

AGENDA
REGULAR MEETING OF THE AMES CITY COUNCIL
COUNCIL CHAMBERS – CITY HALL
February 14, 2023

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.

CALL TO ORDER: 5:15 p.m.

FY 2023/24 BUDGET WRAP-UP

1. Council Budget Presentations:
 - a. Public Art
 - b. Arts Funding (COTA)
 - c. Human Services (ASSET)
 - d. Outside Funding Requests
 - e. Other Requests
2. Public Input on Capital Improvements Plan (CIP) and Budget
3. Final Council Decisions:
 - a. Amendments to 2023-2028 CIP
 - b. Vote on motion to approve 2023-2028 CIP
 - c. Amendments to FY 2022/23 Adjusted Budget
 - d. Vote on motion to approve Adjusted Budget for FY 2022/23, as amended
 - e. Amendments to proposed FY 2023/24 Budget
 - f. Vote on motion to approve proposed budget for FY 2023/24, as amended

REGULAR CITY COUNCIL MEETING*

*The Regular City Council meeting will immediately follow Budget Wrap-Up.

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 Minutes of Regular City Council Meeting held January 24, 2023; and Special City Council Meetings on January 17, January 28, and January 31, 2023
3. Motion approving Civil Service candidates
4. Motion approving Change Orders for period for January 16-31, 2023

5. Motion approving ownership update for Class E Retail Alcohol License – Hy-Vee Fast and Fresh #2, 636 Lincoln Way
6. Motion approving ownership update for Class C Retail Alcohol License – Hy-Vee Market Grille, 640 Lincoln Way Market Grille Area
7. Motion approving ownership update for Class C Retail Alcohol License – Hy-Vee #1 Clubroom, 3800 West Lincoln Way Clubroom Area
8. Motion approving ownership update for Class E Retail Alcohol License – Hy-Vee Food Store #1, 3800 W Lincoln Way
9. Motion approving ownership update for Class E Retail Alcohol License – Hy-Vee Food & Drugstore #2, 640 Lincoln Way
10. Motion approving the renewal of the following Beer Permits, Wine Permits, and Liquor Licenses
 - a. Class E Liquor License with Class B Wine Permit, Class C Beer Permit (Carryout Beer), and Sunday Sales – Wal-Mart Supercenter 4256, 534 South Duff Avenue
 - b. Class C Liquor License with Outdoor Service and Sunday Sales – Buffalo Wild Wings, 400 South Duff Avenue
 - c. Class C Liquor License with Outdoor Service and Sunday Sales – Noir, LLC, 405 Kellogg
11. Resolution appointing a City Representative to the Central Iowa Regional Housing Authority (CIRHA) Board of Commissioners
12. Resolution approving Memorandum of Understanding with Iowa State University to provide mutual backup emergency operations facilities
13. Resolution accepting completion of Arts Capital Grant with Story Theater Company and authorizing payment in the amount of \$4,289
14. Resolution waiving formal bidding requirements and accepting American Pulverizer Company as single source supplier, and awarding contract in the amount of \$116,969 to rebuild the secondary shredder rotor at Resource Recovery
15. Resolution approving partial completion of public improvements and reducing security for Kingsbury 5th Addition
16. Resolution approving completion of sidewalk construction for 2810 & 2824 Wakefield Circle and releasing cash security in full
17. Resolution approving final project completion and approve the release of retainage in the amount of \$25,018.84 to Stein Heating & Cooling Inc., of Webster City, Iowa for the CyRide 2022 HVAC Project Closeout
18. Resolution approving preliminary plans and specifications for 2021/22 Accessibility Enhancement Program project and setting March 8, 2023, as bid due date and March 14, 2023, as date of public hearing
19. Resolution approving preliminary plans and specifications for 2022/23 Asphalt Pavement Improvements (Oakwood Road) and setting March 8, 2023, as bid due date and March 14, 2023, as date of public hearing
20. Resolution approving preliminary plans and specifications for 2022/23 Concrete Pavement Improvements (Brookridge Ave., Ridgewood Ave., Lee St., 9th St., Park Way & Alley) and setting March 8, 2023, as bid due date and March 14, 2023, as date of public hearing

21. Resolution approving plans and specifications for 2023 CyRide HVAC Improvements Project setting March 15, 2023, as bid due date and March 21, 2023, as date of public hearing
22. Resolution approving preliminary plans and specifications for Refuse Derived Fuel (RDF) Storage Bin Repair setting March 29, 2023, as bid due date and April 11, 2023, as date of public hearing
23. Resolution approving contract and bond for 2022/23 Downtown Street Pavement Improvement Program
24. Resolution approving contract and bond for 2022/23 Fire Station #3 Concrete Replacement
25. Resolution accepting the 2019/20 Concrete Pavement Improvements (E 3rd St., E 2nd St., Des Moines Ave, Center Ave, Douglas Ave, and 5th St.) as completed by Manatt's Inc. of Ames, Iowa
26. Resolution accepting the Water Pollution Control Facility Methane Engine Generator Replacement Project as completed by The Waldinger Corporation
27. Resolution approving grant agreements for the 2022/23 Intelligent Transportation System (ITS) Program (Phase 3)
28. Resolution awarding contract for Ash Pond Cell Maintenance Services to Wulfekuhle Injection & Pumping of Peosta, Iowa, in the amount not to exceed \$103,300 (inclusive of Iowa sales tax)
29. Resolution awarding contract for installation of fiber, security, and sound equipment for the Steven L. Schainker Plaza to Communication Innovators of Pleasant Hill, Iowa in the amount of \$51,696 for the base bid components plus Bid Alternate #1 and Bid Alternate #2
30. Resolution awarding contract for the Water Treatment Plant High Service Pump Variable Frequency Drive Project to Electric Pump of Des Moines, Iowa for the base bid only in the amount of \$59,395
31. Resolution approving Change Order No. 1 to Integrated Global Services in the amount of \$151,000 for Boiler Tube Spray Coating and Related Services and Supplies Contract
32. North Dayton Industrial Subdivision
 - a. Resolution approving the Final Plat for the North Dayton Industrial Subdivision, First Addition
 - b. Resolution accepting financial security for public improvements
33. Resolution approving proposed Plat of Survey for 4100 Dawes Drive and accept Dedication of Right of Way

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.

PUBLIC WORKS:

34. Resolution approving the professional services agreement amendment for the 2021/22 Concrete Street Pavement Improvements project with HR Green, of Johnston, Iowa, in the amount of \$56,015.37

FINANCE:

35. Resolution approving revisions to Purchasing Policies and Procedures to become effective February 14, 2023

HEARINGS:

36. Hearing on Power Plant Maintenance Services Contract
 - a. Motion accepting Report of Bids and directing staff to delay award of contract
37. Hearing on Power Plant Unit 8 Electrostatic Precipitator Insulation and Lagging
 - a. Motion accepting Report of Bids
 - b. Resolution approving final plans and specifications and awarding contract to Incorp Industries, LLC of Evansville, IN for the Unit 8 Electrostatic Precipitator Insulation and Lagging Project in the amount of \$1,603,640
38. Hearing on Electric Services Combustion Turbine Fuel Oil Pipe Installation
 - a. Motion accepting Report of Bids
 - b. Resolution approving final plans and specifications and awarding contract to Modern Companies, Inc, Cedar Rapids, IA for the Combustion Turbine Fuel Oil Pipe Installation, in the amount of \$391,700
39. Hearing on Water Tower SAM Pump Station Standby Generator
 - a. Motion accepting Report of Bids
 - b. Resolution approving final plans and specifications and awarding contract to Price Electric of Robins, Iowa in the amount of \$166,390
40. Hearing on Furnishing 69 kV and 161 kV SF6 Circuit Breakers for Electric Services
 - a. Motion accepting Report of Bids and directing staff to delay award of contract

ORDINANCES:

41. First passage of ordinance relating to RAGBRAI events on July 24-26, 2023
42. Second passage of rezoning Planned Unit Development (PUD) with Master Plan for 3216 Tripp Street – Baker Subdivision, Lot 27 from Residential Low Density (RL) to Residential Medium Density (RM) with PUD Overlay and Master Plan
43. Third passage and adoption of ORDINANCE NO. 4488 Zoning Text Amendment to amend Home Occupation regulations
44. Prairie View Industrial Center Connection District
 - a. Approve amendment to the Prairie View Industrial Center Water and Sanitary Sewer Connection fee Ordinance
 - b. Second passage to amend Municipal Code of the City of Ames, Iowa, by enacting a new Chapter 28, Section 28.908 (third reading and adoption of ORDINANCE NO. 4489 requested)

DISPOSITION OF COMMUNICATIONS TO COUNCIL:

COUNCIL COMMENTS:

ADJOURNMENT:

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

MINUTES OF THE MEETING OF THE AMES AREA METROPOLITAN PLANNING ORGANIZATION (AAMPO) TRANSPORTATION POLICY COMMITTEE AND REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

JANUARY 24, 2023

CALL TO ORDER: The Ames Area Metropolitan Planning Organization (AAMPO) Transportation Policy Committee meeting was called to order by Ames Mayor and voting member John Haila at 6:07 p.m. on the 24th day of January, 2023. Other voting members present were: Bronwyn Beatty-Hansen, City of Ames; Gloria Betcher, City of Ames; Amber Corrieri, City of Ames; Tim Gartin, City of Ames; Rachel Junck, City of Ames; Anita Rollins, City of Ames; Linda Murken, Story County Supervisor; and Jacob Ludwig, Transit Board.

CONSENT AGENDA: Mayor Haila reviewed the consent agenda item by item and Transportation Planner Kyle Thompson noted the targets for Item No. 3 through Item No. 5. Council Member Rollins inquired about the expected increase in safety targets for Item No. 4 and Mr. Thompson highlighted the targets were established by the Iowa Department of Transportation through an evaluation of statistics from previous years combined with an assessment of current transportation trends to set a realistic target.

Moved by Corrieri, seconded by Murken, to approve the consent agenda.

1. Motion approving Annual Self-Certification for FY 2023
2. RESOLUTION NO. 23-023 approving designation of AAMPO representatives to Central Iowa Regional Transportation Planning Alliance
3. Motion approving Roadway Safety Targets
4. Motion approving PM2 and PM3 Targets
5. Motion approving Transit Asset Management Targets

Vote on Motion: 9-0. Motion/Resolutions declared carried/adopted, signed by the Mayor, and hereby made a portion of these Minutes.

ADMINISTRATION: Planner Thompson reviewed that to receive federal funds for regional transportation projects, it is necessary for those projects to be included in the Transportation Improvement Program (TIP) for the Ames Area Metropolitan Planning Organization (AAMPO). The current TIP for the AMMPO contains projects programmed for federal fiscal years (FFY) 2023 through 2026, which was approved on July 12, 2022. The TIP may be amended in accordance with the procedures outlined in the TIP and Public Participation Plan.

CyRide submitted a request for project amendments, explained Mr. Thompson, due to supply chain shortages. Because the amount of federal aid increase to these projects exceeds 30%, a TIP amendment is required to roll-over and modify these projects. He noted that since the Transportation Technical Committee reviewed the proposed amendment and unanimously recommended approval, staff is requesting to set the date of public hearing as March 28, 2023, for approval the amendment to the FFY 2023-2026 Transportation Improvement Program.

Moved by Ludwig, seconded by Murken, to set March 28, 2023, as date of public hearing regarding amendments to the FFY 2023-2026 Transportation Improvement Program.

Vote on Motion: 9-0. Motion declared carried unanimously.

POLICY COMMITTEE COMMENTS: No comments.

ADJOURNMENT: Moved by Corrieri, seconded by Murken, to adjourn the meeting at 6:12 p.m.

Vote on Motion: 9-0. Motion declared carried unanimously.

MINUTES OF THE REGULAR MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

JANUARY 24, 2023

The regular meeting of the Ames City Council was called to order by Mayor John Haila at 6:13 p.m. on the 24th day of January, 2023, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law. Present were Council Members Gloria Betcher, Bronwyn Beatty-Hansen, Amber Corrieri, Tim Gartin, Rachel Junck, and Anita Rollins. *Ex officio* Jacob Ludwig was present on behalf of Bryce Garman.

Mayor Haila pulled Item No. 39, staff report on Downtown Urban Revitalization Amendments, from the agenda, noting the report would come before the City Council in the near future after additional work was completed.

HEADWATERS OF THE SOUTH SKUNK RIVER WATERSHED MANAGEMENT PLAN PRESENTATION: Director of Water and Pollution Control John Dunn alongside Story County Conservation Watershed Coordinator Sara Carmichael provided a high-level overview of the Headwaters of the South Skunk River Watershed Management Authority and its recently completed watershed management plan.

Council Member Betcher inquired about how many of the members are considered a point source for the nutrient reduction strategy. Ms. Carmichael noted that the strategy addresses both point and non-point sources, with point sources coming directly from wastewater treatments, such as the City of Ames or the City of Story City.

Mayor Haila noted the presentation by Ms. Carmichael advertised the program as voluntary with no taxing or regulatory authority. He emphasized the impact that surface runoff has, highlighting the investment the City of Ames is making for improvements to make an incremental decrease in discharge. He asked if there are local landowners who are interested in working within the management plan. Ms. Carmichael replied in the affirmative, noting that many local landowners are responsive to education.

CONSENT AGENDA: Council Member Betcher requested to pull Item No. 11c, motion approving the renewal of Class C Retail Alcohol License with Outdoor Service – cy’s roost, 121 Welch Avenue.

Moved by Betcher, seconded by Beatty-Hansen, to approve the consent agenda less Item No. 11c.

2. Motion approving payment of claims
3. Motion approving Minutes of Regular Meeting on January 10, 2023
4. Motion approving Report of Change Orders for period January 1 – 15, 2023
5. Motion approving Civil Service candidates
6. Motion approving ownership update for Class C Retail Alcohol License with Outdoor Service and Catering Privileges – Provisions Lot F, 2400 North Loop Drive
7. Motion approving ownership update for Class C Retail Alcohol License with Outdoor Service and Catering Privileges – The Café, 2616 Northridge Parkway
8. Motion approving ownership update for Class E Retail Alcohol License – Kwik Spirits #530, 204 South Duff Avenue
9. Motion approving ownership update for Class E Retail Alcohol License – Kwik Star #1158, 1910 Isaac Newton Drive
10. Motion approving new liquor license for Class C Retail Alcohol License – Bottoms Up Bar & Lounge, 398 Main Street – Pending Dramshop Review and Favorable DIA Inspection
11. Motion approving the renewal of the following Beer Permits, Wine Permits, and Liquor Licenses
 - a. Class E Liquor License with Class B Wine Permit and Class C Beer Permit (Carryout Beer) – Fareway Stores, Inc. #093, 3619 Stange Road
 - b. Class E Liquor License with Class B Wine Permit and Class C Beer Permit (Carryout Beer) – Fareway Stores, Inc. #386, 619 Burnett Avenue
 - c. Class C Retail Alcohol License with Outdoor Service – cy’s roost, 121 Welch Avenue
 - d. Class C Liquor License with Sunday Sales – Dog Eared Books, 203 Main Street
 - e. Special Class C Liquor License with Outdoor Service and Sunday Sales – Blaze Pizza, 2320 Lincoln Way
 - f. Class C Liquor License with Outdoor Service and Sunday Sales – El Azteca, 2727 Stange Road – Pending Dramshop Review
 - g. Class C Liquor License with Catering Privilege and Sunday Sales – Ge’ Angelo’s, 823 Wheeler Street #9
 - h. Class C Liquor License with Outdoor Service and Sunday Sales - Blue Owl Bar, 223 Welch Avenue – Pending Dramshop Review
 - i. Class C Liquor with Catering Privilege, Outdoor Service, and Sunday Sales - West Towne Pub, 4518 Mortensen Road Suite 101 - Pending Dramshop Review
 - j. Class C Liquor with Sunday Sales - Cactus 2, 2420 Lincoln Way Suite B
12. Motion approving the Certified Local Government National Register Nomination Evaluation Report of the Cranford Building to the National Register of Historic Places

13. RESOLUTION NO. 23-024 approving quarterly investment report for period ending December 31, 2022
14. RESOLUTION NO. 23-025 approving Encroachment Permit Agreement for sign at 301 Main Street, Suite 105
15. RESOLUTION NO. 23-026 approving staff to submit The Wellmark Foundation Built Environmental Match Grant application in the amount of \$100,000 for the Emma McCarthy Lee Pickleball Court Project
16. RESOLUTION NO. 23-027 approving plans and specifications for 2022/23 and 2023/24 Ames Plan 2040 Water Utility Infrastructure (Lincoln Way & US Highway 69) setting February 22, 2023, as bid due date and February 28, 2023, as date of public hearing
17. RESOLUTION NO. 23-028 approving preliminary plans and specifications for Airport Underground Line Crossing, setting March 1, 2023, as bid due date and March 14, 2023, as date of public hearing
18. RESOLUTION NO. 23-029 approving preliminary plans and specifications and issuing a notice to bidders for the North River Valley Well Field and Pipeline Project, setting March 3, 2023, as the bid due date and March 14, 2023, as the date of public hearing
19. RESOLUTION NO. 23-030 approving plans and specifications for 2021/22 Shared Use Path System Expansion – Ioway Creek, setting February 21, 2023, as the bid due date and February 28, 2023, as date of public hearing
20. RESOLUTION NO. 23-031 approving plans and specifications for 2022/23 Shared Use Path Maintenance, setting February 22, 2023, as bid due date and February 28, 2023, as date of public hearing
21. RESOLUTION NO. 23-032 approving plans and specifications for 2022/23 Pavement Restoration – Slurry Seal Program, setting February 22, 2023, as bid due date and February 28, 2023, as date of public hearing
22. RESOLUTION NO. 23-033 approving final plans and specifications and awarding contract to Amusement Restoration Companies, of Burnet, Texas, for the Furman Aquatic Center Pool Basin Painting Project in the amount of \$133,405
23. RESOLUTION NO. 23-034 awarding contract to Roof Spec Incorporated of St. Paul, Minnesota, for Roofing Design Services for the Power Plant in the amount of \$49,768.80
24. RESOLUTION NO. 23-035 approving contract and bond for 2022/23 Asphalt Street Pavement Improvements (28th Street)
25. RESOLUTION NO. 23-036 approving contract and bond for 2022/23 North Sunset Ridge Sanitary Sewer
26. RESOLUTION NO. 23-037 approving Professional Services Agreement for the Construction Observation/Administration Services for the Sanitary Sewer Rehabilitation Projects, with WHKS & Co. of Ames, Iowa, in the amount not to exceed \$272,000
27. RESOLUTION NO. 23-038 approving Professional Services Agreement for the 2022/23 Airport Improvement Program (South Apron Rehab), with Bolton & Menk, Ames, Iowa, in an amount not to exceed \$184,700 for design, bidding, construction inspection, and grant closeout services
28. RESOLUTION NO. 23-039 approving Change Order No. 1, deducting \$65,065.03 from the contract with SVPA Architects Inc. of West Des Moines, Iowa, for Water Pollution Control

Facility Administration Building Renovation

29. 2021/22 Concrete Street Pavement Improvements (S. Kellogg Avenue and N. 2nd Street)
 - a. RESOLUTION NO. 23-048 approving Change Order No. 2 for the 2021/22 Concrete Street Pavement Improvements (S. Kellogg Avenue and N. 2nd Street), a reduction in the amount of \$93,223.97
 - b. RESOLUTION NO. 23-040 accepting the 2021/22 Concrete Street Pavement Improvements (S. Kellogg Avenue and N. 2nd Street) as completed by All Star Concrete, of Johnston, Iowa
30. RESOLUTION NO. 23-041 approving Change Order No. 6, the balancing change order, a deduction in the amount of \$553,461.68 from the contract with Peterson Contractors, Inc., of Reinbeck, Iowa, for the South Grand Avenue Extension Project
31. RESOLUTION NO. 23-042 accepting Water Pollution Control Facility Sludge Pumping Building Improvements Project as completed and authorizing final payment and releasing retainage, in accordance with the contract, to Woodruff Construction, Inc., of Ames, Iowa
32. RESOLUTION NO. 23-043 accepting 2021/22 Seal Coat Pavement Improvements (Stafford Avenue – E. 13th Street to South End) as completed
33. RESOLUTION NO. 23-044 accepting 2018/19 Shared Use Path System Expansion – Trail Connection South of Lincoln Way (Beedle Drive to Franklin Park) as completed

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

RENEWAL OF THE CLASS C RETAIL ALCOHOL LICENSE WITH OUTDOOR SERVICE – CY’S ROOST, 121 WELCH AVENUE: Council Member Betcher desired to confirm with Chief of Police Geoff Huff that staff is confident in the recommendation as stated in the Council Action Form.

Chief Huff noted that in the review by staff of cy’s roost in the last renewal period, it was identified that the establishment had 17 underage on premise citations written; however, 13 of those 17 were verified to have a fake ID. In addition, cy’s roost passed two compliance checks in the last two years, in March of 2021 and October of 2022. Chief Huff stated that at this point in time, staff does not have any information that would lead to a recommendation other than a renewal as requested. He added that staff has put all of the liquor license establishments on closer scrutiny in the past few months with officers spending more time in all of the establishments.

Moved by Betcher, seconded by Corrieri, to approve renewal of the Class C Retail Alcohol License with Outdoor Service – cy’s roost, 121 Welch Avenue.

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

PUBLIC FORUM: Mayor Haila opened the Public Forum.

Richard Deyo, 505-8th Street, #2, Ames, discussed how there is a peaceful and loving utopia right here, raising the question about how to get there from days of unrest and war. He highlighted the

responsibilities that tie into humanity and Mayor Haila asked Mr. Deyo to conclude as his statements were not tied to City business.

Seemi C., Ames Resident and Iowa State University Graduate Student, reviewed the need for creating safer routes for bicycles and pedestrians, especially on Iowa State University (ISU) campus and along University Boulevard where crashes have recently occurred. She shared her passion for the topic and noted her involvement on campus to create awareness of the issue. She encouraged the City Council to evaluate the Municipal Code and allocation of funding to help non-motorists. Mayor Haila responded, alerting Ms. C. that the City Council has no jurisdiction on any university property. He added that the City Council is working on the Bike/Ped Master Plan and encouraged input through that process. Council Member Beatty-Hansen shared that the Bike/Ped Master Plan Workshop would be hosted on Tuesday, January 31st, 2023 at 6:00 p.m.

Andrea Grono, 225 S. Kellogg, Ames, shared that the annual Point in Time Count for those who are struggling with homelessness will be happening Wednesday afternoon and Thursday morning. She encouraged everyone to spread the word to those they may know who are unsheltered and living in conditions unfit for human habitation. She highlighted that there are several locations across town, with the main point being the Ames Public Library. Ms. Grono added that it was important for individuals to be counted and receive a resource bag so federal funds could be directed towards the Ames area to help those struggling.

Marlene Ehresman, 810 Brookridge Avenue, Ames, shared her favor in moving ahead on an upgraded facility for the Ames Animal Shelter. She discussed safety and space concerns at the current facility, highlighting that the conditions are not the quality that should be expected in the City of Ames. Ms. Ehresman added that over the past few weeks a die off of waterfowl on Ada Hayden is also of concern. She noted her involvement in the issue and work being done with veterinary staff at the Iowa Department of Natural Resources (DNR) to figure out what has been going on. Volunteers from Friends of Ada Hayden and Skunk River Paddlers have retrieved live animals, when possible, and deceased animals have been disposed of by the Ames Animal Shelter, with a select few going to Iowa State University for research at the Veterinary Diagnostic Lab facility. She emphasized that staff at the Ames Animal Shelter need to be cared for because what they do for the community is boundless, furthering her support for a new facility for the Ames Animal Shelter.

Will Determan, 1008 Lincoln Way, Ames, discussed the South Grand Avenue extension. He noted that the extension has been a great benefit to the community, and it would be difficult for motorists to notice any issues; however, bicyclists and pedestrians lack safe options to cross the street. He shared that there is a large density of multi-family housing between S. 4th Street and S. 5th Street that needs to connect to the multi-use trail nearby and general transit stops across the road. He was able to identify one safe crossing at S. 4th Street, which requires backtracking for individuals needing to travel south. Mr. Determan discussed solutions to this issue, highlighting that the shortest route is often the safest route and provided the suggestion of a raised crosswalk at the location of a previous crosswalk, which was eliminated at the conclusion of the extension.

Mayor Haila closed the Public Forum when no one else came forward to speak.

HISTORIC PRESERVATION COMMISSION: Planning and Housing Director Kelly Diekmann and Historic Preservation Commission (HPC) Chair Susan Minks presented the 2022 Annual Certified Local Government Report including the 2023 Work Plan. Director Diekmann highlighted that under the Certified Local Government (CLG) Agreement with the State Historic Preservation Office (SHPO), local governments and their Historic Preservation Commissions are responsible for submitting an annual report documenting the City's and Commission's preservation work during the previous calendar year.

Council Member Betcher asked how many HPC members attended the provided trainings as outlined in the report. Ms. Minks noted that the whole Commission was presented with the opportunity, while those who choose to attend the in-person event included two members.

Mayor Haila announced that applications are being received for Board and Commission appointments. He noted several vacancies, including on the Historic Preservation Commission.

Moved by Gartin, seconded by Betcher to adopt RESOLUTION NO. 23-045 approving 2022 accomplishments of the Historic Preservation Commission and the Work Plan for 2023 as described in the 2022 Certified Local Government (CLG) Report.

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

2023-2028 CAPITAL IMPROVEMENTS PLAN PUBLIC INPUT: City Manager Schainker noted this was an opportunity for the community to provide feedback following the budget presentations from department heads last week, noting that final decisions would be made at the budget wrap-up meeting on February 14, 2023.

Mayor Haila opened the Public Input.

Mayor Haila noted the comments received during Public Forum from Marlene Ehresman and Will Determan. City Manager Steve Schainker also noted email input from Steve Martin for the record.

Mayor Haila closed the Public Input when no one came forward to speak.

