCIAL		
Adult Entertainment	0.125 per 1,000 sq. ft.	0.25 per 1,000 sq. ft.
Broadcast or Recording Studio	0.125 per 1,000 sq. ft.	0.02 per 1,000 sq. ft.
Business or Trade School	0.1 per classroom	1 per classroom
Commercial Service	Capacity of more than 500 = 4 spaces plus 1 space per 500-person capacity	0.25 per 1,000 sq. ft.
Eating & Drinking Places	0.125 per 1,000 sq. ft.	0.25 per 1,000 sq. ft.
Entertain. & Spectator Events	500 seats or less = 4 spaces More than 500 seats = 10 spaces	500 seats or less = 1 space per 125 seats More than 500 seats = 4 spaces plus 1 space per 250 seats
Financial Service	0.125 per 1,000 sq. ft.	0.25 per 1,000 sq. ft.
Lodging	1 per 40 rooms	1 per 40 rooms; minimum 2 spaces
Office	0.125 per 1,000 sq. ft.	0.02 per 1,000 sq. ft.
Parking, Non-Accessory	None	1 per 25 motor vehicle spaces
Retail Sales	0.125 per 1,000 sq. ft.	0.25 per 1,000 sq. ft.
Sports and Rec., Participant		

4.5.2 FLOOR AREA USED FOR BICYCLE PARKING

Areas within a building that are used to provide bicycle parking that complies with the bicycle parking design and location requirements of this section will not be counted as floor area for the purpose of calculating motor vehicle parking requirements.

4.5.3 GENERAL BICYCLE PARKING DESIGN AND LOCATION REQUIREMENTS

All bicycle parking spaces are subject to the following general design and location requirements.

- A.** Bicycle parking spaces must be illuminated if accessible to users after dark.
- B.** Bicycle parking spaces must be located to be readily visible by the public or by building users, except in the case of Class A parking spaces located in secure areas accessible only to employees, staff or residents;
- C.** Bicycle parking spaces must be accessible without climbing stairs, going up or down a slope of more than 12%, and via a route on the property that is designed to minimize conflicts with motor vehicles and pedestrians.
- D.** All bike racks must be located at least 2 feet in all directions from any obstruction, including other bike racks, walls, doors, posts, or columns.
- E.** Nonresidential uses may use up to 2 required automobile parking spaces as space for providing bicycle parking.
- F.** All required bicycle parking spaces must have minimum dimensions of 2 feet in width by 6 feet in length, with a minimum overhead vertical clearance of 7 feet.

4.5.4 DESIGN AND LOCATION OF CLASS A BICYCLE PARKING SPACES

In addition to the general bicycle parking design and location requirements of [135-4.5.3](#), all required Class A bicycle parking must meet the following requirements:

- A.** Class A bicycle parking spaces may not be in dwelling units or on dwelling unit balconies.
- B.** Unless clearly visible from the main building entrance, a sign indicating the location of all Class A bicycle parking spaces must be prominently displayed near the main entrance to the building or facility, and additional signs must be provided as necessary to ensure easy way-finding. A "bicycle parking" sign must also be displayed on or adjacent to any indoor room or area designated for bicycle parking.
- C.** Class A bicycle parking spaces must protect the entire bicycle, its components and accessories against theft and inclement weather, including wind-driven rain and snow. Acceptable forms of protection include (i) individual bicycle lockers, (ii) attended parking areas, (iii) monitored parking areas, (iv) restricted-access parking areas, or (v)

other comparable arrangements approved by the community development director.

- D.** Except in the case of bicycle lockers with a separate access door for each bike or attended facilities, all Class A bicycle parking spaces must be designed to allow bicycles to be securely locked to a bicycle rack.

4.5.5 DESIGN AND LOCATION OF CLASS B BICYCLE PARKING SPACES

In addition to the general bicycle parking design and location requirements of [135-4.5.3](#), all required Class B bicycle parking must meet the following requirements:

- A.** Class B bicycle parking must be visible from the main public building entrance and be at least as conveniently located as the most convenient non-disabled motor vehicle parking space serving the subject use. If no motor vehicle parking is provided, Class B bicycle parking spaces must be located within 75 feet of a building entrance.
 - B.** Class B bicycle parking spaces must be located on private property unless the city engineer approves a location within the public right-of-way.
 - C.** Class B bicycle parking spaces must be provided in the form of bike racks that comply with the city's "Bike Rack Policy."
-

COUNCIL ACTION FORM

SUBJECT: WATER RATE ADJUSTMENT FOR FY 2019/20

BACKGROUND:

Each year as a part of the annual budget process, staff updates a spreadsheet model for the Water and Sewer Funds that reflects current and projected operating and capital expenses for the utilities over the next ten years, and the resulting annual ending fund balance in each of the funds. This model is used to establish a long-range pattern of rate increases that will fully finance these self-funded enterprise utilities, including a 25% operating reserve.

During the development of the FY 19/20 budget, staff determined that a seven percent (7%) increase to water rates would be needed, effective July 1, 2019. While the need for an increase was shared with Council during the budget presentations, no formal action has yet been taken to adjust the rates. **Attached to this Council Action Form is a draft ordinance that will increase the water rates by 7%, effective for all bills mailed on or after July 1, 2019. No sewer rate increase is proposed for the coming fiscal year.**

The slides attached to this Council Action Form provide a summary of the fund balance analysis in a format that is very similar to what has been used in prior years.