HOME INVESTMENT PARTNERSHIPS AMERICAN RESCUE PLAN PROGRAM: Housing Coordinator Vanessa Baker-Latimer reviewed the agreement with HUD, highlighting the qualifying populations and eligible activities for the funds. She reviewed the Public Outreach, discussing the stakeholder and public feedback. After reviewing the feedback and referring to the City's 2019-2023 Consolidated Plan, Ms. Baker-Latimer discussed the recommendation from staff for use of the funding for Acquisition/Demolition/Rehabilitation for Non-Congregate Housing and General Administration for HOME-ARP, providing a rationale for the proposed activities as listed in the Council Action Form.

Council Member Betcher asked what the accomplishments would be for brick-and-mortar that would not require an additional investment for operating the services. Coordinator Baker-Latimer explained the brick-and-mortar process and where funding could be allocated, noting partnerships with ASSET to continue the operational services.

Public Input was opened by Mayor Haila.

Loris Olsen, President of Home Allies, 1705 Buchanan Drive, Ames, spoke in support of Option 2, highlighting that the entire portion of money available through the HOME-ARP funding would likely be allocated to one agency. She stated that the City is not looking to build anything with these funds, the City is looking at giving the funding to one or more entities to build. Ms. Olsen elaborated that she found herself in a difficult position because she has worked closely with the agency City staff desires to give some or all of the money to, and she supports that agency, and the Ames community desperately needs non-congregate housing; however, she posed the question of what the City will do when people are done qualifying for shelter housing. She stated that she is asking the City Council to consider Option 2 with the modification that 20% of the funding be utilized to establish long-term housing.

Public Input was closed by Mayor Haila when no one else came forward to speak.

Ms. Baker-Latimer provided points of response per the request of Council Member Gartin, clarifying that it has not been decided to where or whom the funding will be specifically allocated as the projects may be administered by the City itself. She stated that at this point, staff has not approached local agencies about the funding because the application is yet to be submitted and approved by HUD. Mayor Haila asked if the funding allocation plan can be modified in the future. Ms. Baker-Latimer noted there were a number of different paths that the funding requirements could take, similar to the Community Development Block Grant (CDBG) funding. Council Member Rollins asked about the kinds of agencies that could be partnered with in terms of certifications or requirements the agency would need to obtain for the funding. Ms. Baker-Latimer replied that it is too early in the process to tell, and it would be something staff could look into after the application is approved.

Moved by Beatty-Hansen, seconded by Rollins, to adopt RESOLUTION NO. 23-046 approving HOME Investment Partnerships American Rescue Plan Program (HOME-ARP) Proposed Allocation Plan Program and proposed estimated budget, directing staff to prepare the draft allocation plan, and set March 28, 2023, as the date of the public hearing for approval of submitting the plan to HUD on or by March 31, 2023.

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

BAKER SUBDIVISION: Housing Coordinator Baker-Latimer explained that the City of Ames, as the developer of the subdivision, completed the public infrastructure improvements (streets, water, sewer, electrical, sidewalks, including geothermal) for the 26 single-family lots and is now in the position to begin developing the lots for the construction of single-family homes. She reviewed that 51% (14) of the lots have to be used for low and moderate-income households to

meet federal CBDG requirements. Additionally, Lot 27 is set aside for affordable multi-family housing development.

Ms. Baker-Latimer noted Habitat for Humanity of Central Iowa (HHCI) approached the staff with an interest in purchasing seven lots in the Baker Subdivision in conjunction with their award from the Iowa HOME Grant Program (Federal American Rescue Act State and Local Fiscal Relief Funds). HHCI was made aware of the covenants for the subdivision and the minimum design requirements. Staff and HHCI representatives identified Lots 2 to 8 located south of Tripp Street and along the east side of Wilmoth Avenue as desirable for the first phase of home construction.

Mayor Haila opened and closed Public Input when no one came forward to speak.

Moved by Betcher, seconded by Rollins, to adopt RESOLUTION NO. 23-047 setting February 14, 2023, as the date of public hearing for the sale of Lots 2-8 in the Baker Subdivision to Habitat for Humanity of Central Iowa.

Roll Call Vote: 5-0-1. Voting Aye: Beatty-Hansen, Betcher, Corrieri, Junck, Rollins. Nay: None. Abstaining: Gartin. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

STAFF REPORT RELATING TO MINIMUM FLOOR AREA RATIOS FOR DOWNTOWN NON-CONFORMING STRUCTURES: Planning and Housing Director Kelly Diekmann provided the background for this issue before reviewing the current zoning requirements. He highlighted that buildings in the Downtown Service Center have the requirement that all buildings have a minimum Floor Area Ratio (FAR) of 1.0. Lots cannot be created or modified that do not result in a conforming configuration or maintain conformance to a standard related to lot dimensions.

The options available to the City Council were presented by Director Diekmann. Option 1: Add an exception to Section 29.303(2) – Lots that exclude conformity with minimum FAR for boundary line adjustments and lot mergers. In this option, maintaining minimum FAR requirements is excluded for Boundary Line Adjustments and Lot Mergers, however this does not exclude use of a lot from meeting all development standards and nonconformity requirements related to buildings and site improvements. Since the building itself would still be nonconforming due to FAR and height, it could be remodeled, but not structurally changed as limited by the Zoning Ordinance. Any future changes or additions would be required to fully conform to zoning standards, including minimum FAR and height. If this change were to be approved, it may be prudent to add a plat requirement for a notice of limitations regarding future use if the lot mergers are approved to provide notice to future property owners. Option 2: Modify Zoning Ordinance Procedures and Enforcement requirements related to finishing construction of a building within three years by removing the financial penalty for noncompliance and only withhold future permits until the project is complete. This option would not remove any development standards but would eliminate the most onerous enforcement language of a daily financial penalty for delaying completion of a project. This would mean that the applicant could proceed with remodeling of the site in a manner consistent with their approved Site Development Plan, and if they do not complete the addition within the three-year limit, the property owner would not be able to get other permits in the future until the addition is complete.

Mayor Haila asked about changing the lot configuration under each of the options as it related to the Zoning Ordinance. Director Diekmann explained that under Option 1, the act of changing the lot configuration would be legally allowed under zoning, so the property owner would not create a conflict; however, the building would either stay non-conforming or become non-conforming, which would be intentionally allowed to enact the remodeling restrictions. He emphasized that this model would be more flexible for property owners than the current available option.

Council Member Gartin asked if there were any negative consequences of Option 1 that the City Council should consider. Director Diekmann replied, noting prolonging the life of a non-conforming building/structure/site is a trade off to granting the property owner flexibility in the situation. Council Member Gartin noted that he is always trying to anticipate the law of unintended consequences and asked Mr. Diekmann how many properties in the Downtown would be impacted under Option 1. Under current ownership, Director Diekmann stated that he would estimate five situations where Option 1 would be impactful.

Council Member Betcher asked should the City Council approve Option 1, would the project that brought forth this issue originally, be able to be completed at some point in the future. Director Diekmann replied in the affirmative.

Mayor Haila opened and closed the Public Input when no one came forward to speak.

Moved by Gartin, seconded by Corrieri, to approve Option 1: Add an exception to Section 29.303(2) – Lots that exclude conformity with minimum FAR for boundary line adjustments and lot mergers.

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

STAFF REPORT ON DOWNTOWN URBAN REVITALIZATION AMENDMENTS:
Mayor Haila noted the item had been pulled.

HEARING ON ZONING TEXT AMENDMENT FOR FRONT YARD PARKING AND DRIVEWAY STANDARDS: Mayor Haila opened the Public Hearing. Moved by Corrieri, seconded by Beatty-Hansen, to continue hearing to February 28, 2023.

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

HEARING ON REZONING PLANNED UNIT DEVELOPMENT (PUD) WITH MASTER PLAN FOR 3216 TRIPP STREET – BAKER SUBDIVISION, LOT 27 FROM RESIDENTIAL LOW DENSITY (RL) TO RESIDENTIAL MEDIUM DENSITY (RM) WITH PUD OVERLAY AND MASTER PLAN: Planning and Housing Director Diekmann explained the amendment and the density limit, highlighting that one of the qualifying criteria for a LIHTC application is to have zoning for the proposed project in place for the subject property. The proposed rezoning request is to allow for a medium density residential development as small apartment buildings, townhomes, or duplexes. The proposed PUD Master Plan identifies the proposed uses of the site along with the minimum and maximum number of units, parking

allowances, and building types, with standards that require a future Major Site Development Plan approval by the City Council prior to development of a specific project on the site.

Director Diekmann furthered that the current Ames Plan 2040 land use designation of the site is RN-2. The RN-2 land use designation is reflective of existing neighborhoods primarily developed prior to 2000 with a mix of single family, two-family, and some multi-family development. RN-2 land use description identifies a mix of corresponding zoning districts to implement the goals and policies of this designation. While primarily intended for one- and two-family development types, it also includes a selective option for medium density residential (RM) zoning for development of small apartments and townhomes in clusters within or adjacent to established neighborhoods, which in this case, complies with the Plan and meets the City's overall housing goals.

The Public Hearing was opened and closed by Mayor Haila when no one came forward to speak.

Moved by Betcher, seconded by Corrieri, to pass on first reading an ordinance Rezoning Planned Unit Development (PUD) with Master Plan for 3216 Tripp Street – Baker Subdivision, Lot 27 from Residential Low Density (RL) to Residential Medium Density (RM) with PUD Overlay and Master Plan.

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

HEARING ON AMENDMENT TO CONTRACT REZONING AGREEMENT FOR 798 N. 500TH AVENUE (NORTH SUNSET RIDGE): Planning and Housing Director Diekmann noted that, per the City's standards in Chapter 29 Article 15 of the Municipal Code regarding Master Plan changes, the Planning and Zoning Commission has up to 90 days to consider the item and make a recommendation concerning the Master Plan. Because quorum was not attained at the most recent Planning and Zoning Commission meeting, staff requested that the City Council table approving the revised Master Plan and only act on the Letter of Credit.

Mr. Diekmann explained that with the rezoning, the developer entered into a Contract Rezoning Agreement that included provision for a financial contribution to the extension for sanitary sewer line through the site and a separate section regarding a Master Plan for the zoning approval. The developer was required to provide a one-time payment to the City within 14 days of the award of the contract for construction of the sanitary sewer extension, which occurred at the January 10, 2023, City Council meeting. The developer requested an amendment to the rezoning agreement to allow temporarily substituting a letter of credit for the cash security. Accepting the letter of credit would defer cash payment to the City until March 31, 2023, which would coincide with the start of construction of the sanitary sewer project. This request, explained Mr. Diekmann, is unusual in that it is a change of terms to the agreement and City practice is to require cash security when there is a defined contribution to a project rather than a percentage share. He emphasized that satisfying this request should not set a precedent. Director Diekmann concluded by indicating that the bank cannot deliver the letter of credit until the following day and the City Council would need to approve the resolution contingent upon receipt.

Mayor Haila opened and closed the Public Hearing when no one came forward to speak.

Moved by Betcher, seconded by Corrieri, to table the Resolution approving revised Master Plan.
Roll Call Vote: 6-0. Motion declared carried unanimously.

Moved by Gartin, seconded by Betcher, to adopt RESOLUTION NO. 23-049 approving change to allow for acceptance of a Letter of Credit in the amount of \$604,725, in lieu of cash security, until March 31, 2023, contingent upon receipt of the Letter of Credit.
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON 2021/22 CONCRETE PAVEMENT IMPROVEMENTS (STANGE AND 24TH): The Public Hearing was opened and closed by Mayor Haila when no one came forward to speak. Moved by Gartin, seconded by Betcher, to accept the report of bids.
Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Betcher, seconded by Gartin, to adopt RESOLUTION NO. 23-050 approving final plans and specifications and awarding contract to Con-Struct Inc. of Ames, Iowa, in the amount of \$4,252,314.23.
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON 2022/23 DOWNTOWN STREET PAVEMENT IMPROVEMENTS – ALLEY (5TH STREET-6TH STREET BETWEEN DUFF AVENUE AND DOUGLAS AVENUE): Mayor Haila opened and closed the Public Hearing when no one came forward to speak. Moved by Rollins, seconded by Gartin, to accept the report of bids.
Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Gartin, seconded by Betcher, to adopt RESOLUTION NO. 23-051 approving final plans and specifications and awarding contract to Brothers Concrete of Des Moines, Iowa, in the amount of \$103,062.30.
Roll Call Vote: 6-0. Resolution declared adopted unanimously, signed by the Mayor, and hereby made a portion of these Minutes.

HEARING ON 2022/23 FIRE STATION 3 PCC REPLACEMENT: The Public Hearing was opened and closed by Mayor Haila when no one came forward to speak. Moved by Rollins, seconded by Gartin, to accept the report of bids.
Vote on Motion: 6-0. Motion declared carried unanimously.

Moved by Betcher, seconded Gartin, to adopt RESOLUTION NO. 23-052 approving final plans and specifications and awarding contract to Brothers Concrete of Des Moines, Iowa, in the amount of \$228,269.50.

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

HEARING ON 2022/23 SEAL COAT PAVEMENT IMPROVEMENTS AND NEIGHBORHOOD CURB PROGRAM PROJECT (MURRAY DRIVE - NORTHWESTERN AVENUE TO GRAND AVENUE): Mayor Haila opened and closed the Public Hearing when no one came forward to speak. Moved by Betcher, seconded by Gartin, to accept the report of bids.

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

Moved by Rollins, seconded by Betcher, to adopt RESOLUTION NO. 23-053 approving final plans and specifications and awarding contract to Manatt's Inc. of Ames, Iowa, in the amount of \$722,863.45.

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

ZONING TEXT AMENDMENT TO AMEND THE HOME OCCUPATION REGULATIONS: City Attorney Mark Lambert noted that after the First Reading of the Home Occupation text amendment, staff found additional places where Home Occupations were referenced in the Zoning Ordinance. These references have been addressed in the amendment with no changes to Sec. 29.1304 or Sec. 29.1304A.

Mayor Haila opened and closed the Public Input when no one came forward to speak.

Moved by Gartin, seconded by Rollins, to amend consistent with the draft provided by the City Attorney.

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

Moved by Betcher, seconded by Gartin, to pass on second reading an ordinance amending Zoning Text regarding Home Occupation Regulations.

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

DISPOSITION OF COMMUNICATIONS TO COUNCIL: Mayor Haila noted there were no items to consider.

COUNCIL COMMENTS: Council Member Gartin said, "Go Iowa State!"

Council Member Junck thanked *ex officio* Bryce Garman for his service representing Iowa State University Students the past nine months and wished him all the best in his future endeavors.

Ex officio Jacob Ludwig also shared his thanks to Mr. Garman for his service, noting that Student Government would hopefully have a long-term replacement for *ex officio*.

Mayor Haila thanked Mr. Ludwig for filling in and echoed the thanks to Mr. Garman for his service. He also noted that the third Community Conversation on Mental Health, focusing on Resiliency with keynote speaker Lindsey Fennelly, would be held at the Ames Community School District offices in the School Board Room from 6:30-8:30 p.m. on January 26, 2023. He invited the City Council to attend, highlighting that work has been done to get the message out to Ames and Iowa State University students and sharing his hope that many can attend the event.

ADJOURNMENT: Moved by Gartin, seconded by Corrieri, to adjourn the meeting at 7:49 p.m.
Vote on Motion: 6-0. Motion declared carried unanimously.

Carly M. Watson, Deputy City Clerk

John A. Haila, Mayor

Renee Hall, City Clerk

MINUTES OF THE SPECIAL MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

JANUARY 17, 2023

The special meeting of the Ames City Council was called to order by Mayor John Haila at 5:15 p.m. on the 17th day of January, 2023, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law. Present were Council Members Bronwyn Beatty-Hansen, Gloria Betcher, Tim Gartin, Amber Corrieri, Rachel Junck, and Anita Rollins. *Ex officio* Member Bryce Garman was absent.

CONSENT AGENDA: Moved by Betcher, seconded by Corrieri, to approve the consent agenda.

1. Resolution approving Economic Development Assistance contract with Berdex USA including a \$5,710 grant from the Hotel/Motel Tax Fund balance

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

WORKSHOP ON 2023-2028 CAPITAL IMPROVEMENTS PLAN: City Manager Steve Schainker opened the meeting by stating that Department heads would be outlining the Capital Improvements Plan (CIP) for fiscal years 2023/24 through 2027/28. He noted City Council and public could expect to see projects related to land, building, infrastructure, and major equipment/vehicles. City Manager Schainker also acknowledged the challenges being faced due to increasing costs due to shortage of skilled labor, supply chain issues, and rising interest rates. Two projects pointed out to illustrate how these challenges are having an impact were the East Lincoln Way Water Tower project, and the Nutrient Reduction Project at the Water Pollution Control Facility. City Manager Schainker stated a common theme that could be observed in this CIP was delaying projects in order to adjust to higher prices, and in some cases eliminating the project. He noted bonds for the Fitch Family Indoor Aquatic Center would be issued over a term of several years, with the largest issuance taking place in fiscal year 2024/25. These would be partially offset by a cutback of \$10.9 million dollars from the Public Works transportation project budget for that year to relieve the burden on taxpayers.

PUBLIC SAFETY:

Fire

Fire Chief Rich Higgins presented on behalf of the Fire Department. The first project he addressed was the need for a Fire Apparatus Replacement, which had a 12% project cost increase. He noted the requested funding for this project will allow the Fire Department to refurbish the current Engine 2 once it is replaced, so it can be maintained as a reserve vehicle for the next 10 years. A new project presented by Chief Higgins was the Station Alerting System Replacement. He noted the current system is 14 years old and has begun to lose functionality as other technology in the City is updated. Chief Higgins noted updating the system will also allow for redundancy for added security as well. He stated computer updates were being delayed in order to free up funds for the new Station Alerting System.

City Manager Schainker noted even when there is a budgeted vehicle for the coming year, the delivery date may be delayed, and costs will continue to fluctuate during that time.

UTILITIES PROGRAM:

Electric Services

Director of Electric Services Donald Kom introduced the Electric Services Department request for CIP over the next five fiscal years. Director Kom echoed City Manager Schainker by highlighting several projects that, due to materials and other factors, have been delayed. He noted one of the areas where Electric Services is requesting more funding is in the area of Electric Vehicle Infrastructure as the Electric Department looks at adding additional charging stations for electric vehicles. He cited the Climate Action Plan as informing this priority. Director Kom also noted the department is seeking state and federal funds for those projects to reduce the amount of out of pocket costs for the City. Another area that had increased funding requests were for street light and line relocation, which is coordinated with the timeline of projects conducted by Public Works.

Director Kom cited preparing for a diversified workforce as the reasoning behind the Electrical Distribution Universal Locker project. With recent national events, he also noted Substation Security as an area of priority, leading to a greater funding request for that area as the Electric Department seeks to do everything possible in the short-term to make the substations a less likely target.

The Power Plant, which Director Kom stated constitutes 50% of the five-year CIP budget requests for the Department, has requested funding to make Combustion Turbine Improvements as Unit #7 and Unit #8 need a major overhaul every 5-7 years. These upgrades allow for maintenance and upkeep of the electric grid. Director Kom explained MISO has also expressed interest in the City of Ames being more capacity-rich during the winter, which would necessitate updates to the Combustion Turbine 2 Inlet Heating system. While not immediately necessary, Director Kom said the Electric Services Department included the project to be prepared if MISO were to change that requirement.

Director Kom noted a large portion of the requests were centered around updates and securing replacement parts for future repairs for boiler life at the Power Plant. He also expressed that the Waste to Energy (WTE) study that was recently presented to the City Council would play a role in determining what future requests would look like. He stated the Electric Services Department evaluated what needs were critical for updates and what could be flexible to respond to the eventual decision with WTE.

Water Production/Treatment

John Dunn, Director of Water and Pollution Control, highlighted facility improvements at the Water Treatment Plant, which he noted were a collection of small standalone projects that were not a part of bigger CIP projects. He noted there were projects in this group that had been delayed, but none of the delayed projects would create a jeopardy for the system. Physical and cyber security improvements motivated by the 2020 Vulnerability Study were included at a decreased cost from what was previously projected, as modifications to the plan allowed for eliminating an access-control system change out. Director Dunn also noted that supply chain issues had affected the Water Plant's ability to replace Advanced Metering Infrastructure, so those funds had been carried forward to future fiscal years to rebuild the meter inventory when they are available.

One project that generated discussion amongst the City Council was the Prairie View Industrial

Center elevated tank. This project was delayed due to costs, as pricing for the tanks remain volatile due to rising steel plate costs and increased delivery wait times for parts. City Manager Shainker noted that there is a balance between targeted industry policy and making big investments ahead of development, and that City staff were evaluating and keeping an eye on the needs of the area.

Other projects discussed were: SAM Pump Station Improvements, new Five Million Gallon Reservoir, Ada Hayden Water Quality Study, Lime Lagoon Improvements, and Well Controls Rehabilitation.

Water Pollution Control

Director Dunn then moved on to Water Pollution Control projects: Nutrient Reduction Modifications, Cogeneration System Maintenance, Watershed-Based Nutrient Reduction, WPC Plant Facility Improvements, Lift Station Improvements, WPCE Electrical System Maintenance, and Clarifier Maintenance.

The Nutrient Reduction Modifications-Phase 1 was discussed thoroughly as it was a significant price increase. Director Dunn noted the plan had been adapted to be robust but removes the need to be dependent on one vendor. Mayor Haila expressed concern over the ballooning costs. Director Dunn noted the City cannot complete the project on their own, there must be support at the state level as well. He also noted that the facility at the Water Pollution Control (WPC) plant is ten years past its design capacity, and this new project gives the WPC more capacity to meet the growing needs of the community. Director Dunn stated that although the second phase of this project is about 12 years in the future, it can be accelerated to meet capacity needs if necessary. He noted part of the balance of this project is staying a step ahead, but not getting too far ahead to be responsive. City Manager Schainker again stated that balance is key when evaluating CIP budgets.

Director Dunn noted the Cogeneration System Maintenance was delayed in the CIP in order to be in position to better respond to the WTE study results.

In conjunction with the City's funding for the Watershed-Based Nutrient Reduction project, grant dollars are also being utilized to fund this project. These improvements can also be "banked" as credit towards future, potentially stricter requirements that may come about. Director Dunn also noted relationships being built between Ducks Unlimited, Iowa DNR, the Iowa Department of Agriculture and Land Stewardship, the US Department of Agriculture, and Story County Conservation as being an important part of these efforts. Director Dunn shared staff is at capacity with this project, which is a current restraint on what they can do.

Public Works

Public Works Director John Joiner opened his presentation with a video recap of the last year's projects. He noted Public Works continues to push their construction season as long as weather allows. Director Joiner then walked through the proposed projects for each division as follows:

- Water Distribution: Ames Plan 2040 Utility Infrastructure and Water System Improvements.
- Sanitary Sewer System: Ames Plan 2040 Sewer Utility Infrastructure, Sanitary Sewer System Improvements, and Clear Water Diversion initiatives identified in Public Works

CIP requests.

- Stormwater Management: South Skunk River Improvements, Stormwater Erosion Control Program, Low Point Drainage Improvements, Stormwater Improvement Program, Stormwater Quality Improvements, and Stormwater Detention/Retention Maintenance.
- Resource Recovery: Resource Recovery System Improvements.

Director Joiner answered Council Member Betcher's inquiry if there has been any feedback from affected neighborhoods in the Low Point Drainage Improvements by stating that there has been a positive response to the results of this program.

Director Joiner noted Public Works programmed for keeping the Resource Recovery Plant (RRP) running as usual, keeping maintenance at capacity current status, and waiting for further direction from City Council as a result of the WTE study. He also noted any change in the City's WTE approach will take years to implement, so maintenance of the current system is crucial.

TRANSPORTATION PROGRAM: Director Joiner walked through the proposed projects for each division as follows:

Street Improvements: Arterial Street Pavement Improvement, Asphalt Street Pavement Improvements, Concrete Pavement Improvements, Collector Street Pavement Improvements, Seal Coat Pavement Improvements, South 16th Street Roadway Widening, Campustown Public Improvements, Alley Pavement Improvements Program, Right-of-Way Restoration, Downtown Street Pavement Improvements, and CyRide Route Pavement Improvements. Director Joiner noted the Arterial Street Pavement Improvement would be Airport Road.

Shared Use Paths: Shared Use Path System Expansion, Multi-Modal Roadway Improvements, and Shared Use Path Maintenance. Director Joiner noted E. Lincoln Way (Carnegie Ave to Dayton Ave) was slotted to be the focus of the Shared Use Path System Expansion.

Traffic Improvements: Intelligent Transportation System Program, Traffic System Capacity Improvements, Traffic Signal Program, Accessibility Enhancements Program, Metropolitan Transportation Plan Update, and Regional Transportation Count Program. Director Joiner thanked the Iowa Department of Transportation (IDOT) for being a great partner in these projects.

Street Rehabilitation: Pavement Restoration, US 69 Improvements, Bridge Rehabilitation, Salt Storage Facility Improvements, Streetscape Enhancements, and Neighborhood Replacement Program.

Traffic Safety Engineer, Damien Pretzinger, stated for the City Council that Public Works took all the information from Lincoln Corridor Study and put it into the CIP. This has allowed for Public Works to be sure there is no "rework" being done between projects. Director Joiner noted City Staff makes sure to coordinate as much as possible with the IDOT.

Justin Clausen, Public Works Operations Manager, expressed to the City Council that the IDOT has taken the needs and schedules of students, Iowa State Gamedays, and other community events

into account when planning their work timelines.

Airport: Airport Improvements, including fencing and pavements improvements are anticipated. These priorities are developed from the annual site visit from the Federal Aviation Administration. In answer to Council Member Gartin's question about the ability of the City to reprioritize CIP projects Director Joiner noted that the Bike/Ped Plan Workshop, and the direction that comes about after that will most likely change current plans and Public Works is prepared to adapt.

Transit System: Vehicle Replacement, CyRide Facility Improvements, CyRide Technology Improvements, CyRide Shop/Office Equipment, and Bus Stop Improvements. Director Barb Neal noted the emphasis of Transit's CIP requests are vehicle replacement and rehabilitation, as well as building improvements and expansion. She noted these two areas account for about 95% of the departments CIP request. Director Neal noted they are planning to replace 24 large busses and will be adding six battery electric buses to the CyRide fleet, eventually building up to 11 electric busses.