ALTERNATIVES:

1. Approve on first reading an ordinance that adjusts water rates by seven percent (7%), effective for bills mailed on or after July 1, 2019.
2. Direct staff to make modifications to the rate ordinance.
3. Do not take any action to adjust water rates, and give staff direction on expenditure reductions in order to maintain a positive Water Fund balance.

MANAGER'S RECOMMENDED ACTION:

The proposed rate increase is necessary to fund the on-going operations and maintenance budget plus the anticipated capital improvements projects.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving on first reading an ordinance that adjusts water rates by seven percent (7%) effective for bills mailed on or after July 1, 2019.



FY 2019-2020 Water & Sewer Rates

March 5, 2019

*Entry signage at the Ames Water Treatment Plant
and Ames Water Pollution Control Facility*



1

Outline

- National & State-Wide Trends in Rates
- Projected Need for Revenue Increase
- Translating Revenue Needs to Rates
- Customer Perspective
- Council Direction



Water meters lined up on a test bench

2



National & State-Wide Trends

Visitors at the inaugural open house tours of the new Ames Water Plant



3

National and State Trends

Data sources include:

- **2017 Cost of Clean Water Index**
National Association of Clean Water Agencies
- **2016 Water and Wastewater Rate Survey**
American Water Works Association
- **2018 Iowa Water and Wastewater Rate Survey**
City of Ames Water and Pollution Control



*Solids Contact Unit in service
Ames Water Plant*

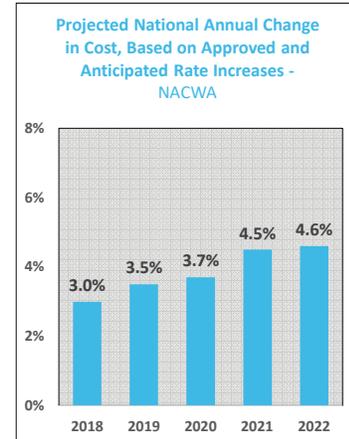
4

National Trends

2017 Cost of Clean Water Index, NACWA

- Average annual wastewater bill has doubled in the past 14 years
- Wastewater utilities expect charges to increase from 3.0% to 4.6% per year for the next 5 years
- Nationally, the average increase in 2016 was 1.7x the rate of inflation

(16th consecutive year that sewer rates nationally have outpaced inflation)



5

National Trends

2016 Water & Wastewater Rate Survey, American Water Works Association

- 88% of Drinking Water Utilities have increased rates in the past two years
- 85% of Wastewater Utilities have increased rates in the past two years.
- Lowest costs for both water and sewer were in the Midwest



*Water main break repair in Ames
Circa 1953*

6

National Trends

2012 to 2016

Average Annual Increase in Water Rates: 5.9%

Average Annual Increase in Sewer Rates: 4.4%

Average Annual Increase in CPI: 1.1%

Source: 2016 Water and Wastewater Rate Survey, AWWA/Raftelis Financial Consultants



Cogeneration switchgear
Ames Water Pollution Control Facility

7

Recent Rate Adjustments in Ames

	Water	Sewer
FY 15/16	4%	5%
FY 16/17	--	--
FY 17/18	--	--
FY 18/19	3.5%	3%
Net Annual Average	1.9%	2.0%



pH meter and buffers
Ames Water Plant

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Ames Trends vs. National Trends

Water

National Average Annual Increase:	5.9%
Ames Average Annual Increase:	1.9%

Sewer

National Average Annual Increase:	4.4%
Ames Average Annual Increase:	2.0%
Average Annual Increase in CPI:	1.13%

National and CPI Data: 2012 – 2016
Ames Data: 2014 – 2018



Smart Water Conservation Promotion
Water & Pollution Control Dept.

9

Ames Trends vs. Iowa Trends

Water

Iowa Average Annual Increase:	5.9%
Ames Average Annual Increase:	1.9%

Sewer

Iowa Average Annual Increase:	5.1%
Ames Average Annual Increase:	2.0%
Average Annual Increase in CPI:	2.0%

Iowa, Ames, and CPI Data: 2014 – 2018

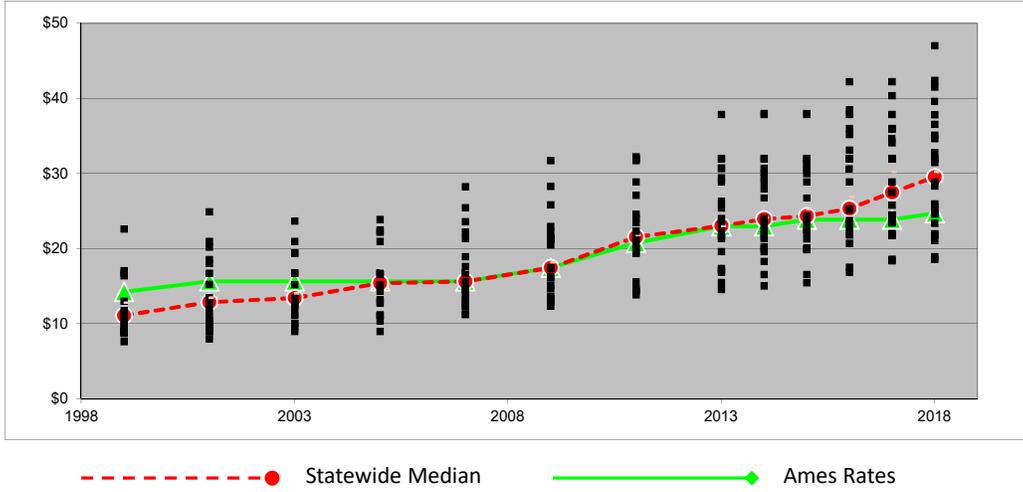


1 million gallon elevated tank
Mortensen Road and County Line Road

10

Iowa Trends in Water Rates

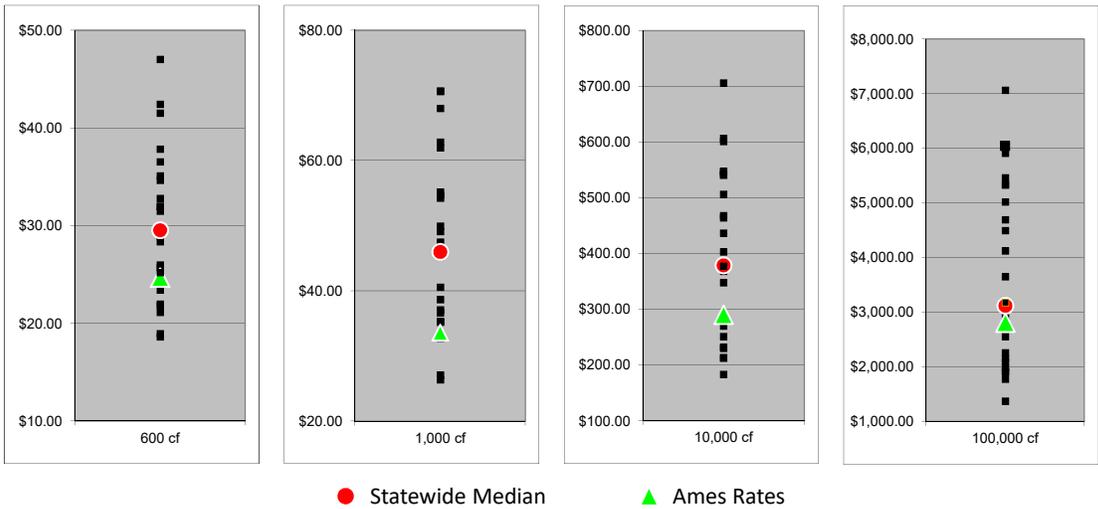
1999-2018, Cities with population >10,000 with lime softening, 600 cf per month



11

Comparing Across Demand Thresholds

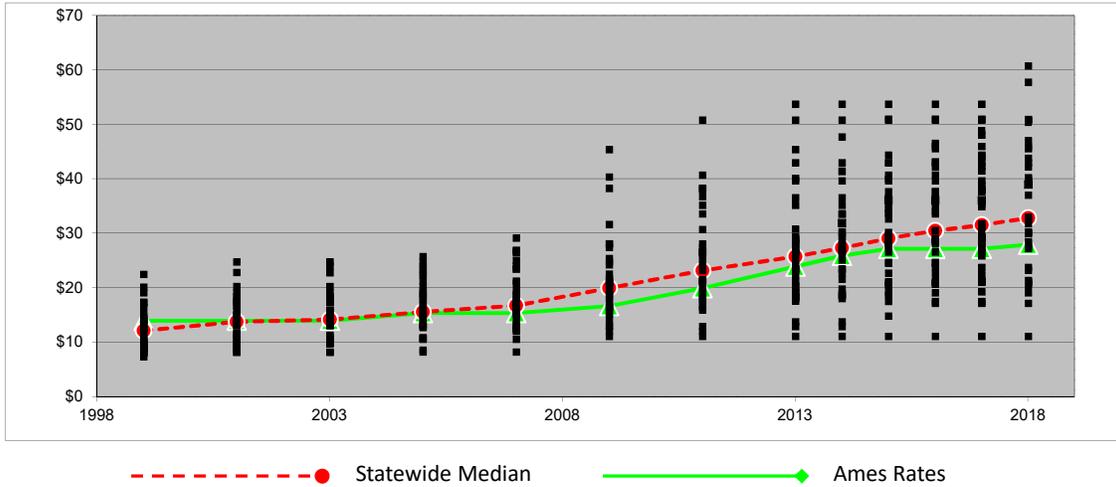
Cities with population >10,000 with lime softening, 2018



12

Iowa Trends in Sewer Rates

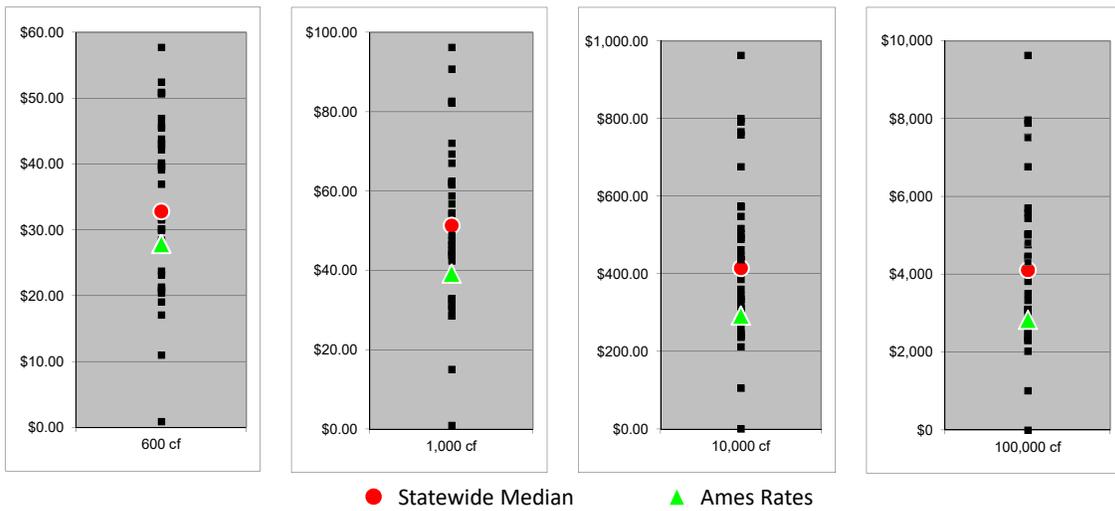
1999-2018, Cities with population >10,000, 600 cf per month