Council Member Gartin inquired about the life of the electric batteries. Director Neal responded the batteries are still about a six-year lifespan, but noted technology is continuing to change and grow and they will be following that closely, as well as looking for grant funding. She noted the Transit Board is also being conservative in its approach to funding.

Director Neal also noted they had received grant funding to replace seven 40' busses, but they may not be received when anticipated due to supply chain issues. She also noted grant funding was secured to replace areas of the CyRide facility that were over 40 years old, improving safety and air quality.

CyRide Facility Improvements include shop rehabilitation program, fire suppression upgrades, fueling system upgrades, and constructing or expanding a facility. Director Neal also noted Technology Improvements are on their radar. She noted continued investment in infotainment monitors is included in the CIP request, as well as money for concrete improvements fiscal year 2025.

CUTLURE AND RECREATION PROGRAM: Parks and Recreation Director Keith Abraham noted this CIP will contain a reduced number of projects compared to past CIP requests, due to higher costs, as well as focusing on maintenance and meeting new needs. He then walked through and summarized the following projects:

Parks and Recreation: Indoor Aquatic Center, Park System/Facility Improvements, Playground Equipment Improvements, ADA Transition Plan Improvements, Homewood Golf Course, Ames/ISU Ice Arena, Ada Hayden Heritage Park, Moore Memorial Park, Hayden's Preserve Park Development, and Furman Aquatic Center.

Director Abraham noted the McDorman property is not included in CIP, which Parks and Recreation is looking to purchase in May. He also noted he was not going to go in depth on the Fitch Family Indoor Aquatic Center as it has been discussed in depth, but stated the price shown in the CIP draft was from April of 2022, and was a base bid for just the facility, without the walking track and multipurpose space. With rising costs, this bid is potentially anticipated to increase.

Director Abraham noted hope to have updated cost estimates and designs by the end of March.

City Manager Schainker noted there were other potential revenue sources that could be explored for the Fitch Family Aquatic Center that were not included in the revenues currently shown, as they were dependent on City Council direction. He also noted that in the CIP City Staff tried to match the issuance of bonds to match with the cash flow needed. Public Works was asked to cut back in order to lessen the burden on taxpayers. City Manager Schainker also noted that the draft CIP for Fitch Family Indoor Aquatic Center was worst case scenario, as he is hopeful there will be funds from the Investment District to help offset the debt.

Director Abraham pointed out 16 playground replacements in the five-year plan, as Parks and Recreation strives to include inclusive pieces. Funding for these requests were increased due to higher costs. He noted as the playground equipment is updated the City is working to make playgrounds compliant with ADA requirements. Director Abraham noted an audit was completed last year and staff is focusing on accessible routes, proper signage, and proper heights for drinking fountains. He also stated the City of Ames has roughly 40 playgrounds and has about 12 years to bring these sites into compliance, and all new construction must be compliant with ADA guidelines.

City Manager Schainker stated he wanted to give credit to Director Abraham for taking initiative to make these improvements. He stated it also shows the City is being proactive because staff believe in it, not because staff are being forced to and it speaks to the City Council's goal of being an inclusive community.

The Ames/ISU Ice Arena will need to have the sand base releveled and planned for every year. At Ada Hayden Director Abraham explained the plan of doing some improvements, taking care of beaver issues, and putting in a kid friendly fishing area, as well as increasing the width of some paths. He also noted the Bike/Pedestrian Plan will have the potential to impact future CIP requests as Parks and Recreation accommodates City Council's direction from that meeting.

Cemetery:

Cemetery Improvements include new fencing at Ontario Cemetery as well as purchasing three more columbaria at Ames Municipal Cemetery. Director Abraham noted the capacity of the columbaria is 48, and there is a continued demand for niches.

OTHER:

Library

City Manager Schainker noted it has been 10 years since the Library was expanded, and it is time for carpet replacement.

Downtown Façade Program

City Manager Schainker explained program funding was upped to \$75,000.00.

Campustown Façade Program

City Manager Schainker expressed there was no change to the funding amount.

Neighborhood Improvement Program

City Manager Schainker noted interest in this program has slowed down, and there is \$50,000.00 in the fund for physical improvements.

City Hall Improvements

City Manager Schainker explained the request for funding has been increased due to rising costs in materials and the age of some of the major systems. He noted that parts of the HVAC need to be redone and he has also requested funding for carpet which is labor intensive.

Finance Director Corey Goodenow reminded the City Council the State of Iowa limits the City's ability to issue bonds. He noted the City of Ames has a policy to reserve 25% of available debt capacity for emergencies. He cited the 65% available un-reserved debt capacity as a positive number that helps the City when going out for bonds as that represents good fiscal management historically. Director Goodenow noted the City has no control over the bond market, but what can be controlled is the City's debt and debt service schedule. He noted the City has been focusing on this area.

City Manager Schainker noted that looking forward to items not included in this CIP are: Relocation of Fire Station #2, new Animal Control Facility, new Fourth Fire Station, Development of new West-side Community Park, and additional Gym Space. He noted these would need to be evaluated in the future. City Manager Schainker also noted Public Input would be taken at the next City Council Meeting.

DISPOSITION OF COMMUNICATIONS TO COUNCIL: There were no dispositions to City Council.

COUNCIL COMMENTS: Council Member Gartin stated the CIP is the most important thing that the City Council does in the course of the year, he felt the weight of the responsibility, and he was excited to get started. He also expressed thanks to City Manager Schainker and staff for paving the way for these discussions.

Mayor Haila noted that there was a wonderful MLK celebration the night before, where Council Member Rollins was the keynote speaker.

ADJOURNMENT: Moved by Betcher, seconded by Rollins, to adjourn the meeting at 8:16 p.m. Vote on Motion: 6-0. Motion declared carried unanimously.

MINUTES OF THE CITY COUNCIL RETREAT

AMES, IOWA

JANUARY 28, 2023

The Ames City Council was called to order by Mayor John Haila at 8:45 a.m. on the 28th day of January, 2023 in the Homewood Golf Course Clubhouse, 401 East 20th Street. City Council Members present were Gloria Betcher, Tim Gartin, Bronwyn Beatty-Hansen, Rachel Junck, and Anita Rollins. Amber Corrieri joined the meeting electronically. City Manager Steven Schainker, City Attorney Mark Lambert, Assistant City Manager Brian Phillips, and Assistant City Manager Deb Schildroth were also present.

COUNCIL GOAL UPDATE:

Mayor Haila invited Assistant City Manager Brian Phillips to review the status of the City Council's goals. The Council reviewed the goals, and the specific outcomes to be accomplished in the tasks were modified.

Staff reviewed the Planning Program of Work. The effective decision-making materials were reviewed.

It was moved by Gartin, seconded by Rollins to have staff re-evaluate the City Council's involvement in the watersheds. Motion carried unanimously.

ADJOURNMENT: It was moved by Betcher, seconded by Junck, to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 12:40 p.m.

MINUTES OF THE SPECIAL MEETING OF THE AMES CITY COUNCIL

AMES, IOWA

JANUARY 31, 2023

The special meeting of the Ames City Council was called to order by Mayor John Haila at 6:00 p.m. on the 31st day of January, 2023, in the City Council Chambers in City Hall, 515 Clark Avenue, pursuant to law. Present were Council Members Bronwyn Beatty-Hansen, Gloria Betcher, Amber Corrieri, Tim Gartin, Rachel Junck, and Anita Rollins.

HEARING ON PRAIRIE VIEW INDUSTRIAL CENTER WATER AND SANITARY SEWER CONNECTION FEE DISTRICT: Mayor Haila opened the Public Hearing.

Richard Deyo, of 505 8th Street #2, expressed his opposition to the ordinance.

Randy Brekke, of 6020 E. Lincoln Way, sought clarification that his property on Parcel 42 would be subjected to the onetime connection fee. Public Works Director John Joiner responded, stating Parcel 41 was eligible to be included in the exemption, but Parcel 42 would be subjected to the full connection fees as the ordinance was currently written. He furthered that Mr. Brekke would have the opportunity to put in a septic system and be considered a continuing customer with the IRUA if he was 200 feet or more from the new infrastructure. Municipal Engineer Tracy Peterson clarified an opportunity for an exemption of the property, where instead of treating Parcel 42 at the per acre cost, the property owner could request the residential rate for Parcel 42. She stated the City Council could pass the ordinance as is, followed by a motion to allow one residential connection on 42, or could direct amendments to the ordinance to include Parcel 42 to be treated as an existing residence. She also noted these situations were planned for in the ordinance by allowing individual properties to be brought before the City Council for an exception. City Attorney Mark Lambert confirmed there was language in the ordinance allowed for an exception. He stated Section 5A could be amended to include Parcel 42 to that list, which would solve the problem and recommended a motion to amend the ordinance.

The Mayor closed the Public Hearing when no one else came forward to speak.

Moved by Gartin, seconded by Betcher, to amend Section 5A to include Parcel 42.

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

Moved by Betcher, seconded by Corrieri, to move on first passage as amended.

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

BICYCLE AND PEDESTRIAN MASTER PLAN: Traffic Engineer Damion Pregitzer opened the presentation of the Bicycle and Pedestrian Master Plan by explaining Public Input would be gathered through the email address walkbikeroll@cityofames.org. He noted emails would be forwarded to the consultant for the project, Adam Wood, of Toole Design. Mr. Wood noted there would be three main sections to his presentation:

- Public Input
- Existing Conditions
- Wayfinding Concepts

Mr. Wood stated the project is currently wrapping up Public Input-Phase One, which focused on raising awareness and identifying needs. This phase has been impacted by COVID-19 and has led to a focus on virtual and online engagement. Toole Design and the City of Ames reached out to city groups, conducted polls, and utilized social media. The compilation of responses identified themes such as ease of use, accessibility, and safety as important values from community respondents. The survey was open for a month and received 393 responses. Mr. Wood noted the survey results were very underrepresented in the ages of 18-24. Due to this, a tabling event was done at ISU where approximately 40 students provided input.

Council Member Gartin questioned how the City Council should think about the needs of those under 18. Mr. Wood responded a key aspect of considering the ways in which people walk or bike is whether people are alone or with another person or family member which factors into willingness of the distance they will cover. He stated the design team is keeping in mind the needs of children, and their parents concerns, as they evaluate the responses received. Council Member Betcher questioned the low percentage of feedback that was attributed to college student age. Mr. Wood clarified his understanding is that it is a recurring challenge to get large numbers of people to respond to these projects. He explained that despite low participation, the link was shared with various ISU organizations to share with their membership. Engineer Pregitzer added that this situation demonstrated one of the reasons staff has the Community Advisory Committee (CAC) to provide input and stated staff is open to new outreach strategies. He also noted that this current set of statistics gives a strong starting point to evaluate further efforts.

Mr. Wood explained most participants live and work in Ames. Walking and running, as well as biking, were utilized by the majority of people who took the survey. Half the population who responded to the survey are walking or running daily. Survey participants said they would like to walk or bike more. Top destinations listed were parks and green spaces, with schools and entertainment also ranking as popular destinations. Entertainment and restaurants were identified as areas where people would like to walk or bike to more. Priorities put forth by survey participants were more places to bike followed closely by safer places to cross the street.

Student feedback at the Iowa State Sustainability Fair consisted of about 40 people, with 90 percent of those participants being students. Identified issues were path surface conditions and facilitating better car interactions.

The CAC was identified as a partner for the project. They have participated in a vision and goals survey and will have further meetings from February to April to address conditions, facility types, network recommendations, wayfinding, and priorities of the project.

Mr. Wood continued his explanation by noting the study is based on the diversity of people, with consideration to different characteristics such as physical ability and age that influence experience. He also stated that nationwide statistics indicate roughly 33 percent of people say they are not comfortable or interested in biking no matter what the conditions are. Mr. Wood expanded on a Vision and Goals survey taken by CAC and the Technical Advisory Committee (TAC). He put forth a draft that had been designed from discussion around this survey. Respondents wanted an emphasis on inclusivity. There was consensus that the most important aspect of the proposed statement was “every resident, regardless of age, ability, or identity.” A revised statement was derived from this survey feedback which will be shared with the committees for further work or approval before Toole Design returned for direction from the City Council.

Improving safety by eliminating crashes, fatalities, and serious injuries were part of the goals respondents were hopeful to see accomplished by an improved bike and pedestrian plan. Equity was also examined as an element of the survey and participants were able to state why equity in the plan was important to them.

As a result of the survey and public input Mr. Wood put forth the revised goals of the project:

- Safe and Comfortable
- Connected and Easy
- Healthy and Sustainable
- Equitable and Accessible

Engineer Pregitzer added there will be a policy review as a part of this plan as staff want to ensure the plan is implemented for both retrofitting and new construction. He noted in the final plan there will be a range of accommodation options for the City Council to consider.

Mr. Wood then moved to the Existing Conditions portion of his presentation with three main focuses: plan and policy review, network evaluation, and a state of active transportation report. Key themes were wanting to see a multimodal vision, safety and comfort of all users, expanding transportation choice, identifying priorities for investments, designing with best practices, crossing/intersection safety, and connectivity.

Network Evaluation examined maps that showed existing bikeways, existing sidewalks and gaps, bike trip origins, bike trip destinations, which areas were seeing the most annual pedestrian and bike trips, trips taken, and the length (distance) of trips. Locations with bike and pedestrian crashes were shown and discussed, as well as stress areas and crossing gaps. Mr. Wood and Engineer Pregitzer shared with the City Council that these maps and data points were one piece of the puzzle that was being evaluated in totality as they examined the big picture. They stated this data was to help identify hotspots, give staff a way to measure progress moving forwards, and give starting points for the study to consider as they worked to evaluate what is needed to make the project successful. Engineer Pregitzer stated this study and data was taking a fresh look at current standards and best practices. The City Council engaged in thorough conversation regarding their

reactions to the data, relevant experiences and observations, and what it may mean for the Bicycle and Pedestrian Master Plan.

The final emphasis of the presentation, wayfinding, was showcased as following five steps: planning, orientation, decision making, confirmation, and destination recognition. Mr. Wood explained, for the purpose of this study, the main focus was on orientation, decision making, and confirmation. Best processes were shared, as well as potential design concepts. Mr. Wood then concluded his presentation with a potential timeline for the rest of the project. Engineer Pregitzer encouraged the community to continue to provide input via the Walk Bike Roll Ames webpage.

DISPOSITION OF COMMUNICATIONS TO COUNCIL: Mayor Haila noted that there were four items to consider.

The first item was an email from Alan Hulsebus regarding concern for the City's use of LED lights. Moved by Beatty-Hansen, seconded by Betcher, to get a memo from staff on current night lighting policy (Night Sky) and which types of light fixtures were utilized by the City and why.

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

The next item was from Will Nye, who was following up from his previous comments on the South Grand Extension crossings during Public Forum during the prior meeting. Mayor Haila stated Director Joiner would follow up to let Mr. Nye know his correspondence has been forwarded to Engineer Pregitzer.

The third item was from Mike Templeton regarding downtown parking.

Moved by Beatty-Hansen, seconded by Corrieri, to respond to Mr. Templeton that no action will be taken at this time.

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

An email from Steve Martin regarding the need for a sidewalk on North Hyde and Grant Avenue was the final item. Mayor Haila noted the area in question was included in development agreements and if the City was to put in the sidewalk it would make the agreement null and void with the developers. Director Joiner stated he would follow up and inform Mr. Martin of this.

COUNCIL COMMENTS: Council Member Gartin shared his thanks to Director Joiner, Engineer Pregitzer, and Mr. Wood for their work and expressed appreciation for the leadership of Director Joiner, and the way he was taking care of the safety of citizens.

Council Member Betcher stated Thursday is George Washington Carver day and invited everyone to a celebration event on campus.

Mayor Haila extended his thanks to RAGBRAI for selecting Ames as an overnight stop, and shared he is looking forward to welcoming everyone to Ames. He also reminded everyone that the City Council was kicking off budget review Friday, February 3, 2023 at 2 p.m.

ADJOURNMENT: Moved by Betcher, seconded by Beatty-Hansen, to adjourn the meeting at 8:24 p.m.

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

**MINUTES OF THE REGULAR MEETING OF THE
AMES CIVIL SERVICE COMMISSION**

AMES, IOWA

JANUARY 26, 2023

The Regular Meeting of the Ames Civil Service Commission was called to order by Chairperson Mike Crum at 8:15 AM on January 26, 2023. As it was impractical for the Commission members to attend in person, Commission Chairperson Mike Crum and Commission Member Harold Pike and Kim Linduska were brought in telephonically.

APPROVAL OF MINUTES OF DECEMBER 15, 2022: Moved by Pike, seconded by Linduska, to approve the Minutes of the DECEMBER 15, 2022, Regular Service Commission meeting.
Vote on Motion: 3-0. Motion declared carried unanimously.

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

<u>Aquatics Manager</u>	LeAnn Hawk	80
<u>Client Support Specialist</u>	Jordan Hillock	79
	Zac Hamburg	77
<u>Process Maintenance Worker</u>	Thomas Bell	84
	Chris Gibson	79
	Ben Tompkins	79
	Norman Banks	75
<u>Water Meter Technician</u>	Ben Young	82
	Berkley Dinsdale	81
	Benjamin Ingham	79

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

COMMENTS: The next Regular Meeting of the Ames Civil Service Commission is scheduled for February 23, 2023, at 8:15 AM.

ADJOURNMENT: The meeting adjourned at 8:17 AM.

Mike Crum, Chairperson

Vicki Hillock, Commission 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:	January 2023	
For City Council Date:	February 14, 2023	

Department	General Description of Contract	Contract Change No.	Original Contract Amount	Contractor/ Vendor	Total of Prior Change Orders	Amount this Change Order	Change Approved By	Purchasing Contact (Buyer)
Public Works	2021/22 Seal Coat Improvements and Water System Improvements (Stafford Avenue - E 13 th St -South End)	3	\$990,785.14	Manatts, Inc.	\$11,109.26	\$-(12,904.26)	T. Peterson	KS
Finance	Three year agreement for purchase of Microsoft Enterprise License	1	\$158,577.46	Insight Public Sector, Inc.	\$0.00	\$8,245.00	C. Goodenow	QE
			\$		\$	\$		
			\$		\$	\$		
			\$		\$	\$		
			\$		\$	\$		



Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS		
Hy-Vee, Inc.	Hy-Vee Fast and Fresh #2	(515) 267-2949		
ADDRESS OF PREMISES	PREMISES SUITE/APT NUMBER	CITY	COUNTY	ZIP
636 Lincoln Way		Ames	Story	50010
MAILING ADDRESS	CITY	STATE	ZIP	
5820 Westown Parkway	West Des Moines	Iowa	50266	

Contact Person

NAME	PHONE	EMAIL
Kelly Palmer	(515) 267-2800	kpalmer@hy-vee.com

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM	STATUS
LE0003468	Class E Retail Alcohol License	12 Month	Submitted to Local Authority

EFFECTIVE DATE	EXPIRATION DATE	LAST DAY OF BUSINESS
May 16, 2022	May 15, 2023	

SUB-PERMITS

Class E Retail Alcohol License

PRIVILEGES



Status of Business

BUSINESS TYPE

Corporation

Ownership

• Individual Owners

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
Andrew Schroeder	Johnston	Iowa	50131	AVP, Assistant Controller	0.00	Yes
Michael Jurgens	Des Moines	Iowa	50312	Vice President, Secretary	0.00	Yes
Jeremy Gosch	Urbandale	Iowa	50323	CEO, President	0.00	Yes

Insurance Company Information

INSURANCE COMPANY

POLICY EFFECTIVE DATE

POLICY EXPIRATION DATE

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE DATE

OUTDOOR SERVICE EXPIRATION DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE DATE

TEMP TRANSFER EXPIRATION DATE



Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS		
Hy-Vee, Inc.	Hy-Vee Market Grille	(515) 232-1961		
ADDRESS OF PREMISES	PREMISES SUITE/APT NUMBER	CITY	COUNTY	ZIP
640 Lincoln Way Market Grille Area		Ames	Story	50010
MAILING ADDRESS	CITY	STATE	ZIP	
5820 Westown Parkway	West Des Moines	Iowa	50266	

Contact Person

NAME	PHONE	EMAIL
Kelly Palmer	(515) 267-2949	kpalmer@hy-vee.com

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM	STATUS
LC0045762	Class C Retail Alcohol License	12 Month	Submitted to Local Authority

EFFECTIVE DATE	EXPIRATION DATE	LAST DAY OF BUSINESS
Aug 20, 2022	Aug 19, 2023	

SUB-PERMITS

Class C Retail Alcohol License

PRIVILEGES



Status of Business

BUSINESS TYPE

Corporation

Ownership

• Individual Owners

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
Jeremy Gosch	Urbandale	Iowa	50323	CEO, President	0.00	Yes
Andrew Schroeder	Johnston	Iowa	50131	Vice President, Accounting	0.00	Yes
Michael Jurgens	Des Moines	Iowa	50312	Vice President, Secretary	0.00	Yes

Insurance Company Information

INSURANCE COMPANY

EMPLOYERS MUTUAL
CASUALTY COMPANY

POLICY EFFECTIVE DATE

POLICY EXPIRATION DATE

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE
DATE

OUTDOOR SERVICE EXPIRATION
DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE
DATE

TEMP TRANSFER EXPIRATION
DATE



Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS		
Hy-Vee, Inc.	Hy-Vee #1 Clubroom	(515) 292-5580		
ADDRESS OF PREMISES	PREMISES SUITE/APT NUMBER	CITY	COUNTY	ZIP
3800 West Lincoln Way Clubroom Area		Ames	Story	50014
MAILING ADDRESS	CITY	STATE	ZIP	
5820 Westown Pkwy	West Des Moines	Iowa	50266	

Contact Person

NAME	PHONE	EMAIL
Kelly Palmer	(515) 267-2949	kpalmer@hy-vee.com

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM	STATUS
LC0040412	Class C Retail Alcohol License	12 Month	Submitted to Local Authority

EFFECTIVE DATE	EXPIRATION DATE	LAST DAY OF BUSINESS
Oct 9, 2022	Oct 8, 2023	

SUB-PERMITS

Class C Retail Alcohol License



State of Iowa

Alcoholic Beverages Division

PRIVILEGES

Catering

Status of Business

BUSINESS TYPE

Corporation

Ownership

• Individual Owners

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
Andrew Schroeder	Johnston	Iowa	50131	AVP, Assistant Controller	0.00	Yes
Michael Jurgens	Des Moines	Iowa	50312	Vice President, Secretary	0.00	Yes
Jeremy Gosch	Urbandale	Iowa	50323	CEO, President	0.00	Yes

Insurance Company Information

INSURANCE COMPANY

POLICY EFFECTIVE DATE

POLICY EXPIRATION DATE

EMPLOYERS MUTUAL
CASUALTY COMPANY

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE
DATE

OUTDOOR SERVICE EXPIRATION
DATE



State of Iowa

Alcoholic Beverages Division

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE
DATE

TEMP TRANSFER EXPIRATION
DATE



Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS		
Hy-Vee, Inc.	Hy-Vee Food Store #1	(515) 292-5580		
ADDRESS OF PREMISES	PREMISES SUITE/APT NUMBER	CITY	COUNTY	ZIP
3800 W Lincoln Way		Ames	Story	50014-0000
MAILING ADDRESS	CITY	STATE	ZIP	
5820 Westown Parkway	West Des Moines	Iowa	50266	

Contact Person

NAME	PHONE	EMAIL
Kelly Palmer	(515) 267-2949	kpalmer@hy-vee.com

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM	STATUS
LE0000085	Class E Retail Alcohol License	12 Month	Submitted to Local Authority

EFFECTIVE DATE	EXPIRATION DATE	LAST DAY OF BUSINESS
Oct 20, 2022	Oct 19, 2023	

SUB-PERMITS

Class E Retail Alcohol License

PRIVILEGES



Status of Business

BUSINESS TYPE

Corporation

Ownership

• Individual Owners

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
Andrew Schroeder	Johnston	Iowa	50131	AVP, Assistant Controller	0.00	Yes
Michael Jurgens	Des Moines	Iowa	50312	Vice President, Secretary	0.00	Yes
Jeremy Gosch	Urbandale	Iowa	50323	CEO, President	0.00	Yes

Insurance Company Information

INSURANCE COMPANY

POLICY EFFECTIVE DATE

POLICY EXPIRATION DATE

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE DATE

OUTDOOR SERVICE EXPIRATION DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE DATE

TEMP TRANSFER EXPIRATION DATE



Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS		
Hy-Vee, Inc.	Hy-Vee Food & Drugstore #2	(515) 232-1961		
ADDRESS OF PREMISES	PREMISES SUITE/APT NUMBER	CITY	COUNTY	ZIP
640 Lincolnway		Ames	Story	50010-0000
MAILING ADDRESS	CITY	STATE	ZIP	
5820 Westown Parkway	West Des Moines	Iowa	50266-0000	

Contact Person

NAME	PHONE	EMAIL
Kelly Palmer	(515) 267-2949	kpalmer@hy-vee.com

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM	STATUS
LE0000095	Class E Retail Alcohol License	12 Month	Submitted to Local Authority

EFFECTIVE DATE	EXPIRATION DATE	LAST DAY OF BUSINESS
Oct 20, 2022	Oct 19, 2023	

SUB-PERMITS

Class E Retail Alcohol License

PRIVILEGES



Status of Business

BUSINESS TYPE

Corporation

Ownership

• Individual Owners

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
Andrew Schroeder	Johnston	Iowa	50131	AVP, Assistant Controller	0.00	Yes
Michael Jurgens	Des Moines	Iowa	50312	Vice President, Secretary	0.00	Yes
Jeremy Gosch	Urbandale	Iowa	50323	CEO, President	0.00	Yes

Insurance Company Information

INSURANCE COMPANY

POLICY EFFECTIVE DATE

POLICY EXPIRATION DATE

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE DATE

OUTDOOR SERVICE EXPIRATION DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE DATE

TEMP TRANSFER EXPIRATION DATE



MEMO

To: Mayor John Haila and Ames City Council Members
From: Lieutenant Mike Arkovich, Ames Police Department
Date: January 11, 2023
Subject: Beer Permits & Liquor License Renewal Reference City Council Agenda

The Council agenda for February 14th, 2023, includes beer permits and liquor license renewals for:

- **Wal-Mart Supercenter 4256**, (534 South Duff Ave) Class E Liquor License with Class B Wine Permit, Class C Beer Permit (Carryout Beer), and Sunday Sales
- **Buffalo Wild Wings**, (400 South Duff Ave) Class C Liquor License with Outdoor Service and Sunday Sales
- **Noir, LLC**. (405 Kellogg) Class C Liquor License with Outdoor Service and Sunday Sales

A review of police records for the past 12 months found no liquor law violations for the above locations. The Ames Police Department recommends the license renewal for the above businesses.

ITEM #: 11
DATE: 02-14-23
DEPT: P&H

COUNCIL ACTION FORM

SUBJECT: APPOINTMENT OF A CITY REPRESENTATIVE TO THE CENTRAL IOWA REGIONAL HOUSING AUTHORITY (CIRHA) BOARD OF COMMISSIONERS

BACKGROUND:

In March 2011, the City Council approved a 28E intergovernmental agreement with Central Iowa Regional Housing Authority (CIRHA) to operate and administer the City's Section 8 Housing Choice Voucher Program within the Ames jurisdiction. As part of the 28E agreement, the City Council authorized the Mayor to appoint a member and an alternate to represent the City on CIRHA's Board of Commissioners.

At the October 22, 2013, City Council meeting, Housing Coordinator Vanessa Baker-Latimer was appointed as the primary representative for Ames on CIRHA's Executive Board of Commissioners. Her current term will expire on February 25th (see attached letter). Therefore, she will need to be reappointed for another three-year term. Staff is currently working to identify a person to serve as an alternate.

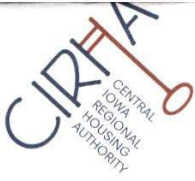
ALTERNATIVES:

1. The City Council can approve a Resolution re-appointing Housing Coordinator Vanessa Baker-Latimer as the primary Board Member Representative to the CIRHA Executive Board of Commissioners for the City of Ames.
2. The City Council can direct staff to identify another person as the primary Board Member Representative to the CIRHA Executive Board of Commissioners for the City of Ames.

CITY MANAGER'S RECOMMENDED ACTION:

In support of the City Council's affordable housing goals, it is important that a representative be appointed for the City of Ames to this board.

It is the recommendation of the City Manager that the City Council adopt Alternative #1.



January 20, 2023

City of Ames City Clerk
515 Clark Avenue
PO Box 811
Ames, IA 50010

Dear City Clerk:

The City of Ames is a member of the Central Iowa Regional Housing Authority through a 28E Agreement. As a member government, a Representative and Alternate are appointed by the Mayor to serve a three-year term on our Board of Commissioners.

CIRHA's records indicate the appointment of Vanessa Baker-Latimer will expire on February 25, 2023. We would be pleased to have Ms. Baker-Latimer continue as Representative for another three-year term.

Representatives can be anyone approved by the City Council and **may** include elected officials or employees of the City. The only disallowance for an appointment would be a conflict of interest such as being a Section 8 landlord. Although you may select both a Representative and Alternate, you may appoint a Representative only.

A Resolution appointing your Representative and Alternate and a Certificate of Membership must be executed. Both Representative and Alternate (if applicable) must sign an Oath of Office. All of this paperwork is included with this correspondence.

Should you have any questions, please do not hesitate to contact me at (515) 986-1882 ext. 111.

Thank you for your time. I look forward to hearing from you.

Sincerely,

A handwritten signature in blue ink that reads "Kendra Wignall".

Kendra Wignall
Interim Executive Director

Enclosures



1201 SE GATEWAY DRIVE • GRIMES, IA 50111 • 515.986.1882 • 515.986.1883 FAX

ITEM #: 12
DATE: 02-14-23
DEPT: Admin.

COUNCIL ACTION FORM

SUBJECT: MEMORANDUM OF UNDERSTANDING WITH IOWA STATE UNIVERSITY FOR EMERGENCY OPERATIONS FACILITIES BACKUP

BACKGROUND:

The City and Iowa State University (ISU) each plan for emergency situations that impact their respective jurisdictions. In major events, the Emergency Operations Center (EOC) or Incident Command Center (ICC) of either entity may be activated. The EOC/ICC is a designated location where the response to a major incident is planned and managed. In a major disaster, the possibility exists that the primary location for Ames or ISU's EOC/ICC will not be available.

To prepare for such a situation, City and University staff have developed a Memorandum of Understanding (MOU) that allows each entity to use the other's EOC/ICC location as a backup location (attached). The agreement outlines the responsibilities of the party that is providing the alternate facility and the responsibilities of the party that is using the alternate facility.

Under the MOU, a request to use the other party's facility as a backup will be considered a priority over other events, except emergencies requiring the facility by its owner or other rare circumstances. The MOU also describes the responsibilities to provide basic equipment such as tables, chairs, phones, and internet access, and for liability insurance.

There is no cost to either party for the use of the other's facilities. The agreement terminates three years from the effective date, unless renewed prior to that date. It may be terminated earlier by either party with 30 days' notice.

ALTERNATIVES:

1. Approve the attached Memorandum of Understanding with Iowa State University for mutual emergency operations facility backup.
2. Direct staff to modify the Memorandum of Understanding.
3. Do not approve the Memorandum of Understanding.

CITY MANAGER'S RECOMMENDED ACTION:

The City and Iowa State University each operate within a formalized incident command system with a designated EOC/ICC from time to time. In the event of a major disaster that causes either organization's designated EOC/ICC location to be unavailable, an agreement providing for a pre-arranged backup location is desirable. The proposed MOU provides for backup capabilities at no cost to either party. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1.

Prepared by

Brian Phillips, City of Ames, Iowa, 515 Clark Avenue, Ames, IA 50010 515-239-5101

Memorandum of Understanding

Between City of Ames, Iowa

And

Iowa State University of Science and Technology

Department of Environmental Health and Safety

This Memorandum of Understanding (hereafter "MOU") is entered into between the City of Ames, Iowa (Ames) and Iowa State University of Science and Technology (ISU) on behalf of its Department of Environmental Health and Safety (EH&S).

1. Introduction:

Advance planning for a coordinated emergency response to natural and manmade disasters is essential. Maintaining command and control functions during a disaster is crucial. The primary location for ISU command and control functions is the Emergency Operations Center (EOC) at the Iowa State University Environmental Health and Safety Services Building, room 1230, 2408 Wanda Daley Drive, Ames, IA 50011-3602 ("ISU Facility"). The primary location for Ames command and control functions is the Incident Command Center (ICC) at the Ames Water Treatment Plant, 1800 E. 13th Street, Ames, Iowa 50010 ("Ames Facility"). Should a disaster impact one of these facilities, making it unusable, the Parties have identified the facility belonging to the other as a potential alternate location for EOC/ICC operations.

This MOU establishes a relationship of cooperation between Ames and EH&S for the use of the Ames Facility and the ISU Facility as alternate facilities for one another during an emergency response when the primary EOC or ICC used by each party is unusable.

2. Requirements:

In consideration of the relationship of cooperation between the two parties they each agree to the following:

a. Party Providing the Alternate Facility:

In the event the primary location used by one party for EOC/ICC operations is unusable during an emergency response to a natural or manmade disaster, the other party shall:

- i. Allow storage of essential EOC/ICC equipment at the alternate facility.
- ii. Provide access to the alternate facility, including its tables and chairs, upon request from the party using the alternate facility.
- iii. Provide access to either hard-wired or wireless internet.
- iv. Provide a minimum of 5 phones for EOC/ICC operations with a maximum of 10 phones available upon written request.
- v. Requests to use the alternate facility for an emergency response shall be considered for priority over all other events, except for emergencies requiring the use of the facility by its owner or when the alternate facility is obligated to another party for emergency operations through a separate agreement. The party providing the alternate facility will make the final determination of the availability of the facilities.

b. Party Using the Alternate Facility:

In the event the primary location used by one party for EOC/ICC operations is unusable during an emergency response to a natural or manmade disaster, the party using the alternate facility shall:

- i. Provide the other party with a signed emergency declaration (Local, County, or Governor's) describing the situation at hand, if applicable.
- ii. In the event of an emergency lasting longer than 12 hours, the party using the alternate facility will assist in efforts for financial reimbursement from State and Federal disaster assistance sources for costs incurred as the result of the use of the alternate facility.
- iii. While using the alternate facility, the party using the alternate facility shall comply with, and shall require its employees, agents, subcontractors, and guests to comply with, all applicable laws, regulations, ordinances, and policies of the Party providing the alternate facility.
- iv. The party using the alternate facility shall keep the alternate facility and any equipment and furniture provided by the other party in as good condition as when provided to the using party. The party using the alternate facility shall notify the other immediately of any damage to the provider's facility, equipment, or furniture.

3. Training:

The parties agree to permit use of their facilities to one another for training purposes, subject to availability and provided that the training is scheduled in advance.

4. Indemnification; Insurance:

To the extent permitted by applicable law, each party agrees to indemnify and hold harmless all other parties (including its officers, agents, and employees) from and against any and all claims, demands, liabilities, damages, loss, and costs incurred by the indemnified party, including reasonable attorney's fees, directly or indirectly arising out of the negligent or wrongful acts or omissions of the indemnifying party, or its officers, agents, or employees. Each party shall maintain appropriate insurance coverage or self-insure for liabilities that may arise from the activities set forth in this Agreement.

5. Amendments:

This agreement shall not be supplemented, amended, or modified except on the express written agreement of all parties.

6. Termination:

This agreement may be terminated by either party for its convenience upon 30 days' prior written notice to the other party.

7. Force Majeure:

Neither party shall be deemed in breach of this Agreement or liable for damages if its performance of any obligation under this Agreement is prevented or delayed by causes beyond its reasonable control, such as acts or omissions of communications carriers, energy shortages or outages, strikes or labor disputes of others' workforces, fires, floods, inclement weather, acts of God, war, terrorism, civil disturbances, or acts of civil or military authorities.

8. Notices:

Notices relating to this Agreement shall be in writing and shall be delivered by messenger or overnight carrier to the other party at the following address or such other address as may be given in writing in accordance with this section: (i) if to ISU, General Counsel and Chief Risk Officer, 3550 Beardshear Hall, 515 Morrill Road, Ames, Iowa 50011 or (ii) if to Ames, City Manager's Office, 515 Clark Avenue, Ames, Iowa 50010. Notice shall be deemed effective upon receipt.

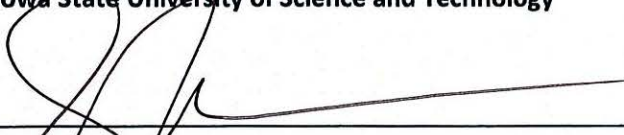
9. Effective Date:

This agreement becomes effective immediately and shall remain in full force and effect for three years from the date of signing. Six months prior to termination, the parties shall review the MOU and determine whether it shall be extended for an additional three years.

Signed

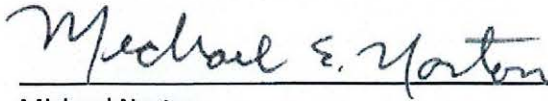
Date

Iowa State University of Science and Technology



Shawn Norman
Senior Vice President for Operations and Finance

2/1/23



Michael Norton
General Counsel and Chief Risk Officer

01/31/2023



Paul Richmond
Assistant Vice President for Environmental Health and Safety

01/24/2023

City of Ames, Iowa

Mayor

Attest

ITEM #: 13
DATE: 02-14-23
DEPT: Admin.

COUNCIL ACTION FORM

**SUBJECT: ACCEPTANCE OF STORY THEATER COMPANY ARTS
CAPITAL GRANT PROJECT**

BACKGROUND:

On March 8, 2022, the City Council approved a contract with Story Theater Company (STC) for the Arts Capital Grant Program. This program is open to individuals, non-profits, or businesses that propose projects that create, renovate, or improve a space for arts or artists (e.g., performance space, exhibition space, classrooms, demonstration space, studio space, etc.).

The contract with STC, in the amount of \$4,289, is to purchase stackable, cushioned chairs and related accessories for the black box theater in the STC facility at 615 S. Dayton Avenue. STC has obtained the chairs and accessories identified in the grant contract and is now requesting payment and closeout of the grant. The required documentation of the completed improvements has been received, along with the required reimbursement request form.

ALTERNATIVES:

1. Accept completion and authorize final payment and closeout of the Art Capital Grant with Story Theater Company in the amount of \$4,289.
2. Refer this item back to staff for further information.

CITY MANAGER'S RECOMMENDED ACTION:

Story Theater Company has completed the project described in its Arts Capital Grant, and all required documentation has been submitted.

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

ITEM #: 14
DATE: 02-14-23
DEPT: PW

COUNCIL ACTION FORM

SUBJECT: RESOURCE RECOVERY SECONDARY SHREDDER ROTOR REBUILD

BACKGROUND:

The Resource Recovery Plant contains an American Pulverizer 60x90 shredder, which was installed when the facility was built in 1975. This machine is vital to the operation at the Resource Recovery Plant as the secondary shredder. When the rotor for this shredder reached the end of its useful service life in 2014, the used heavy-duty rotor from the old primary shredder was installed, eliminating the cost of rebuilding or replacing the standard rotor at that time.

This rotor now has over 8 years of wear in the secondary shredder and is worn out, causing additional items to wear at a more frequent rate, thus it is at the point where it must be rebuilt or replaced. This rotor is a significant part of the machine and shredding process to reduce the size of waste material down to 3" for refuse derived fuel (RDF). **The rotor is provided only by the original equipment manufacturer, American Pulverizer Company, which is the single source supplier of this item to provide both a replacement-in-kind rotor or parts for rebuild.**

The rotor has been disassembled and inspected by American Pulverizer and verified that it can be rebuilt. The cost to rebuild the rotor, including parts, assembly, and balancing is \$116,969. The cost to replace-in-kind for a new rotor is \$225,000. Both have a lead time of 20 to 22 weeks. Funding is programmed in the FY 2023/24 Resource Recovery System Improvement program at \$60,000. Staff has identified additional savings in FY 2022/23 Resource Recovery System Improvements program of \$60,000, making \$120,000 available for this rebuild. Considering the lead time required once the order is placed, the parts would not be delivered and installed until FY 2023/24 has begun.

ALTERNATIVES:

1. Waive the Purchasing requirement for competitive bids, accept American Pulverizer Company as the single source supplier, and award a contract in the amount of \$116,969 to rebuild the secondary shredder rotor.
2. Waive the Purchasing requirement for competitive bids, accept American Pulverizer Company as the single source supplier, and award a contract in the amount of \$225,000 to replace the secondary shredder rotor.
3. Delay repairs to the shredder.

CITY MANAGER'S RECOMMENDED ACTION:

The secondary shredder is a critical piece of equipment in the Resource Recovery Plant operation. **Delaying the required rotor maintenance repairs or replacement could cause significant downtime at the plant.** This rotor can only be provided by the original equipment manufacturer. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No.1, as described above.



Smart Choice

Public Works Department

515 Clark Avenue, Ames, Iowa 50010
Phone 515-239-5160 ♦ Fax 515-239-5404

January 27, 2023

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

RE: Kingsbury's 5th Addition Financial Security Reduction #1

Mayor and Council Members:

I hereby certify that the hydrant assembly, water main 8-inch valve & sleeve and water main, trenched PVC 8-inch, items required as a condition for approval of the final plat of **Kingsbury's 5th Addition** have been completed in an acceptable manner by **Harold Pike Construction**. The above-mentioned improvements have been inspected by the Engineering Division of the Public Works Department of the City of Ames, Iowa, and found to meet City specifications and standards.

As a result of this certification, it is recommended that the financial security for public improvements on file with the City for this subdivision be reduced to **\$43,510.00**. The remaining work covered by this financial security includes sanitary manhold, sanitary sewer, sidewalk pavement PCC 4" and sidewalk pavement PCC 6", detectable warning panels and COSESCO, as shown in attachment.

Sincerely,

A handwritten signature in blue ink that reads 'John C. Joiner'.

John C. Joiner, P.E.
Director

JJ/cc

cc: Finance, Planning & Housing, Subdivision file

Items pending to complete and accept	Unit	Quantity
Sanitary Sewer Manhold, SW-301, 48" Dia.	EA	2
Sanitary Sewer, Gravity, Trenched PVC, 8-inch	LF	198
Sidewalk Pavement, PCC, 4"	SY	431
Sidewalk Pavement, PCC, 6"	SY	5.6
Detectable Warning Panels	SF	8
COSESCO	AC	5.7



Smart Choice

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

February 1, 2023

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

RE: 2810 & 2824 Wakefield Circle Sidewalk Financial Security-Final

Mayor and Council Members:

I hereby certify that the construction of sidewalk, items required as a condition for approval of the final plat of survey for **2810 & 2824 Wakefield Circle** have been completed in an acceptable manner by **Absolute Concrete Corp.** The above-mentioned improvement have been inspected by the Engineering Division of the Public Works Department of the City of Ames, Iowa, and found to meet City specifications and standards.

As a result of this certification, it is recommended that the cash security 2600000229.20-00 on file with the City for this plat of survey be released in full.

Sincerely,

A handwritten signature in blue ink that reads 'John C. Joiner'.

John C. Joiner, P.E.
Director

JJ/cc

cc: Finance, Planning & Housing, Subdivision file

ITEM #: 17
 DATE: 02-14-23
 DEPT: Transit

COUNCIL ACTION FORM

SUBJECT: CYRIDE 2022 HVAC IMPROVEMENT PROJECT CLOSEOUT

BACKGROUND:

The CyRide 2022 HVAC Improvement Project was approved on August 11, 2021. Plans and specifications called for replacing aging heating, ventilation, and air conditioning (HVAC) equipment in the maintenance repair bays and the southwest bus storage area. Using an Iowa Public Transit Infrastructure Grant, CyRide established a project budget of \$576,577. Bids were due on September 8, 2021. Stein Heating and Cooling Inc. of Webster City, Iowa, submitted a bid for \$499,600 and was awarded the contract at the September 28, 2021, City Council meeting.

Construction on the project started in January 2022 and was substantially completed on September 30, 2022. During construction, the project had five change orders resulting in a net cost increase of \$776.93. As of January 18, 2023, the project punch list is complete, the required project documentation is on file, and Stein Heating and Cooling Inc. has met all of the contract conditions to the satisfaction of CyRide staff and the A&E firm.

The table below outlines details of the final project costs.

Description	Amount
Original Contract Base Bid	\$ 453,300.00
Add Alternative #2 – Incorporate HVAC units into the Controls System	46,300.00
Contract Award Amount	\$ 499,600.00
Change Order No. 1 – Replace natural gas shutoff valve	\$ 1,236.20
Change Order No. 2 – Add insulation to HVAC curbs	631.17
Change Order No. 3 – Deduct: Remove ductwork painting from scope	-6,133.30
Change Order No. 4 – Add walk pads around new units on the roof	3,967.47
Change Order No. 5 – Add wiring for destratification fans	1,075.39
Total Project Cost with Change Orders	\$ 500,376.93
Payment Made to Date	\$ 475,358.09
Unpaid Balance – 5% Retainage	\$ 25,018.84

All but the remaining \$25,018.84 in retainage has been paid to date. Payment of retainage is the last step needed to complete this project. The Transit Board approved the project closeout and authorized the release of retainage at their January 23, 2023, meeting.

ALTERNATIVES:

1. Accept final project completion and approve the release of retainage in the amount of \$25,018.84 to Stein Heating and Cooling Inc. of Webster City, Iowa, for the 2022 HVAC Improvements Project.
2. Do not accept final completion and release of retainage to Stein Heating and Cooling Inc. of Webster City, Iowa, and direct staff to modify the project.

CITY MANAGER'S RECOMMENDED ACTION:

All documentation and punch list items are complete, and all conditions of the project contract have been finished to the satisfaction of CyRide staff and the A&E firm. Closeout of this project is the last step needed to complete this important upgrade to the CyRide facility. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as described above.

ITEM #: 18
 DATE: 02-14-23
 DEPT: PW

COUNCIL ACTION FORM

SUBJECT: 2021/22 ACCESSIBILITY ENHANCEMENT PROGRAM

BACKGROUND:

This annual program provides sidewalk and pedestrian ramp improvements along with additional accessibility upgrades at traffic signals and other publicly owned parking facilities meet the Americans with Disabilities Act (ADA) requirements. It can also include retrofitting existing signalized traffic control devices with audible and vibrotactile pushbuttons, as well as upgrading public parking stalls to current accessibility standards. Whenever possible, this program is combined with and used in conjunction with other roadway, traffic signal replacement, or shared use path improvement projects. This program provides safer pedestrian facilities, improves ADA accessibility, and limits the City's liability for residents using public sidewalks in a deteriorated condition.

This project will make pedestrian ramp improvements and pushbutton upgrades at the following intersections: Duff Ave & Main Street, Duff Ave & 6th Street, Duff Ave & 9th Street, Duff Ave & 11th Street, and South Dakota Ave & Mortensen Road. Bolton & Menk, of Ames, Iowa, and staff, developed plans and specifications with an estimated budget as shown below:

Revenues		Expenses	
2021/22 Accessibility Enhancement CIP:		Administration	\$ 15,000
Road Use Tax	\$72,267	Design	31,345
Local Option Sales Tax	\$87,000		
LOT Savings from 2020/21 Vet Med Trail	100,000	Pushbuttons & Poles (est)	46,000
		Construction (est)	162,525
Total	\$ 259,267	Total	\$ 254,870

ALTERNATIVES:

1. Approve the plans and specifications for the 2021/22 Accessibility Enhancement Program project and establish March 8, 2023, as the date of letting with March 14, 2023, as the date for report of bids.
2. Do not approve this project.

CITY MANAGER'S RECOMMENDED ACTION:

By approving these plans and specifications, it will be possible to move forward with upgrades to the pedestrian transportation network. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as noted above.

ITEM #: 19
DATE: 2-14-23
DEPT: PW

COUNCIL ACTION FORM

**SUBJECT: 2022/223 ASPHALT STREET PAVEMENT IMPROVEMENTS –
(OAKWOOD RD)**

BACKGROUND:

This is the annual program for reconstruction or rehabilitation of deteriorated asphalt streets to prevent premature breakdown of the pavement and increasing maintenance costs. For this project, full-depth reconstruction is necessary due to sections of structural pavement failure. **This project is located on Oakwood Rd from University Boulevard to Timberland Rd.** Oakwood Rd will be widened to 3-lanes to accommodate the large turning volumes in the corridor and will stay within the current right-of-way. Curb and gutter will be constructed for the length of the project as well.

A new 24” storm sewer will be constructed which will reduce flooding and ponding on both the north and south side of Oakwood Rd. The project will also include the upsizing and replacement of select storm intakes. To improve pedestrian safety, the project will provide updated ADA ramps with enhanced crosswalks and additional pedestrian crossings for the Timberland Rd and Woodview Rd neighborhoods. A rapid flashing beacon will be placed at Green Hills Drive intersection. Improvements will be made to the existing shared use path as well, including relocation of the trail crossing at Cedar Ln to improve safety and raising of the trail near Wessex DR.

Staff held a public meeting at the Oakwood Rd Church on January 18th to answer questions and obtain input on staging, construction, and local knowledge of the project area. Seventy plus residents attended the meeting and provided feedback on a large range of topics. An additional follow up meeting with residents of the Woodview Rd neighborhood took place to discuss storm water drainage issues in their area. Additional grading along Woodview Drive was added to the project as a result of this meeting. A project informational website was set up to provide a summary of public input with City Staff responses and changes were made to the final plans based on this feedback. The informational website provides both a before and after view of the project based on public feedback.

Two additional meetings were held by staff representatives with an interested community member (Grant Olsen) regarding his thoughts on the project. Ideas and comments were exchanged and discussed on topics such as stormwater management, pedestrian safety, traffic speeds, and intersection traffic management. Adding roundabouts to the project was discussed, however the projected traffic counts and movements do not justify including them with the project. Additionally, adding roundabouts would come at a large expense (approximately \$1.6M each) and could require significant property acquisition. Mini-roundabouts were also considered, but are

only appropriate for a more local road, neighborhood setting rather than on this collector street. The concept of a “pilot” mini-roundabout (one lane in each direction) utilizing temporary traffic control devices was evaluated. It was determined that this could be a safety issue for traffic, as well as for pedestrians trying to navigate the intersection and is also not supported by Federal traffic control and engineering standards. **In consideration of potential speeding concerns, staff will be developing the justification for lowering the Oakwood Road speed limit in the project area as low as possible, to no greater than 35 mph.**

A table of total estimated costs is shown below:

	Available Revenue	Estimated Expenses
2022/23 Asphalt Pav Improv G.O. Bonds	\$3,000,000	
2023/24 Storm Water Improvement Program	\$ 200,000	
Shared Use Path Expansion/Maintenance savings	\$ 69,433	
28 th St Project Contract Amount		\$ 846,926.84
Oakwood Rd Construction Est		\$1,969,260.90
Engineering/Administration		\$ 425,000.00
	\$ 3,269,433	\$3,241,187.74

ALTERNATIVES:

1. Approve the plans and specifications for the 2022/23 Asphalt Street Pavement Improvements (Oakwood Rd) and establish March 8th, 2023, as the date of public bid opening and March 14th, 2023, as the date for report of bids.
2. Direct staff to revise the project.

MANAGER’S RECOMMENDED ACTION:

Approving these plans and specification will allow the project to move forward, resulting in lower street maintenance costs, improved drainage, and a better neighborhood aesthetic. **Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as noted above.**

ITEM #: 20
 DATE: 02-14-23
 DEPT: PW

COUNCIL ACTION FORM

SUBJECT: 2022/23 CONCRETE PAVEMNT IMPROVEMENTS – (BROOKRIDGE AVE, RIDGEWOOD AVE, LEE ST, 9TH ST, PARK WAY, & ALLEY)

BACKGROUND:

This annual program utilizes current repair and reconstruction techniques to improve concrete streets. These pavement improvements are needed to restore structural integrity, serviceability, and rideability. Targeted streets are reaching a point of accelerated deterioration. By improving these streets prior to excessive problems, the service life will be extended.