13

Comparing Across Demand Thresholds

Cities with population >10,000, 2018



14

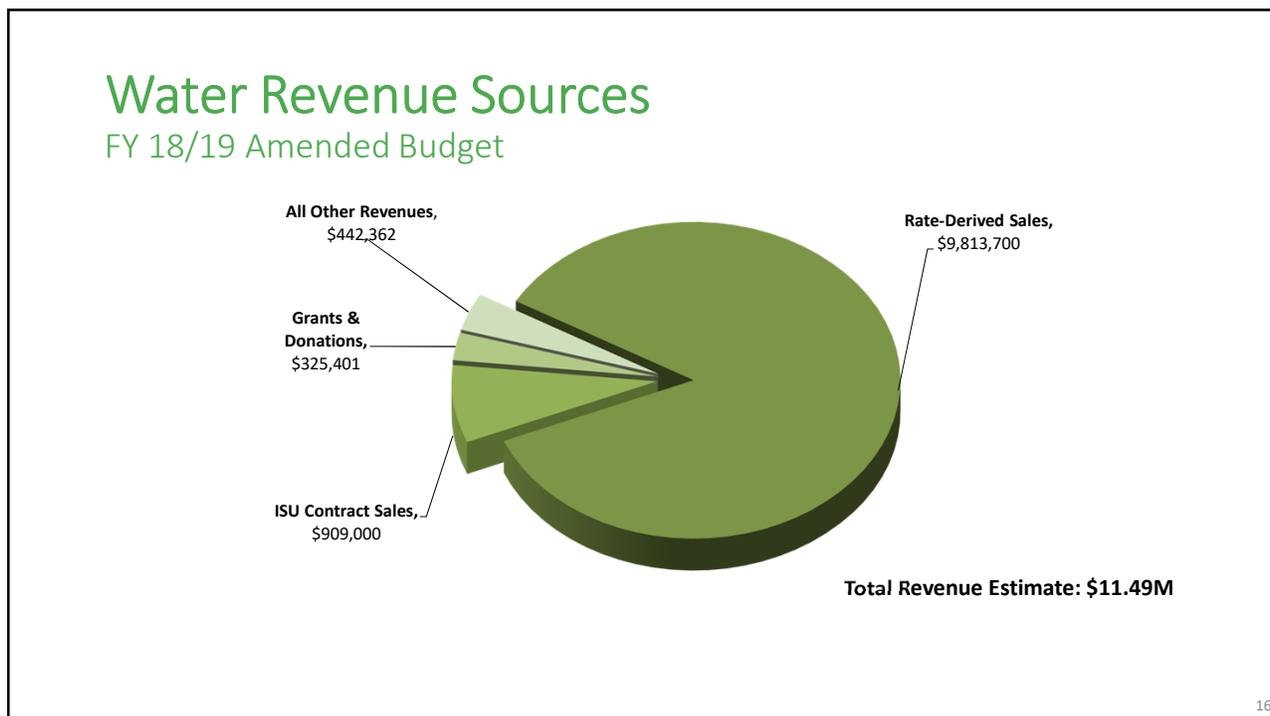


Revenue Need and Rate Adjustments in Ames

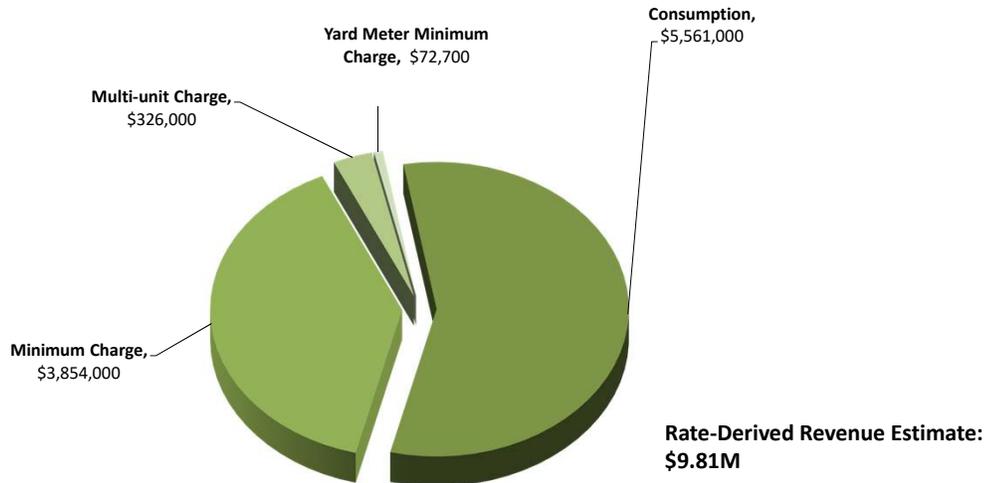
Best Tasting Water in Iowa 2017 & 2018



15



Water Rate-Derived Revenue



17

Current Water Rates

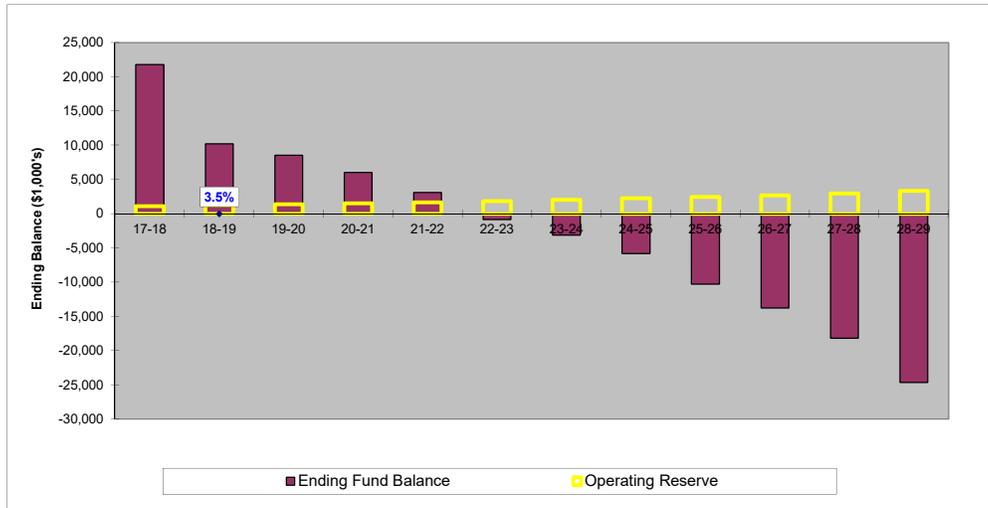
Winter	\$0.0222
All customers; all consumption	
Summer	
Residential	
Block 1 (First 1,000 cf)	\$0.0222
Block 2 (Next 1,500 cf)	\$0.0392
Block 3 (Over 2,500 cf)	\$0.0590
Irrigation & Yard Water	
Block 1 (First 2,000 cf)	\$0.0321
Block 2 (Next 3,000 cf)	\$0.0590
Block 3 (Over 5,000 cf)	\$0.0982