This project includes the replacement of the existing street pavement with 8” concrete or 9” asphalt, upgrading the pedestrian facilities to meet the current federal regulations, repairing storm/sanitary sewers, and replacing the existing 6” water main with a new 8” water main on Ridgewood Avenue and 9th St. Existing lead water services will also be replaced.

Staff sent letters to all residents/businesses, hosted a public informational meeting, and met with several property owners individually to obtain input regarding staging, construction timing, and special access needs. Comments were received and incorporated into the project design.

On August 9, 2022, a professional services agreement contract with WHKS of Ames, Iowa was approved in the amount not to exceed \$312,400 for design. WHKS and City staff have completed plans and specifications for this project with a base bid and add alternatives for different types of pavement.

Alternative 1 will be for concrete pavement and Alternative 2 is for asphalt pavement. A table of total estimated costs for each Alternative is shown below:

	Base + <u>Alt 1 (Concrete)</u>	Base + <u>Alt 2 (Asphalt)</u>
Base Bid	\$ 3,054,862.75	\$ 3,054,862.75
Paving Alternative	1,145,396.00	1,178,948.70
Construction Subtotal	\$ 4,200,258.75	\$ 4,233,811.45
Engineering	\$ 840,000.00	\$ 847,000.00
Total Project Costs	\$ 5,040,258.75	\$ 5,080,811.45

Revenues and expenses associated with this program are estimated as follows:

Funding Source	Available Revenue	Estimated Expenses
2022/23 Concrete Improvements (G.O. Bonds)	\$ 3,600,000	
2022/23 Water System Improvements (Water Fund)	650,000	
2022/23 & 23/24 Alley Improvements (G.O. Bonds)	800,000	
2022/23 Sanitary Sewer Improvements (Sewer Fund)	400,000	
Construction Estimate		\$ 4,200,258.75
WHKS Engineering		312,400.00
Engineering/Administration		527,600.00
TOTAL	\$ 5,450,000	\$ 5,040,258.75

ALTERNATIVES:

1. Approve the plans and specifications for the 2022/23 Concrete Pavement Improvements – (Brookridge Ave, Ridgewood Ave, Lee St, 9th St, Park Way & Alley) Project and establish March 8, 2023, as the date of letting and March 14, 2023, as the date for report of bids.
2. Direct staff to revise the project.

CITY MANAGER'S RECOMMENDED ACTION:

Approving these plans and specification will result in lower street maintenance costs, improve area drainage, and provide a better neighborhood aesthetic. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as noted above.

ITEM#: 21
 DATE: 02-14-23
 DEPT: Transit

COUNCIL ACTION FORM

SUBJECT: CYRIDE 2023 HVAC IMPROVEMENT PLANS AND SPECIFICATIONS

BACKGROUND:

At the November 8, 2022, meeting, Council approved project plans and specifications for the 2023 HVAC Improvements Project. In coordination with the Purchasing Division, the project was released for bid on November 9, 2022, with bids due on December 14, 2022. **No bids were received in response to the invitation for bid.** The City Council accepted the report of no bids and directed staff to prepare to rebid the project. To move forward with this project, Council will need to approve plans and specifications for the 2023 HVAC Improvements Project.

In September 2021, CyRide received \$331,548 in Iowa DOT Public Transit Infrastructure Grant (PTIG) funding to replace obsolete heating, ventilation, and air conditioning (HVAC) equipment in the facility. The total budget for the project is \$414,435 and is programmed into the Capital Improvements Plan. The equipment being funded serves the maintenance body repair bay, paint booth, and tire repair area and has been identified in CyRide's Transit Asset Management (TAM) plan as needing replacement. The project would replace existing units with more efficient equipment and update the existing vehicle exhaust system. In addition, newer equipment would allow these areas to be incorporated into the existing HVAC controls and provide a healthier work environment through improved air exchanges.

The cost estimate from the architectural and engineering consultant is \$452,770, including a 15% contingency fund, which is higher than the available PTIG funding. To meet the anticipated budget shortfall, the Transit Board approved using the remaining funds from the 2022 HVAC Improvement Project.

The following budget is being proposed for this project:

Funds Available	Dollars
State PTIG Funds	\$ 331,548
Local Grant Match	\$ 82,887
Total Grant Funds Available	\$ 414,435
Carryover from the 2022 HVAC Improvement Project	\$ 38,335
Total Project Budget	\$ 452,770

The Transit Board approved the plans and specifications at its January 26, 2023, meeting. If Council approves the plans and specifications, CyRide and the Purchasing Division are

planning a bid letting date of February 15, 2023, with bids due on March 15, 2023. Bid results will be reported at the March 21, 2023, Council meeting.

ALTERNATIVES:

1. Approve plans and specifications for the 2023 HVAC Improvements Project as presented and set March 15, 2023 as the bid due date and March 21, 2023 as the date of report of bids.
2. Direct staff to work with the A&E consultant to modify the project plans and specifications to meet City Council priorities.

CITY MANAGER'S RECOMMENDED ACTION:

Approving the plans and specifications would allow CyRide to replace obsolete equipment with modern, energy-efficient alternatives and improve our employees' working environment. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as described above.

ITEM # 22
DATE: 02-14-23
DEPT: Electric

COUNCIL ACTION FORM

SUBJECT: RDF STORAGE BIN REPAIR PROJECT

BACKGROUND:

The City's Resource Recovery Plant (RRP) converts municipal solid waste (MSW) into refuse derived fuel (RDF). The RDF is then conveyed to the RDF Storage Bin, which provides buffer and storage capacity until the RDF can be metered into the Power Plant boilers for combustion.

The existing RDF Storage Bin has been in service since 1996. The bin was primarily constructed of COR-TEN steel, a weathering steel designed to initially rust and build up an oxide layer that then prevents further rusting of the steel from occurring. The use of COR-TEN steel to construct the RDF Storage Bin has proven to be problematic in places where the COR-TEN steel is in regular or constant contact with the RDF. Constant contact with the RDF removes the oxide layer meant to protect the steel underneath, causing the exposed steel to rust anew. This cycle repeated over and over eventually removes enough steel that portions of the bin need to be repaired or replaced.

The RDF Storage Bin has reached the point that the containment's confining walls are in dire need of being replaced, and certain structural steel supports need to be repaired or replaced. This project to repair the bin was initially sent out to bid in August 2018. The bids received were much higher than what was budgeted. Staff chose to perform some of the repair work with City staff and through an annual maintenance contract with an outside vendor. Staff then worked with the engineering consultant to reduce the remaining scope to essential items and rewrite the specifications. The project was then delayed due to COVID and most recently due to limited staffing.

The project is now ready to be bid with revised plans and specifications. The Engineer's estimate for this project is \$2,870,090 for the base work. The base bid excludes repair or replacement of the bin wall panels. To keep the project within the budgeted amount, options to either repair or replace the wall panels are included in the bid specifications. Once the bids are received, staff will evaluate the proposed costs for repair or replacement and recommend the most cost-effective option that can be completed within the project budget. The Capital Improvements Plan includes a balance of \$3,568,000 for the RDF Bin repair work.

ALTERNATIVES:

1. Approve the preliminary plans and specifications for the RDF Storage Bin Repair Project and set March 29, 2023, as the bid due date, and April 11, 2023, as the date of award.
2. Delay these critical repairs, which will result in increased deterioration of the bin and most likely result in catastrophic damage and extended downtime.

CITY MANAGER'S RECOMMENDED ACTION:

This project will return the RDF Storage Bin to a condition that will allow it to operate safely and function properly. **The Council should note that although options are being considered for the future of the waste-to-energy system that do not require use of this bin, most of the options do rely on continuing to use the existing bin. Even if the City was to pursue a waste-to-energy option that no longer relies on the existing bin, implementing a new system would take at least five years. The proposed repairs to the bin under this project must be undertaken to ensure the bin can operate until that time.** Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as stated above.



MEMO

To: Mayor and Members of the City Council

From: City Clerk's Office

Date: February 14, 2023

Subject: Contract and Bond Approval

There is no Council Action Form for Item No. 23. City Council approval of the contract and bond for this project is simply fulfilling a *State Code* requirement.

/cmw



MEMO

To: Mayor and Members of the City Council

From: City Clerk's Office

Date: February 14, 2023

Subject: Contract and Bond Approval

There is no Council Action Form for Item No. 24. City Council approval of the contract and bond for this project is simply fulfilling a *State Code* requirement.

/cmw

ITEM #: 25
 DATE: 02-14-23
 DEPT: PW

COUNCIL ACTION FORM

SUBJECT: 2019/20 CONCRETE PAVEMENT IMPROVEMENT PROGRAM – (E 3RD ST, E 2ND ST, DES MOINES AVE, AND CENTER AVE), (DOUGLAS AVE – 7TH ST TO 10TH ST) AND (5TH ST – NORHTWESTERN AVE TO GRAND AVE)

BACKGROUND:

This is an annual program to rehabilitate or reconstruct concrete street sections that have deteriorated in order to prevent premature breakdown of the pavement. This work will provide enhanced rideability to residents and visitors.

On May 11, 2021, City Council awarded the contract to Manatt’s Inc. of Ames, Iowa in the amount of \$1,571,889.43. Four change orders were administratively approved by staff. Change Order No.1, in the amount of \$14,675, was for removal and replacement of additional storm sewer structures. Change Order No.2, in the amount of \$2,875, was for additional excavation and topsoil. Change Order No.3, in the amount of \$8,030, was to add a new sanitary sewer structure. Change Order No.4 (balancing) is a deduction in the amount of (\$13,549.94), reflecting the actual measured quantities completed during construction. **Construction was completed in the amount of \$1,583,919.49.**

Revenue and expenses associated with this program are estimated as follows:

	Available Revenue	Estimated Expenses
G.O. Bonds	\$ 2,200,000	
Construction (Bid: Base + Alt B)		\$1,583,919.49
Engineering/Administration		238,000.00
	\$ 2,200,000	\$1,821,919.49

ALTERNATIVES:

1. Accept the 2019/20 Concrete Pavement Improvement project (E 3rd St, E 2nd St, Des Moines Ave, Center Ave, Douglas Ave, and 5th St) project as completed by Manatt’s Inc. of Ames, Iowa in the amount of \$1,583,919.49.
2. Direct staff to pursue changes to the project.

CITY MANAGER’S RECOMMENDED ACTION:

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

ITEM #: 26
DATE: 02-14-23
DEPT: W&PC

COUNCIL ACTION FORM

SUBJECT: WATER POLLUTION CONTROL FACILITY METHANE ENGINE GENERATOR REPLACEMENT PROJECT – FINAL COMPLETION

BACKGROUND:

On October 8, 2019, the City Council awarded a contract to The Waldinger Corporation for the Water Pollution Control Facility Methane Engine Generator Replacement Project. This project replaced Methane Engine/Generator Number 1 with a new dual-fuel boiler. It also included modifications to the engine controls to allow Methane Engine/Generators 2 and 3 to operate simultaneously.

During the progress of the work, Methane Engine Number 2 was damaged. On August 9, 2022, Council approved a settlement agreement to resolve claims regarding the damage. All terms of the settlement agreement have been fulfilled; however, the controls subcontractor has so far failed to provide a start-up certification for the engine controls work (the subject of the damage claims). Staff witnessed the start-up on September 1, 2022 and observed both engines operating simultaneously.

All retainage was released to the contractor as a condition of the settlement agreement, and no additional funds are due to the contractor. The warranty for the work commenced on the date the equipment was placed into beneficial use, so the warranty has already commenced. **There is little leverage remaining for staff to obtain the required certification form.** At this point, staff is recommending that the work be accepted, and the project be closed out. An Engineer's Statement of Completion has been received and is attached.

ALTERNATIVES:

1. Accept final completion of the Water Pollution Control Facility Methane Engine Generator Replacement Project.
2. Do not accept final completion at this time.

CITY MANAGER'S RECOMMENDED ACTION:

All work on the project has been completed, and all terms of the settlement agreement have been met. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as described above.

Dunn, John

From: Anderson, Travis <Travis.Anderson@strand.com>
Sent: Monday, January 23, 2023 10:09 AM
To: Dunn, John
Subject: Engineer's Statement of Completion - Contract 2020-017

[External Email]

Regarding Contract 2020-017 with Waldinger Corporation, I state that the Methane Engine Generator Replacement Project, by a contract awarded by the Ames City Council on October 8, 2019 and a settlement agreement dated August 5, 2022, has been satisfactorily completed in general compliance with the terms, conditions, and stipulations of said contract.

The work was completed on November 15, 2022.

I further state that the total amount due to the contractor for fulfillment of said contract is \$1,463,532.91.



Travis Anderson, P.E.

Strand Associates, Inc.®

608.251.4843 ext. 1023

travis.anderson@strand.com | www.strand.com

P.E. (IA, WI)

Excellence in EngineeringSM

ITEM #: 27
 DATE: 2-14-23
 DEPT: PW

COUNCIL ACTION FORM

SUBJECT: APPROVE ICAAP AND U-STEP GRANT AGREEMENTS

BACKGROUND:

The Intelligent Transportation System (ITS) Program is a project that will implement real-time optimization of traffic and pedestrian flow at signalized intersections. The FY 2023/24 Capital Improvements Plan (CIP) includes the design and construction of Phase 3 of the City’s ITS Master Plan. Phase 3 covers the Grand Avenue corridor from Lincoln Way to the north cooperate limits. The City received two grant offers for this Phase 3 project:

- 1) Iowa Clean Air Attainment Program (ICAAP) grant funds (\$1,495,280)
- 2) Urban-State Traffic Engineering Program (U-STEP) grant funds (\$400,000)

Council action is necessary to accept these proposed grant awards. Receipt of these funds results in the project budget below:

<u>Revenues</u>		<u>Expenses</u>	
ICAAP	\$ 1,495,280	Design	\$ 291,300
Road Use Tax	549,700	Administration	87,400
G.O. Bonds	468,300	Construction	2,534,580
U-STEP	400,000		
TOTAL	\$ 2,913,280	TOTAL	\$ 2,913,280

ALTERNATIVES:

- 1. Approve the grant agreements with the Iowa DOT for
 - a. \$1,495,280 from the Iowa Clean Air Attainment Program
 - b. \$400,000 from the Urban-State Traffic Engineering Program
- 2. Reject the grant offers and direct staff to identify alternative funding sources.

CITY MANAGER’S RECOMMENDED ACTION:

These grant funds will be critical for proceeding with Phase 3 of the ITS program and keeping the project moving forward. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as noted above.

ITEM #: 28
DATE: 02-14-23
DEPT: Electric

COUNCIL ACTION FORM

**SUBJECT: ASH POND CELL MAINTENANCE SERVICES
FOR ELECTRIC SERVICES**

BACKGROUND:

The Power Plant has an ash pond that serves as a settling pond where Refuse Derived Fuel ash (“RDF ash”) falls to the bottom and relatively clean water can be recycled to the Power Plant to transport additional ash from the bottom of the boilers. The ash pond also contains ash generated from the combustion of coal prior to the power plant’s conversion to natural gas (“coal ash”).

The RDF ash is composed of inorganic materials in the fuel that do not burn and must be removed from the boilers to allow continual operation. Over time the RDF ash builds up on the bottom of the pond and reduces the available capacity of the pond. This ash must be regularly moved and piled, via excavating or dredging, to a location at the pond site that will allow for it to dry and later be hauled to a landfill.

As of October 2016, the usable area of the ash pond has been drastically reduced because of restrictions imposed by the EPA through the Disposal of Coal Combustion Residuals from Electric Utilities rule. The portion of the ash pond that contains coal ash (a majority of the area) is inactive until the coal ash is removed and landfilled.

The work to remove the coal ash was programmed as a project in a previous Capital Improvements Plan and work has been underway for the past several years. Because of COVID, turnover in key staff positions, and other projects needing to take priority; the CIP project to remove the coal ash was not able to be completed by this calendar year as anticipated.

Until the coal ash removal project is complete, the usable area of the pond is very limited. The usable area has filled up with RDF ash. This RDF ash must be excavated and hauled off-site to the landfill. Boone County Landfill (BCL) is the only landfill in the planning area that the City of Ames is in. BCL has rejected taking the RDF ash and therefore the Power Plant must take it to Metro East Landfill located in Mitchellville, Iowa.

On December 1, 2022, a Request for Proposals (RFP) document was posted to the IonWave electronic bidding site by Purchasing. On December 22, 2022, two proposals were received. An evaluation team was formed to review proposals. Proposals were evaluated on experience, demonstration of safe and cost-effective removal procedures, equipment availability, and cost.

Bidder	Digging Price (per hr)	Hauling Price (per ton)
Wulfekuhle Injection & Pumping, Peosta, IA	\$200.00	\$18.00
Earth Services & Abatement, Des Moines, IA	\$790.00	\$104.00

After evaluating the proposals, staff determined that the proposal from Wulfekuhle Injection & Pumping, Peosta, IA, is acceptable. The experience, along with reasonable cost by the vendor, best fit the needs of the City.

The funds for this project will be taken from the Unit 7 and 8 Auxiliary Equipment accounts. Invoices will be based on contract rates for time services are actually received and accepted by the City.

ALTERNATIVES:

1. Award a contract to Wulfekuhle Injection & Pumping, Peosta, IA, for Cell Maintenance Services in the amount not-to-exceed \$103,300 (inclusive of Iowa sales tax).
2. Award a contract to the second bidder, Earth Services & Abatement, Des Moines, IA.
3. Reject all proposals, fill the little remaining space in the usable area of the pond, and then stop burning RDF until the coal ash removal CIP project is complete.

CITY MANAGER'S RECOMMENDED ACTION:

The ash pond is an essential part of the RDF combustion process. Because the pond has a limited working area, the RDF ash must be excavated and removed to allow for the continued combustion of RDF. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1 as stated above.

ITEM #: 29
 DATE: 02-14-23
 DEPT: P&R/FLEET

COUNCIL ACTION FORM

SUBJECT: FIBER, SECURITY, AND SOUND PROJECT FOR THE STEVEN L. SCHAIKER PLAZA

BACKGROUND:

As part of the Steven L. Schainker Plaza, the City was responsible, through a separate agreement, for the installation of fiber from City Hall to the Plaza building, security cameras and access control, and a sound system. The contractor is responsible for running the conduit and preparing the doors for these installations.

An invitation to bid was issued that included a base bid for the fiber and the security cameras. The cameras were required to have coverage of all sides of the building and views of the ice loop and aquatic features. The cameras were also required to be compatible with the City’s overall camera system.

Three alternatives were bid in addition to the base bid. The first was for access control on all the doors. The access control will allow for scheduling of the bathrooms and will be integrated into the City Hall and Fire Station systems. The second alternative was for the installation of a sound system. This will allow staff at the building to play music and make announcements if needed. The third alternative was for the addition of an access control card reader for the garage door.

On January 24, 2023, bids were received as follows:

Bidder	Base Bid: Fiber Install	Base Bid: Camera Install	Alternate 1: Access Control Install	Alternate 2: Sound System Install	Alternate 3: Garage Access Control
Communication Innovators	\$18,182.00	\$8,250.00	\$10,538.00	\$14,726.00	\$2,720.00
EmbarkIT	\$24,648.26	\$9,405.68	\$13,985.74	\$9,149.13	No Bid

After discussions with City staff, it was decided that the alternative for the garage door access control was not needed, but that the other two alternatives were acceptable. Therefore, Communication Innovators is the low bidder in the total amount of \$51,696. Funding for this project will come from the Furnishings, Fixtures, and Equipment budget for the Plaza project, which contains \$210,000. The remaining funds will be used for outdoor furniture and other items. The following table shows the complete Plaza financials.

Description	Funding	Expenses
2021/22 GO Bonds	700,000	
2021/22 General Fund	1,484,624	
2022/23 GO Bonds	700,000	
2020/21 Local Option Sales Tax	200,000	
2020/21 Council Priorities Fund	1,000,000	
American Rescue Plan	450,497	
2021/22 Council Priorities Fund	739,579	
Engineering & Design		377,250.00
Geotechnical/Survey		12,800.00
3rd Party Testing Estimate		36,000.00
FF&E Remaining		158,304.00
Fiber, Security and Sound Project		51,696.00
Remaining Contingency		154,663.61
Construction Contract		4,633,000.00
Change Order #1		(159,000.00)
Change Order #2		3,002.60
Change Order #3		6,983.79
TOTALS	<u>5,274,700</u>	<u>5,274,700.00</u>

ALTERNATIVES:

1. Award a contract to Communication Innovators in the amount of \$51,696 for the base bid components plus Bid Alternate #1 and Bid Alternate #2.
2. Award the contract to the other bidder.
3. Do not approve this project.

CITY MANAGER'S RECOMMENDED ACTION:

By awarding this bid the City will have internet access to the building, increased security, and a sound system for patrons. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as described above.

ITEM#: 30
 DATE: 02-14-23
 DEPT: W&PC

COUNCIL ACTION FORM

SUBJECT: WATER TREATMENT PLANT HIGH SERVICE PUMP VARIABLE FREQUENCY DRIVE (VFD) PROJECT – AWARD OF CONTRACT

BACKGROUND:

The new Water Treatment Plant includes a high service pump station that allows the facility to pump treated drinking water into the distribution system. This supplements the high service pump station at the old plant site, increasing redundancy and resiliency in the event of a disaster and providing a more consistent and even pressure in the water distribution system.

When pumps are suddenly started or stopped it causes a change in the water distribution system pressure. The rapid pressure swings contribute to rusty water calls and, if severe enough, can cause water main breaks. By installing a variable frequency drive (VFD) on a pump, the pump speed can be slowly ramped up or down, thereby dampening the pressure swings. It also allows the pump to be run at less than its full speed, allowing the operators to more closely match the demand from customers. This in turn minimizes the need to frequently start and stop the pumps.

This project will provide and install a new VFD unit to control one of the existing high service pumps at the Water Treatment Plant. This work also includes all the required connections, electrical equipment, and integration services needed to allow the operation of the VFD through both the existing plant control system and operation in a manual mode. A bid alternate was requested to purchase a second VFD should the budget allow. **The FY 2022/23 Water Plant Facility Improvements CIP includes \$75,000 for this project.**

A Notice to Bidders for this project was issued on January 3, 2023. On January 24, 2023, bids were opened, and two bids were received. A copy of the bid tabulation is shown below.

Bidder	Base Bid	Bid Alternate (second VFD)	Base Bid + Alternate
Electric Pump	\$59,395	\$33,989	\$93,384
Jetco, Inc.	\$74,078	\$34,497	\$108,575
<i>Engineers Estimate</i>	<i>\$75,000</i>		

The City staff believes that the Electric Pump provided the lowest responsive bid. This project was designed in-house. so there are no engineering fees.

Project Expense

Construction (base bid only)	\$ 59,395
10% Contingency	\$ 5,940
Total Estimated Expense	\$ 65,335

ALTERNATIVES:

1. Award a contract for the Water Treatment Plant High Service Pump Variable Frequency Drive Project to Electric Pump of Des Moines, Iowa, for the base bid only in the amount of \$59,395.
2. Award the contract to the other bidder.
3. Do not take any action at this time and provide direction to staff on the future of the project.

CITY MANAGER'S RECOMMENDED ACTION:

Utilizing variable frequency drives (VFDs) is an effective way to minimize pressure swings in the water distribution system, which in turn helps minimize the frequency of water main breaks. While both base bids were below the Engineer's Estimate, the total cost to accept the base bid plus the bid alternate for either proposal exceeded the authorized budget. Therefore, it is the recommendation of the City Manager that the City Council approve Alternative #1 and award the Water Treatment Plant High Service Pump Variable Frequency Drive Project to Electric Pump of Des Moines, Iowa, for the base bid only, in the amount of \$59,395.

ITEM:	<u>31</u>
DATE	<u>02-14-23</u>
DEPT	<u>Electric</u>

COUNCIL ACTION FORM

SUBJECT: BOILER TUBE SPRAY COATING AND RELATED SERVICES AND SUPPLIES CONTRACT FOR THE POWER PLANT—CHANGE ORDER NO. 1

BACKGROUND:

This contract is to provide and install new boiler tube coating and surface preparation in Unit #8 boiler at the City’s Power Plant. This coating is required in order to protect the boiler tubes against the corrosive wear brought on by burning Refuse Derived Fuel (RDF). Portions of the Unit 8 boiler tube walls require routine spray coatings to maintain protection. This contract addresses that routine application of protective coating. Failure to maintain the coating will cause the boiler tubes to wear much more quickly, resulting in premature failure and costly repair and replacements.

The Power Plant benefits from having an ongoing service contract with a firm that provides routine and emergency boiler tube spray coating services. This process reduces the City’s exposure to market forces regarding prices and availability for labor, travel, and supplies for these services. By having a contract in place, City staff saves considerable time obtaining quotes, evaluating proposals, and preparing specifications and other procurement documentation.

On July 26, 2022, City Council awarded a contract to Integrated Global Services Incorporated, of Richmond, VA, (IGS) in the amount of \$435,000.

Planned boiler maintenance generally takes place in the fall and spring each year. During the planned fall 2022 maintenance outage, the boiler was taken off-line to allow for internal inspection of the protective spray coating. It was found that the previously applied spray coating did not perform as well as desired. During the maintenance outage, IGS proposed an alternative spray protective product that had a different chemistry, which the contractor believed would perform better. This new product was applied to 10% of the existing coated area. The other 90% received a ceramic coating that is much less costly, but is expected to only last for 6-12 months. The fall 2022 application exhausted the \$435,000 funding approved in this FY 2022/23 contract.

In the upcoming spring 2023 outage, the ceramic coating will need to be reapplied to the 90% area that was covered with ceramic last fall to provide a further six months of protection. In addition, plant staff plans to perform a full inspection of the portion of the boiler that received the new IGS product. The cost to perform the inspection and apply a new ceramic coating over the remaining 90% area is \$151,000.

The spring inspection will reveal how the IGS coating product performed compared to the less costly ceramic product. Staff will be able to analyze that performance and perform a cost-benefit evaluation. The analysis will determine which product will be specified for repairs taking place in the fall 2023 outage, when a new FY 2023/24 contract for boiler tube spray coating services is in place.

THIS ACTION:

Staff is requesting City Council to approve Change Order No. 1 to the Boiler Tube Spray Coating and Related Services and Supply contract. **This action will add an additional \$151,000 to the original \$435,000 contract for FY 2022/23 (inclusive of sales tax), bringing the total contract amount to \$586,000.** The change order will ensure the boiler tubes exposed to the corrosive RDF combustion atmosphere are continually protected until at least the fall 2023 outage.

Funding for Change Order No. 1 will come from both Unit 7 and Unit 8 Steam Turbine/Generator Maintenance accounts. Money was budgeted in both of these accounts to be used for cleaning. The equipment has not required as much industrial cleaning as budgeted. Therefore, \$75,500 will be taken from each of these accounts and be used to fund this change order.

ALTERNATIVES:

1. Approve Change Order No. 1 to Integrated Global Services Inc, of Richmond, VA, in the amount of \$151,000.
2. Do not approve the change order and delay needed additional maintenance until the next fiscal year.

CITY MANAGER'S RECOMMENDED ACTION:

The protection of the boiler tubes is essential to the reliability of the boiler and to maintain the ability to burn the RDF created from the county's municipal solid waste. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1.

ITEM #:	<u>32</u>
DATE:	<u>02-14-23</u>
DEPT:	<u>P&H</u>

COUNCIL ACTION FORM

**SUBJECT: MAJOR FINAL PLAT FOR NORTH DAYTON INDUSTRIAL SUBDIVISION,
FIRST ADDITION**

BACKGROUND:

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

Dayton Avenue Development LLC, represented by Chuck Winkleblack, has submitted a Major Subdivision Final Plat for North Dayton Industrial Subdivision, First Addition. The Subdivision is located along the west side of Dayton Avenue north of 13th Street and south of the Eagles Loft Daycare at property currently addressed as 2105 & 2421 Dayton Avenue (Attachment A-Location Map). The preliminary plat for this subdivision was approved by City Council in October 2022.

The subdivision includes ten lots, five of which are between one and three acres in size and five of which are between three and eleven acres in size. There are also two outlots which include Outlot A for open space and stormwater detention, totaling 6.25 acres and Outlot B totaling 11.63 acres as open space for storm water detention and cemetery access.

Outlot B allows for access to the Bloomington Cemetery which is located on the southern portion of the Outlot. There is a 10-foot access easement on the southwest section of Lot 5 abutting Outlot B to allow for a compliant access width of 35 feet along the narrow 25-foot section of Outlot B abutting Bailey Avenue in order to comply with Flag Lot access standards to the wide part of the Outlot. The proposed access easement has been reduced in width and its extent reduced from going all the way to the north property line since the Preliminary Plat. Staff believes it still provides for the minimum needed access to Outlot B and is a minor change (*See Attachment B*).

The subdivision includes the construction of Bailey Avenue as a loop street with two access points along Dayton Avenue which will serve as access to the lots in the subdivision. Bailey Avenue is shown as Lot A. Dayton Avenue and associated widening for turn lanes is shown as Lot B.

The required improvements in the North Dayton Industrial Subdivision have been secured. A Letter of Credit in the amount of \$2,840,683.25 has been provided to secure the public improvements, which include the street, pavement, sidewalks, water, sanitary sewer, storm

sewer facilities, electric conduit, and streetlights within this subdivision and along Dayton Avenue. Widening along Dayton is included with this subdivision. **None of the improvements have been installed at this time. The City Council is being asked to accept the signed Improvement Agreement with a Letter of Credit for the specified improvements. The amount of the Letter of Credit can be reduced by the City Council as the required infrastructure is installed, inspected, and accepted by the City.**

The developer is required to comply with a Tax Increment Financing (TIF) Development Agreement that, with regard to subdivision creation, requires that five of the ten lot subdivision be 1-3 acres in size. The remaining five lots can be no larger than 11 acres in size. The subdivision is in compliance with the conditions of the TIF Development Agreement approved by City Council. Approval of the Final Plat will fulfill the condition precedent of the agreement and allow for the developer to receive TIF payments in the future as defined in the agreement.

The preliminary plat included two conditions of approval. The first was to include the extension of the sewer line all the way to the north property line. This extension is part of the improvement plans and public improvements security. Secondly, the developer required approval by the Corps of Engineers for a wetland fill permit. The developer has approval for the wetland fill permit.

ALTERNATIVES:

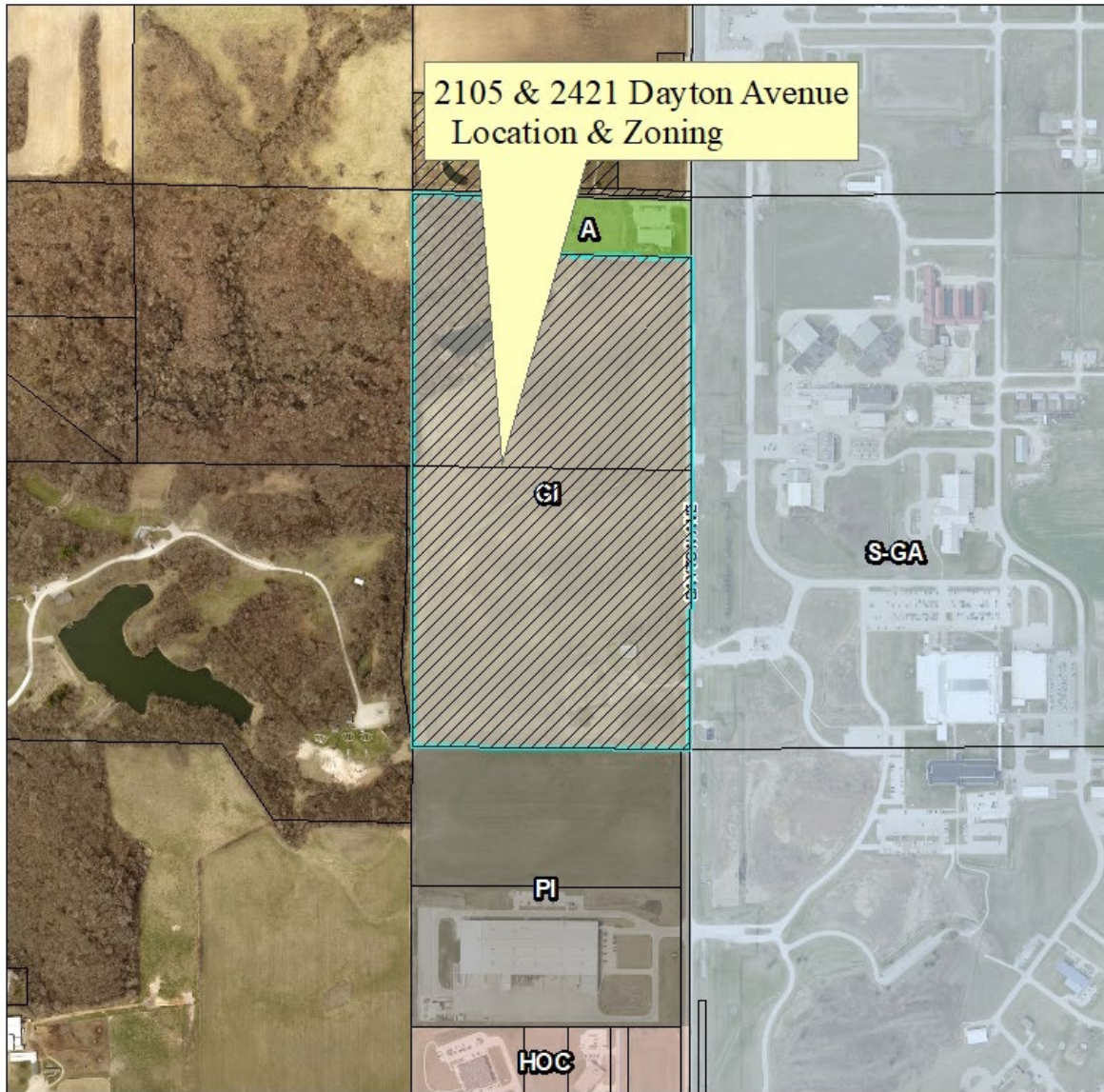
1. Approve the Final Plat of North Dayton Industrial Subdivision, First Addition, based upon the staff's findings that the Final Plat conforms to applicable design standards, ordinances, policies, and plans and approve acceptance of financial security for completion of public improvements.
2. Deny the Final Plat for North Dayton Industrial Subdivision, First Addition by finding that the development creates a burden on existing public improvements or creates a need for new public improvements that have not yet been installed.
3. Defer action on the item and request more information from staff or the applicant.

CITY MANAGER'S RECOMMENDED ACTION:

City staff has evaluated the proposed major subdivision plat and determined that the proposal is consistent with the preliminary plat and the Development Agreement approved by City Council and that the plat conforms to the adopted ordinances and policies of the City as required by Code and other agreements.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1.

Attachment A- Location & Zoning Map

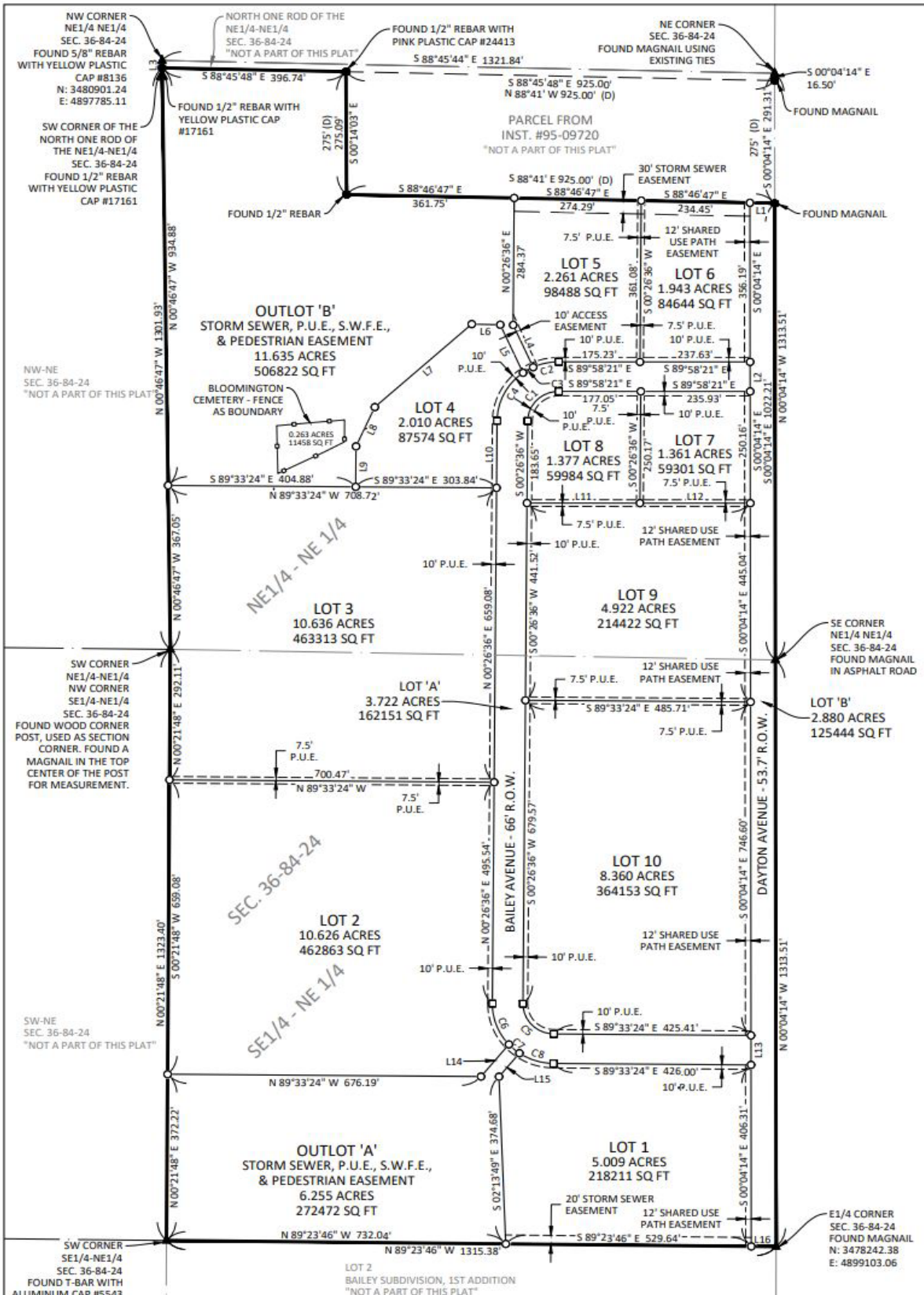


2105 & 2421 Dayton Avenue Location & Zoning

Legend

- PARCELS
- Zoning District**
- Agricultural Zone "A" (sec 29.600)
- Highway-Oriented Commercial Zone "HOC" (sec 29.804)
- General Industrial Zone "GI" (sec 29.901)
- Planned Industrial Zone "PI" (sec 29.902)
- Government/Airport District "S-GA" (sec 29.1002)

Attachment B- Final Plat



Attachment C- Applicable Regulations

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

Ames Municipal Code Section 23.302

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

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

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

(c) The City Council may:

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

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

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

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

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

ITEM #: 33
DATE: 02-14-23
DEPT: P&H

COUNCIL ACTION FORM

SUBJECT: PLAT OF SURVEY FOR 4100 DAWES DRIVE (CONVEYANCE PARCEL) AND ACCEPTANCE OF RIGHT-OF-WAY DEDICATION

BACKGROUND:

The City’s subdivision regulations in Chapter 23 of the Ames Municipal Code include a process for creating or modifying property boundaries and for determining if any improvements are required in conjunction with the platting of property. **The proposed plat of survey includes a dedication of right-of-way that requires acceptance by the City Council to allow for the Planning Director to approve the final plat of survey.**

This proposed plat of survey is for a parcel that was not previously platted and is considered a conforming conveyance parcel. The parcel is zoned Residential Low Density (RL) and was formerly the site of a single-family residence that was destroyed by fire. The remaining structure has been cleared from the site, leaving the site vacant.

The purpose of the plat is to create a legal parcel for purposes of allowing building and zoning permits to be issued for the use of the site. All new construction would also be subject to meeting current zoning standards for setbacks and coverage.

The proposed survey is composed of Parcel ‘AB’ and Tract ‘C’. Parcel ‘AB’ includes 19,248 sq. ft. (0.442 acres) and Tract ‘C’ includes 6,936 sq. ft. (0.16 acres). Tract ‘C’ is described for the purpose of the dedication of the right-of-way to the City (see Attachment B – Proposed Plat of Survey). The legal description is included in the Addendum. Dedication of the right-of-way prior to the recording of the plat of survey and prior to issuance of zoning or building permits is required to comply with the City’s Subdivision Code.

Parcel ‘AB’ was reviewed to ensure that the proposed lot dimensions and setbacks comply with the requirements found in the zone development standards of the Residential Low Density (RL). A graphical representation as well as a complete and accurate description of the parcel and right-of-way tract is included.

Plats of Survey for conveyance parcels are subject to review of needed infrastructure and dedication of right-of-way. The City reconstructed Dawes Drive in 2019 and did not construct a sidewalk on the west side of this street along this site’s frontage. There is an integrated sidewalk on the east side of Dawes and a trail to the rear of the site adjacent to Highway 69. With the reconstruction of Dawes and the limitations of right-of-way and topography along Dawes there are no additional improvements expected for this site.

Although the Planning and Housing Director is authorized to make a final decision of approval in writing for a conveyance parcel Plat of Survey, the dedication of the Dawes Drive right-of-way requires City Council approval. Approval of this Plat of Survey (Attachment B) will allow the Planning and Housing Director to sign the Plat, confirming that it fully conforms to all conditions of approval.

The prepared Plat of Survey may then be signed by the surveyor, who will submit the executed Warranty Deed, signed Plat of Survey, and certified resolution for recording in the office of the Story County Recorder. The applicant shall provide a copy of the recorded Warranty Deed, Plat of Survey, and certified resolution to the City Clerk. Once it is recorded, the property owner can proceed with obtaining building and zoning permits.

ALTERNATIVES:

1. Approve a resolution for the proposed plat of survey for 4100 Dawes Drive and accept the dedication of right-of-way with the attached warranty deed, thereby authorizing the Planning and Housing Director to approve the final Plat of Survey.
2. Deny the plat of survey on the basis that the requirements for plats of survey and dedication of right-of-way as described in Section 23.308 have not been satisfied.
3. Refer this back to staff for additional information.

CITY MANAGER'S RECOMMENDED ACTION:

The conveyance parcel process was established in 2009 to create a means for property owners to bring parcels of land into compliance with the City's permitting processes. The goal was to establish usable and buildable parcels with a recorded survey in order to have measurable property lines. **Approving this proposed plat of survey will recognize the current parcel as a legal lot for permitting purposes. Approving the plat of survey as a conveyance parcel will not exempt the parcel from meeting zoning development standards for building, such as setbacks and coverage.**

Staff has determined that the proposed plat of survey satisfies all Subdivision Code requirements and has made a preliminary decision of approval. Parcel 'AB' conforms to the underlying zoning standards for lot requirements. Currently, the property owner has ownership to the middle of Dawes Drive. Tract 'C' identifies the right-of-way that will be dedicated to the City as part of the Plat. Staff has determined that the proposed plat of survey does not trigger City infrastructure requirements as defined within the Subdivision Code. Therefore, it is the recommendation of the City Manager that the City Council accept Alternative #1.

**ADDENDUM
PLAT OF SURVEY FOR 4100 DAWES DRIVE**

Application for a proposed Plat of Survey has been submitted for:

- Conveyance parcel (per Section 23.307)
- Boundary line adjustment (per Section 23.309)
- Re-plat to correct error (per Section 23.311)
- Auditor's plat (per Code of Iowa Section 354.15)

Owners: Larissa Leigh Boeck & Katherine Elaine Farlow

Existing Street Address: 2021 Ferndale Avenue, Ames, IA 50010

Assessor's Parcel #: 05-2722-6060

Legal Description:

PARCEL 'AB' DESCRIPTION:

A PART OF LOT 6 LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 84 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF AMES, STORY COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF SAID LOT 6 AND THE CENTERLINE OF DAWES DRIVE (OLD U.S. #69); THENCE N31°38'35"W, 148.70 FEET ALONG SAID CENTERLINE TO THE BEGINNING OF A 1199.28 FOOT RADIUS CURVE, CONCAVE NORTHEASTERLY; THENCE NORTHWESTERLY 159.10 FEET ALONG SAID CENTERLINE AND SAID CURVE, WITH A DELTA OF 7°36'04"; THENCE N67°46'24"E, 33.00 FEET TO THE POINT OF BEGINNING AND TO THE BEGINNING OF A 1166.28 FOOT RADIUS CURVE, CONCAVE NORTHEASTERLY; THENCE NORTHWESTERLY 204.15 FEET, WITH A DELTA OF 10°01'46" TO THE NORTH LINE OF SAID LOT 6; THENCE N88°31'45"E, 7.98 FEET ALONG SAID NORTH LINE TO THE WESTERLY CORNER OF PARCEL 'V' AS SHOWN IN INST. #2004-13159 IN THE STORY COUNTY RECORDER'S OFFICE; THENCE S59°49'04"E, 252.90 FEET ALONG THE SOUTHERLY LINE OF SAID PARCEL 'V'; THENCE S67°46'24"W, 178.25 FEET TO THE POINT OF BEGINNING.

CONTAINING 19,248 SQ FT (0.442 ACRES).

TRACT 'C' DESCRIPTION:

A PART OF LOT 6 LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 84 NORTH, RANGE 24 WEST OF THE 5TH P.M.,

CITY OF AMES, STORY COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF SAID LOT 6 AND THE CENTERLINE OF DAWES DRIVE (OLD U.S. #69); THENCE N31°38'35"W, 148.70 FEET ALONG SAID CENTERLINE TO THE BEGINNING OF A 1199.28 FOOT RADIUS CURVE, CONCAVE NORTHEASTERLY; THENCE NORTHWESTERLY 159.10 FEET ALONG SAID CENTERLINE AND SAID CURVE, WITH A DELTA OF 7°36'04" TO THE POINT OF BEGINNING; THENCE CONTINUING NORTHWESTERLY 216.18 FEET ALONG SAID CURVE AND CENTERLINE, WITH A DELTA OF 10°19'42" TO THE NORTH LINE OF LOT 6; THENCE N88°31'45"E, 33.61 FEET ALONG SAID NORTH LINE TO THE BEGINNING OF A 1166.28 FOOT RADIUS CURVE, CONCAVE NORTHEASTERLY; THENCE SOUTHEASTERLY 204.15 FEET ALONG SAID CURVE, WITH A DELTA OF 10°01'46"; THENCE S67°46'24"W, 33.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 6936 SQ FT (0.16 ACRES).

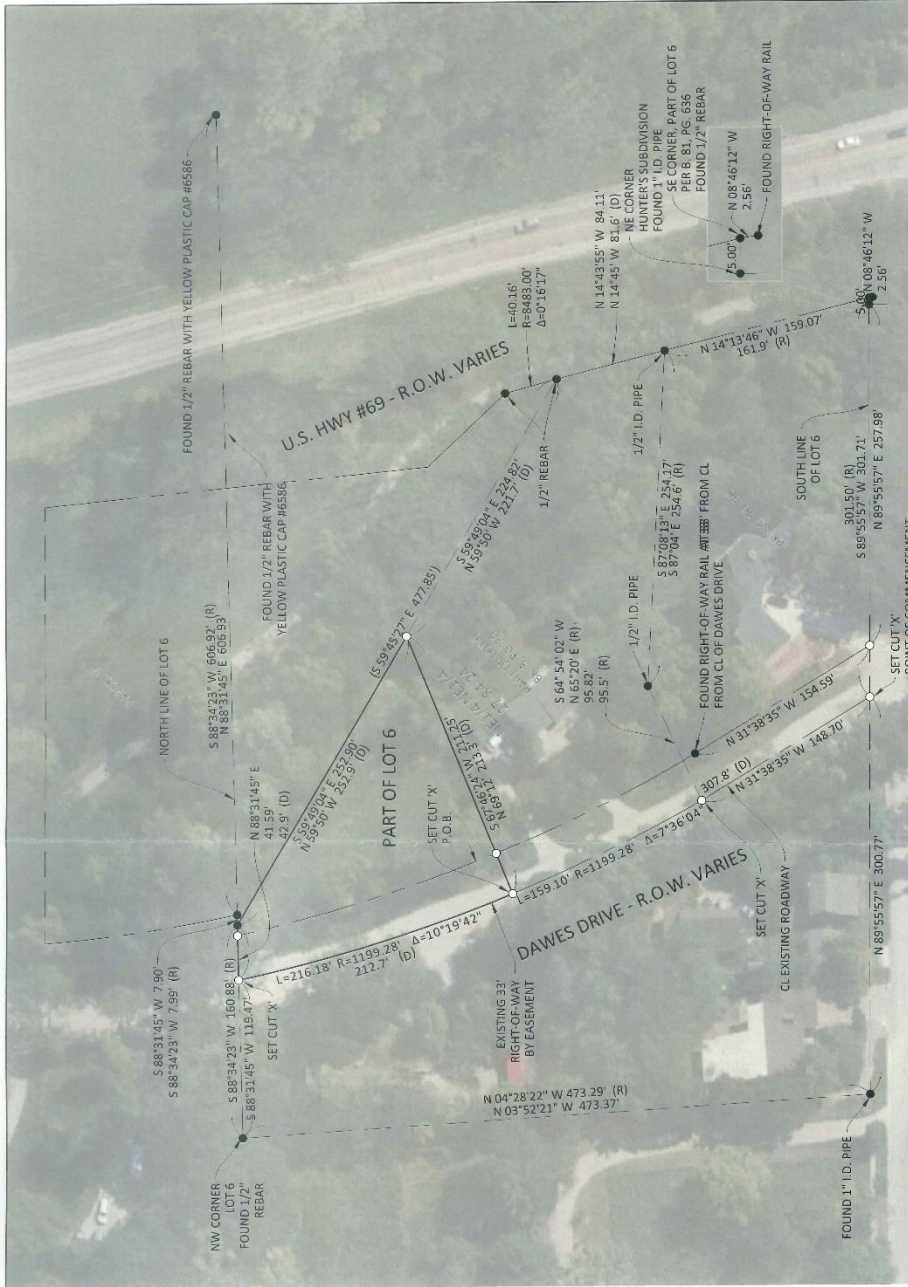
Public Improvements:

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

- Installed prior to creation and recordation of the official plat of survey and prior to issuance of zoning or building permits.
- Delayed, subject to an improvement guarantee as described in Section 23.409.
- Not Applicable. (no additional improvements required)

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

Attachment A- Existing Conditions



EXISTING LEGAL DESCRIPTION FROM INST. #2018-11055:

PART OF LOT SIX (6) IN THE NORTHEAST QUARTER (NE1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION TWENTY-SEVEN (27), TOWNSHIP EIGHTY-FOUR (84) NORTH, RANGE TWENTY-FOUR (24) WEST OF THE STRAIGHT AMES, STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF LOT 6 AND THE CENTERLINE OF DAWES DRIVE (OLD U.S. 69), THENCE NORTHWESTERLY 307.8 FEET ALONG THE CENTERLINE OF SAID DAWES DRIVE TO POINT OF BEGINNING; THENCE N 69°12' E 213.3 FEET; THENCE N 59°50' W 252.9 FEET TO THE NORTH LINE OF SAID LOT 6; THENCE WEST 42.9 FEET ALONG THE NORTH LINE OF SAID LOT 6 TO THE CENTERLINE OF DAWES DRIVE; THENCE SOUTH ALONG SAID CENTERLINE OF DAWES DRIVE TO POINT OF BEGINNING AND CONTAINING 0.58 ACRES, MORE OR LESS, INCLUDING EXISTING ESTABLISH RIGHT-OF-WAY.