Non-Residential	\$0.0291
All consumption	
Non-Peaking Industrial	\$0.0222
All consumption	



Piping in High Service Pump Room
Ames Water Plant

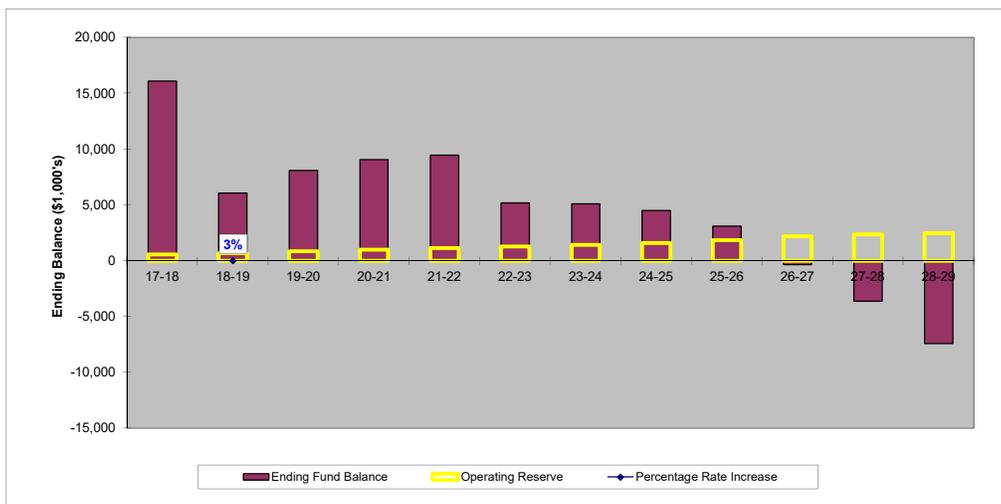
18

Water Fund Rate Model – No Adjustments



19

Sewer Fund Rate Model – No Adjustments



20



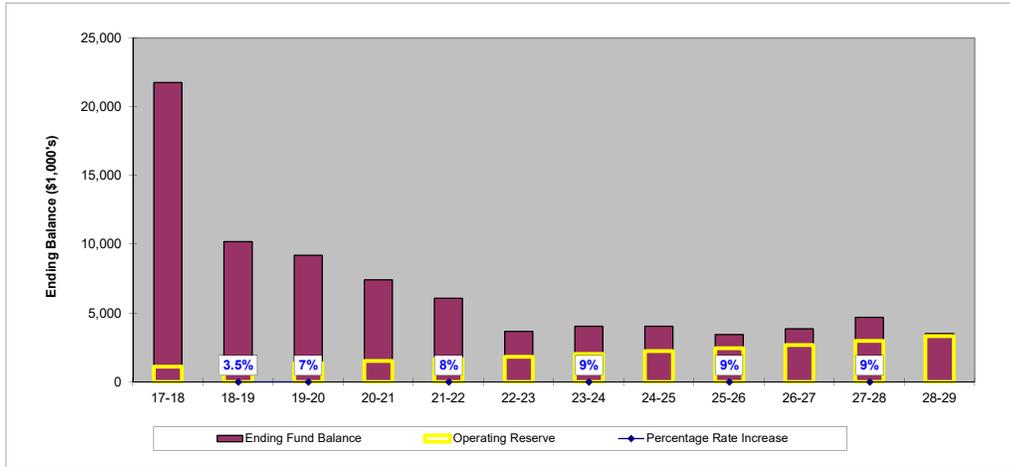
Guiding Philosophy on Rates

- Rate increases should be done with smaller percentage increases on a more frequent basis, as opposed to larger increases on a less frequent basis.
- Slowly grow the operating reserve in each Fund over time until it reaches 25% of the Fund's annual operating expenses



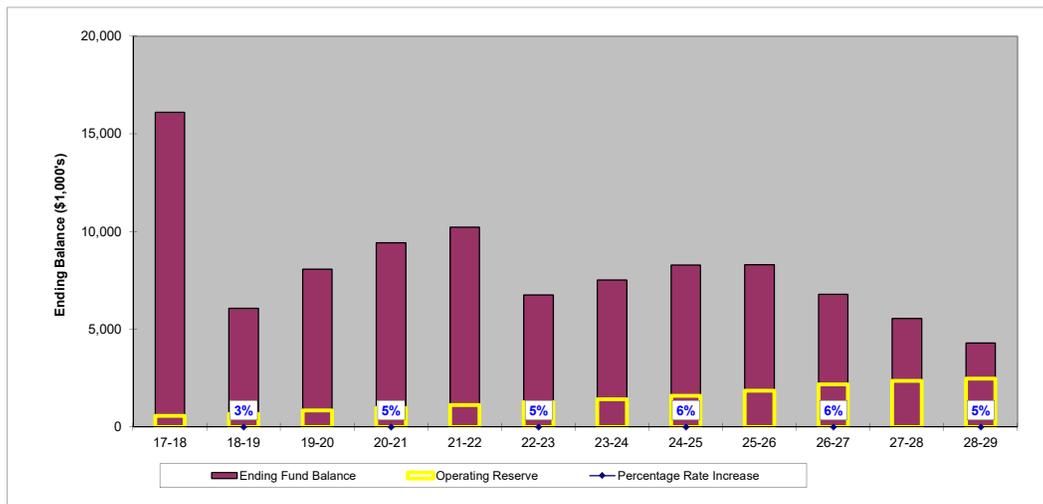
Limestone sign salvaged from the 1924 water plant, relocated to the new facility

Water Fund Rate Model



23

Sewer Fund Rate Model



24

Water and Sewer Rate Projections

	Last Year	Current Year	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
	17-18	18-19	19-20	20-21	21-22	22-23	23-24	24-25	25-26	26-27	27-28	28-29
Water Fund		3.5%	7%		9%		9%		9%		9%	
Sewer Fund		3%		5%		5%		6%		6%		5%



Revised Water Rates

	Existing	7% Increase	Proposed
Winter			
All customers; all consumption	\$0.0222	\$0.0016	\$0.0238
Summer			
Residential			
Block 1 (First 1,000 cf)	\$0.0222	\$0.0016	\$0.0238
Block 2 (Next 1,500 cf)	\$0.0392	\$0.0027	\$0.0420
Block 3 (Over 2,500 cf)	\$0.0590	\$0.0041	\$0.0631
Irrigation & Yard Water			
Block 1 (First 2,000 cf)	\$0.0321	\$0.0022	\$0.0343
Block 2 (Next 3,000 cf)	\$0.0590	\$0.0041	\$0.0631
Block 3 (Over 5,000 cf)	\$0.0982	\$0.0069	\$0.1051
Non-Residential			
All consumption	\$0.0291	\$0.0020	\$0.0311
Non-Peaking Industrial			
All consumption	\$0.0222	\$0.0016	\$0.0238



*Bloomington Road Elevated Tank (BRET)
as seen from above*

Associated Rates and Fees

- Water Minimum bills, multiple dwelling unit fees would also adjust by 7%
- Meter setting fees would be adjusted based on actual cost recovery
- Adding standard fees for wastewater sampling



Sample Customer Bill – Median Residential

Electric / Water Use	Electric Summer	Storm Water	Water Summer	Sewer	Total
600 kWh and 600 cf	\$81.10	\$4.95	\$24.69	\$27.95	\$138.69
Electric ECA	-\$3.66				-\$3.66
Totals	\$77.44	\$4.95	\$24.69	\$27.95	\$135.03
Increase Due to Rate Change	\$0.00	\$0.00	\$1.73	\$0.00	\$1.73
Totals	\$77.44	\$4.95	\$26.42	\$27.95	\$136.76
% Impact on Total Bill					1.28%

29



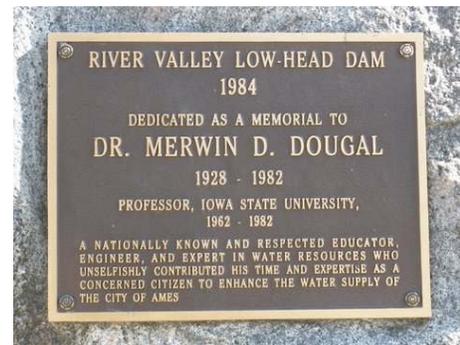
Council Direction

City Council Members serving during design and construction of the new Ames Water Treatment Plant

30

Recommended Direction & Timeline

- Adopt on first reading an ordinance to
 - Adjust **Water Rates by 7%**
 - New rates **effective July 1, 2019**
- Timeline
 - First reading on March 5
 - Second reading on March 26
 - Third reading and adoption on April 9



*Memorial plaque at the Low head Dam
Located in North River Valley Park*

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Additional Rate Samples

Ames Water Pollution Control Facility



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Sample Customer Bill – Minimal Use Residential

Electric / Water Use	Electric Summer	Storm Water	Water Summer	Sewer	Total
100 kWh and 100 cf	\$20.45	\$4.95	\$13.59	\$13.85	\$52.84
Electric ECA	-\$0.61				-\$0.61
Totals	\$19.84	\$4.95	\$13.59	\$13.85	\$52.23
Increase Due to Rate Change	\$0.00	\$0.00	\$0.95	\$0.00	\$0.95
Totals	\$19.84	\$4.95	\$14.54	\$13.85	\$53.18
% Impact on Total Bill					1.82%