EXISTING CONDITIONS

PART OF LOT 6, NE1/4 NE1/4, SEC. 27, T84N, R24W IN THE CITY OF AMES, STORY COUNTY, IOWA

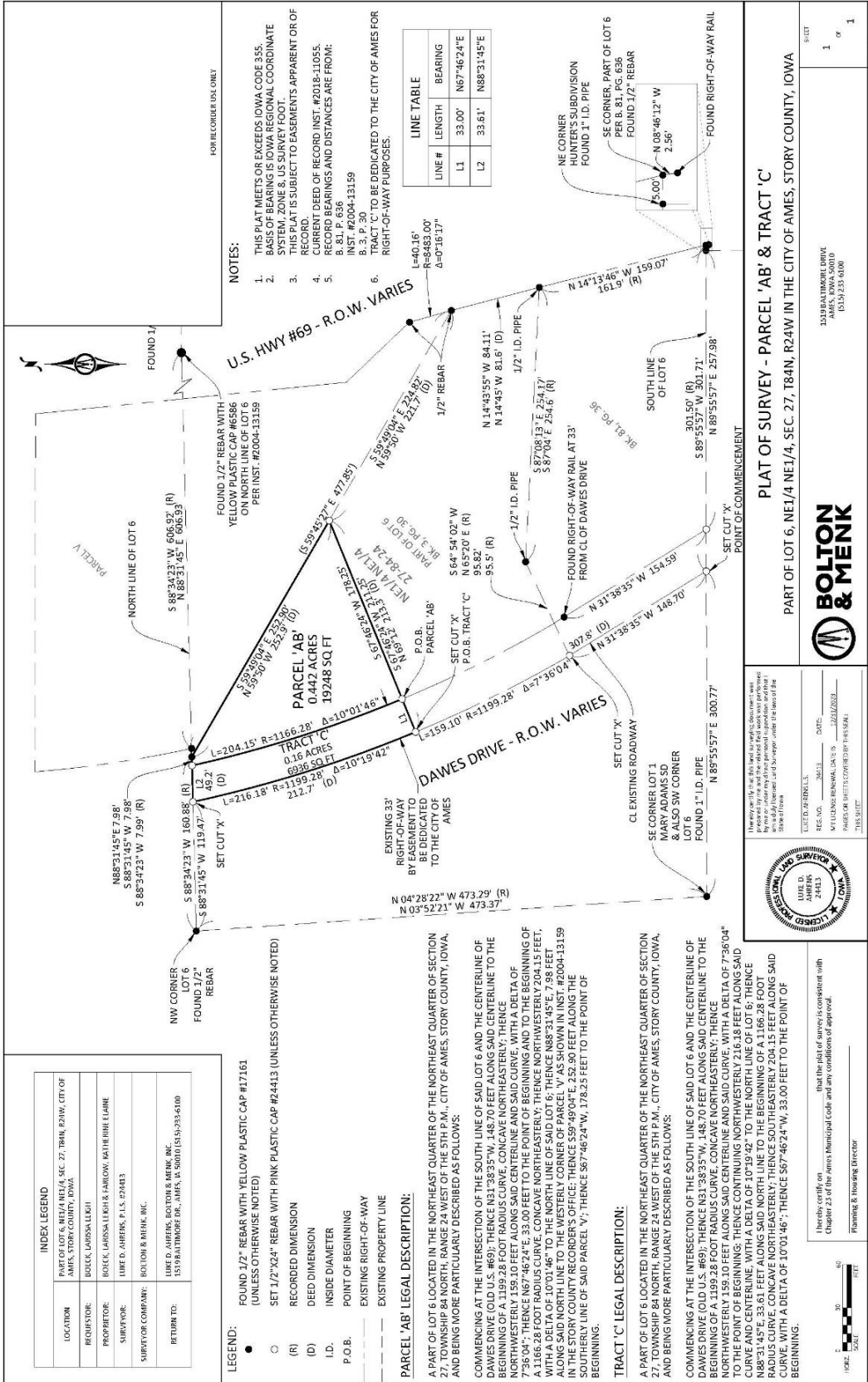


1519 BALTIMORE DRIVE
AMES, IOWA 50010
(515) 233-6300

SHEET

BOLTON & MENK, P.L.L.C. 1519 BALTIMORE DRIVE, AMES, IOWA 50010 (515) 233-6300

Attachment B: Plat of Survey



Attachment C: Warranty Deed

INSTRUMENT PREPARED BY:	Brian D. Torresi, 120 S 16 th St., Ames, IA 50010
RETURN TO:	City Clerk, City of Ames, Iowa, 515 Clark Ave., Ames, IA 50010
MAIL TAX STATEMENT TO:	City Clerk, City of Ames, Iowa, 515 Clark Ave., Ames, IA 50010
EXEMPTION CLAIMED:	Iowa Code § 428A.2(6)

WARRANTY DEED

KNOW ALL PERSONS BY THIS INSTRUMENT: That **LARISSA LEIGH BOECK and KATHERINE ELAINE FARLOW**, a married couple (collectively, the “Grantors”), for valuable consideration, convey unto **CITY OF AMES, IOWA** (the “Grantee”), the real property situated in Story County, Iowa, described as follows:

Tract “C” a part of Lot Six (6) of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of Section Twenty-seven (27), Township Eighty-four (84) North, Range Twenty-four (24) West of the 5th P.M., Ames, Story County, Iowa, as shown on the Plat of Survey recorded in the office of the Recorder of Story County, Iowa, on _____, 2023, as Instrument No. 2023-_____

This transfer is exempt from the Iowa Real Estate Transfer Tax pursuant to Iowa Code Section 428A.2(6) as the Grantee is a governmental agency.

The undersigned Grantors covenant with the above named Grantee and successors in interest that Grantors hold the real property by title in fee simple; that they have good and lawful authority to sell and convey the same; that the real property is free and clear of all liens and encumbrances whatsoever except as may be above stated; and the Grantors covenant to warrant and defend the real property against the lawful claims of all persons whomsoever, except as may be above stated. Each of the undersigned hereby relinquishes all rights of downer, homestead and distributive share in and to the real estate. Words and phrases herein, including acknowledgement hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

There is no known private burial site, well, solid waste disposal site, underground storage tank, hazardous waste, or private sewage disposal system on the property as described in Iowa Code § 558.69, and therefore the transaction is exempt from the requirement to submit a Groundwater Hazard Statement.

Dated this 8th day of February, 2023.

(SIGNATURE PAGE FOLLOWS)

Attachment C: Warranty Deed, continued

**SIGNATURE PAGE OF
WARRANTY DEED**



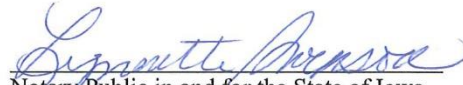
LARISSA LEIGH BOECK, Grantor



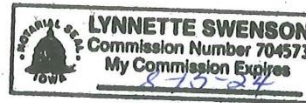
KATHERINE ELAINE FARLOW, Grantor

SATE OF IOWA, STORY COUNTY, SS:

This instrument was acknowledged before me on this 8th day of February, 2023, by Larissa Leigh Boeck and Katherine Elaine Farlow, a married couple.



Notary Public in and for the State of Iowa
My commission expires 8-15-24



ITEM#: 34
DATE: 02-14-23
DEPT: PW

COUNCIL ACTION FORM

SUBJECT: 2021/22 CONCRETE STREET PAVEMENT IMPROVEMENTS (24TH AND STANGE) PROFESSIONAL SERVICES AGREEMENT

BACKGROUND:

This project is for the reconstruction of Stange Road (Blankenburg Drive to 24th Street) and 24th Street (Stange Road to Railroad crossing). Work will include improvements to pavement, storm and sanitary utilities, ADA ramp, sidewalk, shared use path, and the 24th and Stange intersection. On August 10, 2021, City Council awarded the Professional Services Agreement for design of the project to HR Green of Johnston, Iowa, in the amount of \$233,400.

The agreement with HR Green required the firm to complete an analysis of the traffic and storm sewer requirements for the project. After completing this analysis, HR Green determined that additional storm sewer design and additional traffic design—beyond the scope of HR Green’s initial contract—was warranted.

Storm Sewer

The results from the initial analysis conducted by HR Green showed that the 24th Street storm sewer system was undersized and lacking intakes. This has been causing buildup of standing water in the outside lanes (spread) during storm events. In order to meet the proper spread criteria for safety, ten new storm sewer intakes and the relocation of five existing intakes are required. The new intakes will allow for storm water to be removed from the new roadway much more quickly than the current intake system.

The addition of these intakes has also required the assessment of the existing storm sewer pipe sizes and the ability to take this water away from the roadway in a timely manner. HR Green’s review of the existing system showed that new lateral storm sewer pipes were needed to connect the new intakes and increase the capacity of the system. Design was completed to include additional 15”, 18”, 24” and 48” storm lines to meet the required additional stormwater capacity needs. **The design work for the spacing and locating new intakes and the additional storm system analysis and design were completed outside the scope of the original PSA with HR Green.**

George Washington Carver Right Turn Lane

The contract with HR Green included a traffic analysis of Stange Road and 24th Street. As part of this study, it was shown that the existing right turn lane of George Washington Carver onto Stange Road did not have sufficient storage length. The design of this right turn lane includes the adjacent shared use path due to expansion of the turn

lane. The elevation of the shared use path needs to be raised to reduce the slope between edge of the trail and the pavement through the length of the turn lane.

24th Street Shared Use Path

Because of the storm sewer intake redesign described above, several sections of the shared use path along 24th Street will now require the removal and replacement due to the additional intakes and storm sewer infrastructure.

CyRide Stop and ISU Sidewalk Connections

After the design contract was approved with HR Green, ISU agreed to allow the City to include sidewalk improvements along the east side of Stange Road and the placement of CyRide bus stop pads in the project. These improvements must now be incorporated into the project to tie into the new pavement on Stange Road.

ADDITIONAL COST SUMMARY:

The additional work outlined above results in a cost increase as follows:

ITEM	ADDITIONAL COST
Additional Storm Sewer Design	\$ 40,215.75
GW Carver Turn Lane Design	6,315.70
24 th Street Shared Use Path Design	4,850.00
CyRide Stop and ISU Sidewalk	4,633.92
TOTAL	\$ 56,015.37

At the time staff was informed by HR Green about these increased expenses, HR Green told staff that much of the expense for this additional design work could be covered by savings in other areas of the design contract, allowing the changes to occur without increasing the total contract amount. **Therefore, City staff gave HR Green permission to move forward with the additional design. After this discussion, staff received an invoice from HR Green for this additional design work for an additional \$79,677.87.**

Staff reviewed HR Green’s request compared to the original agreement and then met with HR Green to discuss this additional design effort. **There were several areas where staff believed additional design expenses were not the responsibility of the City, due to the work being included within the original agreement. After this discussion, HR Green ultimately agreed to reduce the amount to \$56,015.37. This would bring HR Green’s total fee for the design of Stange Rd and 24th St to \$289,415.37.**

Although it was not clear to City staff that additional design fees would be incurred at the time HR Green was authorized to proceed with the change in scope, it is evident that the additional work was necessary to successfully complete the design work for the project. Staff has reviewed the additional

\$56,015.37 in work and believes it is a reasonable fee for the design work performed.

A summary of revenues and projected expenses is shown below.

Funding Source	Available Revenue	Estimated Expenses
GO Bonds 2021/22 Concrete Improvements	\$ 2,600,000	
MPO/STP Funds	1,600,000	
Water Quality Funds	100,000	
Unobligated GO Bonds	500,000	
2023/24 Storm Sewer Improvements	200,000	
Union Pacific Agreements		\$ 117,270.00
Engineering/Admin (inc. all HR Green fees)		600,000.00
Stange and 24 th Construction (Low bid)		4,252,314.23
TOTAL	\$ 5,000,000	\$ 4,969,584.23

ALTERNATIVES:

1. Approve the professional services agreement amendment for the 2021/22 Concrete Street Pavement Improvements project with HR Green of Johnston, Iowa, in the amount of \$56,015.37.
2. Reject the design services amendment.

CITY MANAGER’S RECOMMENDED ACTION:

Staff has analyzed the amendment request for extra compensation from HR Green. It was determined that some of the work fell within the original design scope and other work was truly added engineering work based on unforeseen issues that arose during design. Staff has negotiated a lower fee from HR Green for the additional work in the amount of \$56,015.37. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as noted above.

ITEM #: 35
 DATE: 02-14-23
 DEPT: Finance

COUNCIL ACTION FORM

SUBJECT: REVISIONS TO PURCHASING POLICIES AND PROCEDURES

BACKGROUND:

The Purchasing Division service objectives include 1) recommending policies and procedures that comply with applicable laws and regulations, 2) protecting the interests of the City, and 3) enabling City programs to provide cost-effective services to the public. The Purchasing Division maintains a Purchasing Policies and Procedures Manual to assist in achieving these goals.

Revisions to the Purchasing Policies and Procedures Manual are proposed to update the recent changes in the public improvement bid thresholds and the addition of the definition of a utility infrastructure. A summary of proposed policy and procedure revisions is attached. Two sections have the proposed policy and procedure revisions:

Section 6: Bids, Quotations, and Proposals:

The *Code of Iowa* Section 314.1B establishes horizontal and vertical bid threshold subcommittees that meet every other year to establish the bid and quotation thresholds for city and county public improvement projects. On June 11, 2019, the City Council approved to revise the City purchasing policy to follow the statutory limits set by these subcommittees.

The City's thresholds are currently:

- Competitive Bids for Horizontal Construction: \$ 69,000
- Competitive Bids for Vertical Construction: \$139,000
- Competitive Quotes for Vertical Construction: \$ 77,000

The state's subcommittees have met and changed the bid and quote thresholds to the following:

Year Effective	Threshold	Horizontal Infrastructure Cities > 50,000 population	Vertical Infrastructure Cities > 50,000 population
2023	Competitive bid	\$93,000	\$196,000
2023	Competitive Quote	N/A	\$109,000

Therefore, the threshold established by the State subcommittees for horizontal infrastructure bids has been increased by \$24,000, to \$93,000; the threshold for vertical infrastructure bids has been increased by \$57,000, to \$196,000; and the threshold for vertical infrastructure quotes has been increased by \$32,000, to \$109,000.

As noted above, the City Council previously directed staff to follow the statutory limits set by these subcommittees. Increased bid thresholds allow smaller projects to be bid without the need for a bid bond or a published public notice to bidders, thus eliminating these costs to the project. The performance bond will remain a requirement at \$25,000. Projects determined to be a public improvement that meet the bid threshold in *Code of Iowa* Section 314.1B, require specifications and drawings to be stamped by a registered architect, engineer, or landscape architect and will provide an estimate of probable construction to the City prior to bid issuance.

In addition, a change in *Code of Iowa* Chapter 26.2 provides an exclusion to the definition of a public improvement which states that “when such work relates to existing utility infrastructure or establishing connections to existing utility infrastructure. For purposes of this subparagraph, “utility infrastructure” includes facilities used for the storage, collection, disposal, treatment, generation, transmission, or distribution of water, sewage, waste, electricity, gas, or telecommunications service”. The definition will be added to Section 6.2 of the Purchasing Policies and Procedures.

ALTERNATIVES:

1. Approve revisions to the purchasing policies and procedures to become effective February 14, 2023. Purchasing staff will begin update users on policy and procedure changes.
2. Do not approve revisions to the purchasing policies and procedures.

CITY MANAGER’S RECOMMENDED ACTION:

The proposed revisions to the purchasing policies and procedures reflect new statutory limits and current practices on construction projects for public entities. These revisions will improve the efficiency of the City's procurement process and administration of construction projects, and improve control and reporting for the Purchasing Division. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1.

SUMMARY OF 2023 CHANGES TO PURCHASING POLICIES

Section 1: Organization, Purpose, and General Guidelines: No additional changes

Section 2: Requisitions for Purchase Order:

Section	Subject	Description of Change	Comments
2.02 A3	Exceptions	Correct element/object code from 5026 to 4026	Reflect changes in element object numbers

Section 3: Fleet Vehicles and Equipment: No additional changes

Section 4: Technology and Communications Purchases: No additional changes

Section 5: Specifications and Descriptions/Statements of Work: No additional changes

Section 6: Bids, Quotations, and Proposals

Section	Subject	Description of Change	Comments
6.03 A4	Definitions	Add definition of “utility infrastructure” per changes in Code of Iowa 26.2	Reflects statutory addition of utility infrastructure definition
6.04 A1 A2, & C	Bid Threshold Amounts for Bids/Quotations and Proposals	Change bid thresholds limits	Reflects statutory bid threshold limits raised by subcommittee for public improvements
6.05 A	Types of Solicitations	Change footnote to the current bid threshold limits	Reflects statutory bid threshold limits raised by subcommittee for public improvements
6.03 A4	Definitions	Add definition of “utility infrastructure” per changes in Code of Iowa 26.2	Reflects statutory addition of utility infrastructure definition
6.12 D8	Contracts Awarded by City Council	Correct additional bond required to \$100,000	Correct error in dollar amount from previous manual changes

Section 7: Purchase Order-Receiving Report: No additional changes

Section 8: Emergency & Rapid Need Purchases: No additional changes

Section 9: Travel, Conference, & Training Expense: No additional changes

Section 10: Reserved

Section 11: Central Office Supply Store & Inventory Management: No additional changes

Section 12: Disposal of Surplus Property: No additional changes

Section 13: Conflict of Interest Policies and Code of Ethics: No additional changes

Section 14: Procurement Card Program: No additional changes

Rev. 2/14/23

SUMMARY OF 2023 CHANGES TO PURCHASING PROCEDURES

Section 15: Procedures for Requisitions or Purchase Order: No additional changes

Section 16: Procedures for the Purchase of Fleet Equipment: No additional changes

Section 17: Procedures for the Purchase of Technology & Communication Equipment: No additional changes

Section 18: Specification Guidelines & Procedures: No additional changes

Section 19: Procedures for Bids, Quotations, and Proposals:

Section	Subject	Description of Change	Comments
19.01 B & C	Determining if a Competitive Solicitation is Required	Change bid thresholds limits	Reflects statutory bid threshold limits raised by subcommittee for public improvements
19.04 D & F	Other Bid Requirements and Conditions	Change bid thresholds limits	Reflects statutory bid threshold limits raised by subcommittee for public improvements

Section 20: Procedures for Purchase Order Receiving Report: No additional changes

Section 21: Procedures for Emergency & Rapid-Need Purchases: No additional changes

Section 22: Procedures for Travel, Conference, & Training Expenses: No additional changes

Section 23: Section not used

Section 24: Procedures for Central Stores & Catalogued Inventory Management: No additional changes

Section 25: Procedures Relating to Conflict of Interest & Code of Ethics:

Section	Subject	Description of Change	Comments
25.01 A & B	Purchases	Add: or member of household	Add to definition of immediate family, recommended by Legal Department
25.01 A & B	Purchases	Revise reference from the Purchasing Intranet site to Purchasing Community	Reflects move to the Purchasing Community
25.02 A	Reporting	Add: or member of household	Add to definition of immediate family, recommended by Legal Department
25.02 C	Reporting	Add: Each employee and officer must complete a Conflict of Interest Disclosure Form annually	Reflects change to the Conflict of Interest Reporting

Section 26: Procurement Card Program Procedures: No additional changes

Rev. 2/14/2023

ITEM #:	<u>36</u>
DATE	<u>02-14-23</u>
DEPT	<u>Electric</u>

COUNCIL ACTION FORM

SUBJECT: POWER PLANT MAINTENANCE SERVICES CONTRACT

BACKGROUND:

On December 13, 2022, City Council approved preliminary plans and specifications for the Power Plant Maintenance Services Contract. The Electric Utility has two gas-fired, high-pressure steam generation units within the City's Power Plant, referred to as Units No. 7 and 8. These units require regular professional maintenance and repair. This consists of both emergency and planned repairs and service. Services include a large variety of boiler maintenance and repairs, structural steel, pump and piping work, and other miscellaneous mechanical Power Plant work. The repair of the equipment on these generation units requires professional trade crafts such as laborers, millwrights, and steam/pipe fitters.

This contract is to provide power plant maintenance services for the period following final City Council approval of contract and performance bond from date of award through June 30, 2024. The contract includes a provision that would allow the City to renew the contract for up to four additional one-year terms.

Bid documents were issued to seventeen companies and two plan rooms. The bid was advertised on the Current Bid Opportunities section of the Purchasing webpage and a Legal Notice was published on the websites of a contractor plan room service with statewide circulation and the Iowa League of Cities.

On January 25, 2023, bids were received from six companies as shown on the attached bid summary. **Electric Services staff needs additional time to evaluate the bids to determine which one will provide these services at the lowest overall price.**

ALTERNATIVES:

1. Accept the report of bids and delay award for the Power Plant Maintenance Services Contract.
2. Award a contract to the apparent low bid.
3. Reject all bids and direct staff to rebid.

CITY MANAGER'S RECOMMENDED ACTION:

This work is necessary to ensure that a qualified professional firm will respond to both scheduled and emergency needs for boiler repair and maintenance and will also control costs by having established billing rates. Funds will be expended only as work is required and in accordance with approved invoices.

By choosing Alternative No. 1, staff will have enough time to evaluate each bid to ensure the City receives these services at the best price from a well-qualified bidder. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1 as stated above.