33

Sample Customer Bill – Median Residential

Electric / Water Use	Electric Summer	Storm Water	Water Summer	Sewer	Total
600 kWh and 600 cf	\$81.10	\$4.95	\$24.69	\$27.95	\$138.69
Electric ECA	-\$3.66				-\$3.66
Totals	\$77.44	\$4.95	\$24.69	\$27.95	\$135.03
Increase Due to Rate Change	\$0.00	\$0.00	\$1.73	\$0.00	\$1.73
Totals	\$77.44	\$4.95	\$26.42	\$27.95	\$136.76
% Impact on Total Bill					1.28%

34

Sample Customer Bill – Large Residential

Electric / Water Use	Electric Summer	Storm Water	Water Summer	Sewer	Total
1,000 kWh and 1,000 cf	\$129.62	\$4.95	\$33.57	\$39.23	\$207.37
Electric ECA	-\$6.10				-\$6.10
Totals	\$123.52	\$4.95	\$33.57	\$39.23	\$201.27
Increase Due to Rate Change	\$0.00	\$0.00	\$2.35	\$0.00	\$2.35
Totals	\$123.52	\$4.95	\$35.92	\$39.23	\$203.62
% Impact on Total Bill					1.17%

35

Sample Customer Bill – Small Commercial (GP)

Electric / Water Use	Electric Summer	Storm Water	Water Summer	Sewer	Total
2,000 kWh and 600 cf	\$254.40	\$4.95	\$28.83	\$27.95	\$316.13
Electric ECA	-\$12.20				-\$12.20
Totals	\$242.20	\$4.95	\$28.83	\$27.95	\$303.93
Increase Due to Rate Change	\$0.00	\$0.00	\$2.02	\$0.00	\$2.02
Totals	\$242.20	\$4.95	\$30.85	\$27.95	\$305.95
% Impact on Total Bill					0.66%

36

Sample Customer Bill – Small Commercial (GP)

Electric / Water Use	Electric Summer	Storm Water	Water Summer	Sewer	Total
5,000 kWh and 1,000 cf	\$612.60	\$4.95	\$40.47	\$39.23	\$697.25
Electric ECA	-\$30.50				-\$30.50
Totals	\$582.10	\$4.95	\$40.47	\$39.23	\$666.75
Increase Due to Rate Change	\$0.00	\$0.00	\$2.83	\$0.00	\$2.83
Totals	\$582.10	\$4.95	\$43.30	\$39.23	\$669.58
% Impact on Total Bill					0.42%

37

Sample Customer Bill – Small Commercial (GP)

Electric / Water Use	Electric Summer	Storm Water	Water Summer	Sewer	Total
10,000 kWh and 3,000 cf	\$1,209.60	\$9.90	\$110.03	\$95.63	\$1,425.16
Electric ECA	-\$61.00				-\$61.00
Totals	\$1,148.60	\$9.90	\$110.03	\$95.63	\$1,364.16
Increase Due to Rate Change	\$0.00	\$0.00	\$7.70	\$0.00	\$7.70
Totals	\$1,148.60	\$9.90	\$117.73	\$95.63	\$1,371.86
% Impact on Total Bill					0.56%

38

Sample Customer Bill –Commercial (LP)

Electric / Water Use	Electric Summer	Storm Water	Water Summer	Sewer	Total
20,000 kWh and 5,000 cf	\$2,181.81	\$9.90	\$168.23	\$152.03	\$2,511.97
Electric ECA	-\$122.00				-\$122.00
Totals	\$2,059.81	\$9.90	\$168.23	\$152.03	\$2,389.97
Increase Due to Rate Change	\$0.00	\$0.00	\$11.78	\$0.00	\$11.78
Totals	\$2,059.81	\$9.90	\$180.01	\$152.03	\$2,401.75
% Impact on Total Bill					0.49%

39

Sample Customer Bill –Commercial (LP)

Electric / Water Use	Electric Summer	Storm Water	Water Summer	Sewer	Total
60,000 kWh and 15,000 cf	\$6,221.55	\$14.85	\$481.97	\$434.03	\$7,152.40
Electric ECA	-\$366.00				-\$366.00
Totals	\$5,855.55	\$14.85	\$481.97	\$434.03	\$6,786.40
Increase Due to Rate Change	\$0.00	\$0.00	\$33.74	\$0.00	\$33.74
Totals	\$5,855.55	\$14.85	\$515.71	\$434.03	\$6,820.14
% Impact on Total Bill					0.50%

40

Sample Customer Bill –Commercial (LP)

Electric / Water Use	Electric Summer	Storm Water	Water Summer	Sewer	Total
100,000 kWh and 20,000 cf	\$10,284.95	\$44.55	\$672.93	\$575.03	\$11,577.46
Electric ECA	-\$610.00				-\$610.00
Totals	\$9,674.95	\$44.55	\$672.93	\$575.03	\$10,967.46
Increase Due to Rate Change	\$0.00	\$0.00	\$47.11	\$0.00	\$47.11
Totals	\$9,674.95	\$44.55	\$720.04	\$575.03	\$11,014.57
% Impact on Total Bill					0.43%

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING CHAPTER 28, SECTION 201(1)(b)(ii)(a)(b), 2(b)(ii)(a)(b), 3(b)(ii)(a)(b), 4(b)(ii)(a)(b), 5(b)(ii)(a)(b), 7, 8 AND ENACTING A NEW CHAPTER 28, SECTION 201(1)(b)(ii)(a)(b), 2(b)(ii)(a)(b), 3(b)(ii)(a)(b), 4(b)(ii)(a)(b), 5(b)(ii)(a)(b), 7, 8. THEREOF, FOR THE PURPOSE OF INCREASE OF WATER RATES AND CHARGES; 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 repealing Chapter 28, Section 201(1)(b)(ii)(a)(b), 2(b)(ii)(a)(b), 3(b)(ii)(a)(b), 4(b)(ii)(a)(b), 5(b)(ii)(a)(b), 7, 8 and enacting a new Chapter 28, Section 201(1)(b)(ii)(a)(b), 2(b)(ii)(a)(b), 3(b)(ii)(a)(b), 4(b)(ii)(a)(b), 5(b)(ii)(a)(b), 7, 8 as follows:

Sec. 28.201. WATER RATES AND CHARGES

The rates and charges for water supplied to consumers by the water utility of the city, to be billed on or after July 1, 2019 are as follows:

(1) **Residential Rates.**

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

- (b) **Rate per billing period.** For each monthly billing period a residential rate customer:
- (i) shall be charged a minimum charge based on meter size, and in addition
 - (ii) shall be charged for water usage during the billing periods as follows:
 - (a) for bills mailed on or between July 1 and October 31 (summer period):
\$0.0238 per cubic foot for the first 1000 cubic feet of usage
\$0.0420 per cubic foot for the next 1500 cubic feet of usage
\$0.0631 per cubic foot for all usage over 2500 cubic feet
 - (b) for bills mailed on or between November 1 and June 30 (winter period):
\$0.0238 per cubic foot

(Ord. No. 4351, 5-8-18)

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

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

- (b) **Rate per billing period:** For each monthly billing period a non-residential customer:
- (i) shall be charged a minimum charge based on meter size, and in addition
 - (ii) shall be charged for water usage during the billing periods as follows:
 - (a) for bills mailed on or between July 1 and October 31 (summer period):
\$0.0311 per cubic foot
 - (b) for bills mailed on or between November 1 and June 30 (winter period):
\$0.0238 per cubic foot

(Ord. No. 4351, 5-8-18)

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

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

(i) Average winter usage greater than 100,000 cubic feet per billing period. Average winter usage per billing period will be calculated by taking the sum of the usage during the most previous December, January, and February billing periods and dividing by three.

(ii) **A summer peaking factor equal to or less than 120%.** The summer peaking factor shall be computed by taking the largest consumption billed during the most recent summer billing periods (bills mailed July, August, September, and October) and dividing it by the average winter usage, with the result expressed as a percentage.

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

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

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

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

\$0.0238 per cubic foot

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

\$0.0238 per cubic foot

(Ord. No. 4351, 5-8-18)

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

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

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

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

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

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

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

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

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

\$0.0343 per cubic foot for the first 2000 cubic feet of usage

\$0.0631 per cubic foot for the next 3000 cubic feet of usage

\$0.1051 per cubic foot for all usage greater than 5000 cubic feet.

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

\$0.0238 per cubic foot

(Ord. No. 4351, 5-8-18)

(5) **Rural Water Rate.**

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

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

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

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

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

\$0.0395 per cubic foot for the first 2000 cubic feet of usage

\$0.0726 per cubic foot for the next 3000 cubic feet of usage

\$0.1209 per cubic foot for all usage greater than 5000 cubic feet.

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

\$0.0274 per cubic foot for all consumption

(Ord. No. 4351, 5-8-18)

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

(7) **Minimum charges.** For each monthly billing, each customer shall be charged a minimum monthly charge based on the size of the water meter (s) and/or irrigation meter (s) at each location. The minimum monthly charge may be prorated, based on a 30-day billing period, for the customer's initial and/or final bills, provided that in no case shall the minimum monthly charge be less than five dollars and eighty-four cents (\$5.84).

The minimum monthly charge for each water meter location shall be as follows:

Size of Meter	Residential, Non-residential, Non-peaking Industrial, and Irrigation Accounts	Yard Water Accounts	Rural Water Accounts
5/8" or 5/8"x3/4"	12.16	4.61	13.99
3/4 inch	24.32	7.15	27.97
1 inch	48.65	9.96	55.95
1-1/2 inch	97.30	13.74	111.90
2 inch	194.60	18.27	223.79
2 inch, battery of 2	376.92	--	433.46
2 inch, battery of 3	559.32	--	643.22
3 inch	389.11	23.76	447.48
4 inch	656.59	29.54	755.08
6 inch	1,094.31	35.38	1,258.46
8 inch	2,188.62	41.22	2,516.91
10 inch	3,282.93	46.62	3,775.37

(Ord. No. 4351, 5-8-18)

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

For a 5/8 inch meter serving 2 or more dwelling units..... 3.50/month/unit
For a 3/4 inch meter serving 4 or more dwelling units..... 3.50/month/unit
For a 1 inch meter serving 8 or more dwelling units..... 3.50/month/unit
For a 1-1/2 inch meter serving 16 or more dwelling units..... 3.50/month/unit
For a 2 inch meter serving 30 or more dwelling units..... 104.76/month
for the first 30 units plus \$5.44/month per unit
for each additional unit in excess of 30 units
For a 3 inch or larger meter serving any number of dwelling units 4.81/month/unit

...

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

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

Passed this _____ day of _____, _____.

Diane R. Voss, City Clerk

John A. Haila, Mayor