2023-089 Power Plant Maintenance Services Contract Bid Summary

LABOR:		M.D. Magary Construction Co. St Louis, MO			TEiC Construction Services, Inc. Duncan, SC			Capital City Boiler & Machine Works, Inc. Des Moines, IA			The Waldinger Corporation Des Moines, IA			Modern Piping, Inc. Des Moines, IA			S.T. Cotter Turbine Services, Inc. Clearwater, MN		
LABORER		Standard Rate	Overtime Rate	Double Time Rate	Standard Rate	Overtime Rate	Double Time Rate	Standard Rate	Overtime Rate	Double Time Rate	Standard Rate	Overtime Rate	Double Time Rate	Standard Rate	Overtime Rate	Double Time Rate	Standard Rate	Overtime Rate	Double Time Rate
Day	Journeyman	\$77.48	\$98.28	\$121.62	\$45.60	\$64.48	N/A	\$90.00	\$120.00	\$165.00	\$91.88	\$121.40	\$151.23	\$92.46	\$120.21	\$146.97	N/A	N/A	N/A
	Foreman	\$78.98	\$101.40	\$124.35	N/A	N/A	N/A	\$90.00	\$120.00	\$165.00	\$108.61	\$140.48	\$172.69	\$108.85	\$138.38	\$167.04	N/A	N/A	N/A
	General Foreman	N/A	N/A	N/A	N/A	N/A	N/A	\$90.00	\$120.00	\$165.00	\$113.47	\$146.83	\$180.52	\$112.47	\$143.83	\$174.07	N/A	N/A	N/A
	Superintendent	N/A	N/A	N/A	N/A	N/A	N/A	\$90.00	\$120.00	\$165.00	\$122.35	\$158.67	\$195.37	\$120.10	\$154.44	\$187.59	N/A	N/A	N/A
Night	Journeyman	\$80.48	\$101.28	\$124.62	\$45.60	\$64.48	N/A	\$100.00	\$130.00	\$175.00	\$96.87	\$126.69	\$156.52	\$106.33	\$120.21	\$146.97	N/A	N/A	N/A
	Foreman	\$81.98	\$104.28	\$127.35	N/A	N/A	N/A	\$100.00	\$130.00	\$175.00	\$114.00	\$146.19	\$178.40	\$125.17	\$138.38	\$167.04	N/A	N/A	N/A
	General Foreman	N/A	N/A	N/A	N/A	N/A	N/A	\$100.00	\$130.00	\$175.00	\$119.09	\$152.80	\$186.49	\$121.67	\$143.83	\$174.07	N/A	N/A	N/A
	Superintendent	N/A	N/A	N/A	N/A	N/A	N/A	\$100.00	\$130.00	\$175.00	\$128.48	\$165.17	\$201.88	\$138.11	\$154.44	\$187.59	N/A	N/A	N/A
NOTE:																			
MILLWRIGHT		Standard Rate	Overtime Rate	Double Time Rate	Standard Rate	Overtime Rate	Double Time Rate	Standard Rate	Overtime Rate	Double Time Rate	Standard Rate	Overtime Rate	Double Time Rate	Standard Rate	Overtime Rate	Double Time Rate	Standard Rate	Overtime Rate	Double Time Rate
Day	Journeyman	\$100.88	\$138.34	\$175.81	\$59.19	\$84.86	N/A	\$95.00	\$125.00	\$170.00	\$91.13	\$120.05	\$151.09	\$96.14	\$123.97	\$150.80	\$103.57	\$155.36	\$207.14
	Foreman	\$103.25	\$141.65	\$180.03	\$62.21	\$89.39	N/A	\$95.00	\$125.00	\$170.00	\$106.23	\$135.12	\$172.56	\$111.80	\$141.13	\$169.41	\$109.30	\$163.95	\$218.60
	General Foreman	\$104.05	\$142.75	\$181.46	\$96.02	\$132.27	N/A	\$95.00	\$125.00	\$170.00	\$111.44	\$140.33	\$180.39	\$114.80	\$145.79	\$175.52	\$112.36	\$168.54	\$224.71
	Superintendent	N/A	N/A	N/A	\$106.59	\$148.12	N/A	\$95.00	\$125.00	\$170.00	\$118.20	\$150.05	\$195.24	\$120.10	\$154.44	\$187.59	\$200.00	\$300.00	\$400.00
Night	Journeyman	\$106.88	\$146.34	\$181.81	\$59.19	\$84.86	N/A	\$105.00	\$135.00	\$180.00	\$95.96	\$125.12	\$155.20	\$111.75	\$123.97	\$150.80	\$104.31	\$156.09	\$207.88
	Foreman	\$109.25	\$147.65	\$186.03	\$62.21	\$89.39	N/A	\$105.00	\$135.00	\$180.00	\$111.32	\$140.48	\$177.92	\$117.20	\$141.13	\$169.41	\$110.03	\$164.69	\$219.34
	General Foreman	\$110.05	\$148.75	\$187.46	\$96.02	\$132.27	N/A	\$105.00	\$135.00	\$180.00	\$116.81	\$145.97	\$186.03	\$122.67	\$145.79	\$175.52	\$113.09	\$169.27	\$225.45
	Superintendent	N/A	N/A	N/A	\$106.59	\$148.12	N/A	\$105.00	\$135.00	\$180.00	\$124.05	\$156.21	\$201.40	\$139.11	\$177.60	\$215.72	\$200.00	\$300.00	\$400.00
NOTE:																			
STEAMFITTER		Standard Rate	Overtime Rate	Double Time Rate	Standard Rate	Overtime Rate	Double Time Rate	Standard Rate	Overtime Rate	Double Time Rate	Standard Rate	Overtime Rate	Double Time Rate	Standard Rate	Overtime Rate	Double Time Rate	Standard Rate	Overtime Rate	Double Time Rate
Day	Journeyman	\$121.77	\$167.44	\$213.09	\$59.19	\$84.86	N/A	\$95.00	\$125.00	\$170.00	\$91.88	\$121.40	\$151.23	\$96.31	\$122.50	\$147.80	N/A	N/A	N/A
	Foreman	\$127.32	\$175.15	\$222.98	\$62.21	\$89.39	N/A	\$95.00	\$125.00	\$170.00	\$108.61	\$140.48	\$172.69	\$101.05	\$128.87	\$155.74	N/A	N/A	N/A
	General Foreman	\$129.67	\$178.43	\$227.19	\$96.02	\$132.27	N/A	\$95.00	\$125.00	\$170.00	\$113.47	\$146.83	\$180.52	\$105.80	\$135.25	\$163.68	N/A	N/A	N/A
	Superintendent	N/A	N/A	N/A	\$106.59	\$148.12	N/A	\$95.00	\$125.00	\$170.00	\$122.35	\$158.67	\$195.37	\$120.10	\$154.44	\$187.59	N/A	N/A	N/A
Night	Journeyman	\$126.77	\$172.44	\$218.09	\$59.19	\$84.86	N/A	\$105.00	\$135.00	\$180.00	\$96.87	\$126.69	\$156.52	\$110.75	\$122.50	\$147.80	N/A	N/A	N/A
	Foreman	\$132.32	\$180.15	\$227.98	\$62.21	\$89.39	N/A	\$105.00	\$135.00	\$180.00	\$114.00	\$146.19	\$178.40	\$116.20	\$128.87	\$155.74	N/A	N/A	N/A
	General Foreman	\$134.67	\$183.43	\$232.19	\$96.02	\$132.27	N/A	\$105.00	\$135.00	\$180.00	\$119.09	\$152.80	\$186.49	\$121.67	\$135.25	\$163.68	N/A	N/A	N/A
	Superintendent	N/A	N/A	N/A	\$106.59	\$148.12	N/A	\$105.00	\$135.00	\$180.00	\$128.48	\$165.17	\$201.88	\$138.11	\$177.60	\$215.72	N/A	N/A	N/A
NOTE:																			
PIPEFITTER		Standard Rate	Overtime Rate	Double Time Rate	Standard Rate	Overtime Rate	Double Time Rate	Standard Rate	Overtime Rate	Double Time Rate	Standard Rate	Overtime Rate	Double Time Rate	Standard Rate	Overtime Rate	Double Time Rate	Standard Rate	Overtime Rate	Double Time Rate
Day	Journeyman	\$120.11	\$165.92	\$210.27	\$59.19	\$84.86	N/A	\$95.00	\$125.00	\$170.00	\$91.88	\$121.40	\$151.23	\$96.31	\$122.50	\$147.80	N/A	N/A	N/A
	Foreman	\$123.46	\$170.61	\$217.28	\$62.21	\$89.39	N/A	\$95.00	\$125.00	\$170.00	\$108.61	\$140.48	\$172.69	\$101.05	\$128.87	\$155.74	N/A	N/A	N/A
	General Foreman	\$124.11	\$171.44	\$218.79	\$96.02	\$132.27	N/A	\$95.00	\$125.00	\$170.00	\$113.47	\$146.83	\$180.52	\$105.80	\$135.25	\$163.68	N/A	N/A	N/A
	Superintendent	N/A	N/A	N/A	\$106.59	\$148.12	N/A	\$95.00	\$125.00	\$170.00	\$122.35	\$158.67	\$195.37	\$120.10	\$154.44	\$187.59	N/A	N/A	N/A
Night	Journeyman	\$125.11	\$170.92	\$215.27	\$59.19	\$84.86	N/A	\$105.00	\$135.00	\$180.00	\$96.87	\$126.69	\$156.52	\$110.75	\$122.50	\$147.80	N/A	N/A	N/A
	Foreman	\$128.46	\$175.61	\$222.28	\$62.21	\$89.39	N/A	\$105.00	\$135.00	\$180.00	\$114.00	\$146.19	\$178.40	\$116.20	\$128.87	\$155.74	N/A	N/A	N/A
	General Foreman	\$129.11	\$176.44	\$223.79	\$96.02	\$132.27	N/A	\$105.00	\$135.00	\$180.00	\$119.09	\$152.80	\$186.49	\$121.67	\$135.25	\$163.68	N/A	N/A	N/A
	Superintendent	N/A	N/A	N/A	\$106.59	\$148.12	N/A	\$105.00	\$135.00	\$180.00	\$128.48	\$165.17	\$201.88	\$138.11	\$177.60	\$215.72	N/A	N/A	N/A
NOTE:																			
TRAVEL & SUBSISTENCE																			
Description	Rate			Rate			Rate			Rate			Rate			Rate			
Subsistence:				Paid 7 days per week															
Supervisors	\$140/day			\$150/day			\$85/day			\$0.00/day			\$125/day			\$173/day			

Craft	\$140/day	\$130/day	\$85/day	\$0.00/day	\$100/day	\$173/day
Travel & Mileage						
See attached sheet						
Supervisor travel	\$75/hr	\$.655/mile (8hr in & 8hr out if 5 days or less plus mileage)	\$95.00/hour	\$.64/mile	\$350 per mobilization of project and close of project	\$200/hour
Supervisor mileage	\$.98/mile	\$.655/mile	\$1.00/mile	\$.64/mile	\$1.30 per local small emergency	\$.69/mile
Craft travel	straight time rate of specific craft	8hr in & 8hr out if 5 days or less plus mileage	N/A	\$0.00	N/A	\$103.57/hour
Craft mileage	\$.98/mile	\$.655 per mile each way from home to Ames, IA	N/A	\$0.00	N/A	\$.69/mile
Deliveries						
Travel	\$78.98 per hour	\$2.00/mile for 1 round trip per job	\$50.00/hour	\$79.76/hour	\$150.00 per person for large outage	\$103.57/hour
Mileage	\$.98/mile	\$2.00/mile for 1 round trip per job	\$1.00/mile	\$1.64/mile	\$400.00 per trip	\$.69/mile
MISC.						
Description	Rate	Rate	Rate	Rate	Rate	Rate
Safety supplies & equipment	COST + 10%	COST + 15%	COST + 5%	COST + 15%	COST + 7%	COST + 10%
Miscellaneous materials & consumables	COST + 10%	COST + 15%	COST + 7%	COST + 15%	COST + 15%	COST + 10%
Renewal						
Labor	N/A	3%	N/A	4%	4%	3%
Travel & Subsistence	8%	3%	N/A	4%	7%	3%
Equipment & Tools	3%	3%	N/A	4%	5%	3%

ITEM: 37
DATE: 02-14-23
DEPT: Electric

COUNCIL ACTION FORM

**SUBJECT: UNIT 8 ELECTROSTATIC PRECIPITATOR INSULATION & LAGGING
REPORT OF BIDS**

BACKGROUND:

The Power Plant's two gas-fired boilers use electrostatic precipitators (ESPs) to remove particulate matter from the exhaust gas. The ESPs are susceptible to corrosion from flue gases and the outdoor environment, and therefore require periodic maintenance. The Capital Improvements Plan includes a project for Power plant Unit 8 Precipitator Insulation and Lagging. The FY 2022/23 budget includes \$2,000,000 for engineering and construction.

On December 13, 2022, City Council approved preliminary plans and specifications for Unit 8 Electrostatic Precipitator Insulation & Lagging. This project is to replace the lagging and insulation on the precipitator, the ductwork running between the Unit 8 boiler and the electrostatic precipitator units, along with the ductwork running between the precipitator units and the regenerative air heater. Alternative bids were requested to replace the duct work on the inlet and outlet of the Unit 8 ESP which is also deteriorating.

Bid documents were issued to four firms and four plan rooms. The bid was advertised on the Current Bid Opportunities section of the Purchasing webpage and a Legal Notice was published on the websites of a contractor plan room service with statewide circulation.

On January 25, 2023, two bids were received. The engineer's estimate for the base bid work and alternate was \$2,860,000 in total.

BIDDER	BASE BID	ALTERNATE BID
Incorp Industries, LLC Evansville, IN	\$1,603,640	\$598,249
HTH Companies, Inc. Union, MO	\$1,797,193	\$878,037

Staff reviewed the bids and concluded that the apparent low base bid submitted by Incorp Industries, LLC in the amount of \$1,603,640 (inclusive of Iowa sales tax) is acceptable. Staff reviewed the alternate bid prices and is recommending not awarding the alternate to replace the inlet and outlet duct work. These ductwork components are not in an urgent state of repair, and staff believes that repairing these components at a later time may result in more competitive pricing.

ALTERNATIVES:

1. Award a contract to Incorp Industries, LLC of Evansville, IN for base bid work in the Unit 8 Electrostatic Precipitator Insulation and Lagging Project in the amount of \$1,603,640 (inclusive of sales tax).
2. Award a contract to the other bidder.
3. Reject all bids and direct staff to rebid.

CITY MANAGER'S RECOMMENDED ACTION:

This work is necessary to repair damaged pieces and provide adequate insulation and protection. The work is a planned project in the current CIP. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1 as stated above.

ITEM #: 38
 DATE: 02-14-23
 DEPT: Electric

COUNCIL ACTION FORM

SUBJECT: COMBUSTION TURBINE FUEL OIL PIPE INSTALLATION

BACKGROUND:

On December 13, 2022, City Council approved preliminary plans and specifications for the Combustion Turbine Fuel Oil Pipe Installation. This project is for the installation of double-walled carbon steel piping to replace the remaining, original, underground fuel oil piping that provides fuel to the two combustion turbines (CT1 & CT2) within the City's Electric Utility.

Bid documents were sent to seven contractors and four plan rooms. The bid was also advertised on the Current Bid Opportunities section of the Purchasing webpage and a Legal Notice was published on the websites of a contractor plan room service with statewide circulation.

On January 25, 2023, two bids were received:

BIDDER	TOTAL COST
Modern Companies, Inc. Cedar Rapids, IA	\$391,700
API Solutions LLC Marshalltown, IA	\$425,000

Bid prices inclusive of Iowa sales tax

Staff evaluated the bids and determined that the apparent low bid from Modern Companies, Inc, Cedar Rapids, IA, is acceptable.

The approved FY 2020/21 Fuel Oil Piping Installation Capital Improvements Plan project includes \$150,000 for this project. Because of the priority for this project to be completed, the funds from two other Capital Improvements Plan projects will be used to cover the shortfall: savings from the FY 2022/23 Unit 7 Main Steam Line Insulation Replacement and from the FY 2021/22 Unit 8 Turbine/Generator Overhaul. The funds available from savings in these projects are \$210,000 and \$68,055 respectively.

ALTERNATIVES:

1. Award contract to Modern Companies, Inc, Cedar Rapids, IA for the Combustion Turbine Fuel Oil Pipe Installation, in the amount of \$391,700.
2. Award to the other bidder.
3. Reject all bids and delay the Combustion Turbine Fuel Oil Pipe Installation.

CITY MANAGER'S RECOMMENDED ACTION:

This project is needed because all original lines installed in 1972 are subject to failure due to their age. This is the last section of underground pipe that needs to be replaced for the Gas Turbine site. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.

ITEM #: 39
 DATE: 02-14-23
 DEPT: W&PC

COUNCIL ACTION FORM

SUBJECT: SAM PUMP STATION STANDBY GENERATOR – AWARD OF CONTRACT

BACKGROUND:

In 2003, the water distribution system was split into two separate pressure zones to accommodate growth in the west and southwest portions of the city. To provide the increased pressure to the new western pressure zone, a booster pump station was built at the intersection of State Avenue and Mortensen Road (SAM).

This project will install standby power at the pump station. It incorporates the requirements of the Iowa DNR’s Water Supply Design Standards that state “...Dedicated standby power shall be required so that water may be pumped to the distribution system during power outages to meet the average day demand...” As growth in the western pressure zone continues to increase, it is important to add standby power at the pump station site. **This project was intentionally accelerated in the FY 2022/23 CIP as a result of the derecho storm event of 2020.**

A Notice to Bidders for this project was issued on December 13, 2022. Bid alternates were included to provide a variable frequency drive to perform control system programming for the generator and to perform a load-bank test of the generator. On January 25, 2023, bids were opened, and two bids were received. A copy of the bid tabulation is shown below.

Bidder	Base Bid	Bid Alternates	Base Bid + Alternate
Price Electric	\$166,390.00	\$70,088.00	\$236,478.00
Jensen Electrically powered, LLC.	\$246,117.40	\$66,345.04	\$312,462.44
<i>Engineers Estimate</i>	<i>\$163,000.00</i>		

The lowest base bid was slightly above the Engineer’s Estimate, but within the authorized funding. **Since the extended price for the base bid plus the bid alternate exceeded the authorized budget in both cases, staff is recommending an award for the base bid only.**

The revised project expenses are as shown below.

<u>Project Expense</u>	
Engineering	\$ 37,250
Construction (Base bid)	166,390
10% Contingency	16,639
Total Estimated Expense	\$ 220,279

<u>Authorized Budget</u>	
FY 2022/23 Amended CIP	\$ 225,000
Total Project Budget	\$ 225,000

Staff believes the bid provided by Price Electric is the lowest responsive bidder. It is worth noting that the lead time on the generator is currently estimated to be more than one year.

ALTERNATIVES:

1. Award a contract for the SAM Pump Station Standby Generator to Price Electric of Robins, Iowa, for the base bid only in the amount of \$166,390.
2. Award the contract to the other bidder.
3. Do not take any action at this time and provide direction to staff on the future of the project.

CITY MANAGER'S RECOMMENDED ACTION:

Providing redundant power at the SAM Pump Station is an important disaster resiliency measure that will ensure adequate pressure in the west pressure zone during extended power outages. Bids have been procured, and the low bid is within the authorized budget. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as described above.

ITEM #: 40
DATE: 02-14-23
DEPT: Electric

COUNCIL ACTION FORM

SUBJECT: FURNISH 69kV AND 161kV SF6 CIRCUIT BREAKERS

BACKGROUND:

On January 10, 2023, City Council approved preliminary plans and specifications for Furnishing 69kV and 161kV SF6 Circuit Breakers. The project is to procure (6) 69kV SF6 circuit breakers to: 1) replace two existing obsolete oil-filled circuit breakers at the Mortensen Road Substation, 2) obtain two new breakers as part of a planned project at the Ontario Road Substation, and 3) purchase two spare 69kV and one 161kV breakers for Electric Services' inventory, which will be kept on hand for the emergency replacement of a breaker in the event of a breaker failure. The Engineer's estimate for six 69kV breakers was \$450,000. **Staff attempted to obtain a 161kV breaker as part of this bid, but did not receive responsive proposals, as detailed below.**

Bid documents were issued to ten firms and two plan rooms. The bid was advertised on the Current Bid Opportunities section of the Purchasing webpage and a Legal Notice was published on the websites of a contractor plan room service with statewide circulation and the Iowa League of Cities.

On February 1, 2023, two bids were received as shown below for six breakers:

BIDDER	69KV BREAKERS	161KV BREAKER
GE Grid Solutions, Inc. Charleroi, PA	\$407,070.00	Non-Responsive
WESCO Distribution, Inc. Des Moines, IA	\$789,740.25	Non-Responsive

All bids for the 161kV breaker were considered non-responsive because the breakers did not meet City specifications. Staff plans to re-bid at a later date for the 161 kV breaker.

GE Grid Solutions submitted additional terms and conditions along with its bid for the 69kV breaker. **Due to these additional terms, staff needs additional time to review the bids before a recommendation can be made to Council. The review will ensure that the added conditions do not pose any unnecessary risk to the City.**

ALTERNATIVES:

1. Accept the report of bids and delay award for the SF6 Circuit Breakers.
2. Award the contract to the apparent low bidder.
3. Reject the bids and direct staff to rebid.

CITY MANAGER'S RECOMMENDED ACTION:

This equipment is necessary to complete the projects at the specified substations. This project will help move customer loads off the Power Plant bus and will help to limit exposure of the Power Plant bus to distribution faults, thereby improving Power Plant reliability. Installing modern, programmable relays and updated controls in these locations can improve long-term reliability by eliminating the obsolete and maintenance-intensive electromechanical relays and aged, lengthy control circuits that are no longer accessible for repair. These projects are necessary for Electric Services to continue providing safe, reliable, service to the customers in the City.

Staff needs additional time to evaluate the submitted terms and conditions to ensure there is minimal risk posed to the City. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.

COUNCIL ACTION FORM

SUBJECT: **TEMPORARY ORDINANCE FOR RAGBRAI 2023**

BACKGROUND:

On January 28, it was announced that Ames would be an overnight stop for the 2023 Register’s Annual Great Bicycle Ride Across Iowa (RAGBRAI), as part of the effort to recreate the original RAGBRAI route for the 50th year of the ride this summer. Riders will arrive on Tuesday, July 25 and depart on Wednesday, July 26.

Ames was an overnight stop for RAGBRAI XLVI in 2018. Prior to the 2018 ride, Discover Ames (previously the Ames Convention and Visitors Bureau) requested and the City Council approved a temporary RAGBRAI ordinance. The ordinance was developed based on a model ordinance provided by RAGBRAI organizers. It made modifications to Municipal Code to facilitate the event during the week of the ride, and it has remained in Chapter 34 of Municipal Code as an expired ordinance.

In the opinion of City staff, the 2018 ordinance worked well to accomplish its intent. With the announcement of Ames as an overnight town for RAGBRAI 50, staff consulted with Discover Ames and is presenting an ordinance to revise and reactivate the City’s RAGBRAI ordinance. The key points addressed in this temporary ordinance are as follows:

Suspension of Section 19.11 (Park Hours) to Provide Camping – The Municipal Code prohibits the use of City parks between the hours of 10:30 p.m. and 6:00 a.m. The ordinance would temporarily suspend this section to allow camping in Brookside, Gateway, Stuart Smith, and River Valley parks from Monday, July 24 through Wednesday, July 26. Although the registered riders will not enter the community until July 25 (Tuesday), registered support teams often send advance teams who camp the day prior to the arrival of riders to prepare their designated spots.

Suspension of Section 19.9 (Unlawful to Operate a Motor Vehicle in City Parks) – To facilitate the movement of people and equipment through the parks, it is requested that this blanket prohibition on operating motor vehicles in the parks be amended to allow the Parks and Recreation Director to temporarily designate certain people to be able to drive vehicles such as utility carts and golf carts in the parks.

Suspension of Division III, Chapter 22 (Vending) – It is anticipated that a variety of vendors will be recruited by the local RAGBRAI organizing committee to serve the campgrounds and entertainment areas. The existing provisions of *Municipal Code* provide for vending to occur on City streets, but do not lend themselves well to a short-term event that is as spread out across the community the way RAGBRAI is.

Additionally, the local RAGBRAI organizing committee anticipates incurring significant costs to provide services for the riders (utilities, advertising, toilets, entertainment, etc.) These costs must be recouped by the local organizing committee.

To facilitate this, the temporary RAGBRAI ordinance provides the following regarding vending:

1. The City's typical vending regulations are suspended during RAGBRAI. Instead of the City issuing Vending Licenses during that period, the local RAGBRAI organizing committee is empowered to issue permits, adopt fees, establish policies, and regulate locations and hours of sales.

It should be noted that these changes also supersede Parks and Recreation policies related to vending in the parks, which are separate from the City's non-parks vending regulations. Of note, vendors in parks are normally required to pay the City 10% of their revenues in exchange for the right to vend. This provision and any other park-specific vending policies would be superseded by the proposed temporary ordinance.

2. Existing licensed vendors that have established vending spaces are permitted to retain those spots without requiring a RAGBRAI vending permit. However, there are two caveats to this: First, existing Vending Licenses are site-specific, so if an existing vendor in the City wishes to move locations to take advantage of the RAGBRAI crowds, that vendor would need to follow the special RAGBRAI vending permit process.

Second, the City's existing Vending ordinance states that vendors who are in locations where a special event is occurring may be prevented from using that space to facilitate the event. It should be noted that some RAGBRAI entertainment is proposed to be downtown, where existing Vending licensees have regular vending locations. These vendors may be required to move to accommodate the event, although the local RAGBRAI Committee may choose to contract with those vendors to be in the entertainment areas, subject to paying the RAGBRAI vendor fee. The ordinance also provides for the suspension of sidewalk cafes that are in conflict with the downtown entertainment areas.

3. The local RAGBRAI organizing committee is obligated to use its collected revenues to finance only the expenses of hosting RAGBRAI.

Limitation on Temporary Outdoor Service Privileges – The temporary RAGBRAI ordinance provides that the main alcoholic beverage garden organized by the local RAGBRAI organizing committee is the only outdoor service area permitted during that time; other temporary outdoor service privilege requests during RAGBRAI would not be entertained.

The rationale provided in 2018 by RAGBRAI for this restriction is two-fold: 1) A single large temporary beverage garden is less challenging to monitor and control than

temporary beverage gardens spread throughout the community, and 2) RAGBRAI indicates that local establishments can expect increased business during RAGBRAI even without their own outdoor beverage gardens. Since the local organizing committee is incurring significant expenses to support the RAGBRAI event, it should be allowed to recoup its costs by directing RAGBRAI participants to the main beverage garden.

ALTERNATIVES:

1. Approve first reading of the attached ordinance revising Chapter 34 of Municipal Code to facilitate RAGBRAI's visit through Ames on July 25-26, 2023.
2. Direct staff to modify the attached ordinance.
3. Do not approve the ordinance.

CITY MANAGER'S RECOMMENDED ACTION:

The temporary modifications to Municipal Code for RAGBRAI in 2018 were effective in facilitating the activities and services intended by organizers. That ordinance was based on the model ordinance provided by RAGBRAI organizers for use in other cities across Iowa. The ordinance remains in Municipal Code, although it is no longer in effect based on the dates specified in the ordinance.

City staff has consulted with Discover Ames, which is organizing the overnight stop in Ames for RAGBRAI. An ordinance has been prepared to revise and reactivate the RAGBRAI chapter of Municipal Code for the 50th RAGBRAI ride this summer. Staff believes adopting these changes shortly after the route announcement has occurred will allow for other steps in the planning process to take place in an efficient manner. Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, as described above.

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY ENACTING A NEW CHAPTER 34 FOR THE PURPOSE OF ASSISTING CITY OFFICIALS AND THE RAGBRAI COMMITTEE IN MANAGING THE PROVISION OF SERVICES TO THE PUBLIC DURING THE OVERNIGHT STOP OF THE DES MOINES REGISTER'S ANNUAL GREAT BICYCLE RIDE ACROSS IOWA (RAGBRAI) ON JULY 25, AND 26, 2023, REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

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

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by repealing Chapter 34 and enacting a new Chapter 34 as follows:

“Sec. 34.1. DEFINITIONS.

As used herein, the following definitions shall apply:

- (1) “Food” means food products of all kinds including food packaged for consumption off premises as well as meals prepared for consumption either on or off premises. Food shall also include beverages of every kind, including both alcoholic and nonalcoholic, except for water provided without cost to the consumer.
- (2) “Person” means any individual person, club, group, organization, partnership, corporation, or entity of any kind.
- (3) “RAGBRAI Committee” means the Advisory Board and the Executive Committee as designated by the City of Ames and Discover Ames.
- (4) “Vending Booth” means any stand, cart, vehicle, trailer, or other structure at which a person exchanges goods or services for money. An individual person who moves from place to place while exchanging goods or services for money shall also be construed as a vending booth.

Sec. 34.2. RAGBRAI COMMITTEE POWERS.

The RAGBRAI Committee is hereby empowered to:

- (1) Issue permits to any person engaged in the sale of food or goods to the public, whether for-profit or non-profit in nature, at any time on July 25, 2023, or July 26, 2023; and,
- (2) Regulate the location, days and times of operation, and goods to be offered for sale at vending booths, and limit the number of permits issued; and,
- (3) Establish appropriate fees, deposit requirements, insurance requirements, enhanced services such as electricity or water access, deadlines, and procedures for the issuance of permits, provided the fee for a person who operates a vending booth on behalf of a non-profit

organization for non-profit purposes shall be less than the fee for a person who operates a vending booth on behalf of or as a for-profit entity; and,

- (4) Revoke, deny, or suspend permits for vending, for any of the following reasons:
 - (a) Failure to pay required fees; or,
 - (b) Failure to comply with the procedures established by the RAGBRAI Committee for the issuance and maintenance of permits; or,
 - (c) Failure to comply with applicable federal, state or local public health regulations; or,
 - (d) If, in the judgment of a person designated by the RAGBRAI Committee, the operation or continuing operation of a vending booth would constitute a public nuisance or threaten the safety of the public.

Sec. 34.3. RAGBRAI COMMITTEE POWERS RESTRICTED.

The RAGBRAI Committee shall:

- (1) Use any funds collected through permits or fees established through this Chapter to provide services to the participants in the RAGBRAI event, including but not limited to: drinking water, toilet facilities, solid waste disposal, security, utilities, entertainment, marketing, and promotion. Any funds collected that are not used for these purposes shall be paid to the City of Ames at the conclusion of RAGBRAI.
- (2) Ensure that the issuance, revocation, denial, or suspension of permits shall be conducted in a fair and consistent manner, and in no instance shall be done on the basis of the color, creed, gender identity, national origin, race, religion, sex, or sexual orientation of the applicant or proprietor.
- (3) Consult with and obtain approval from the City Manager or designee prior to establishing fees, regulations, and procedures, and prior to the revocation, denial, or suspension of any permit.

Sec. 34.4. VENDORS – PERMIT REQUIRED.

No person shall sell food or goods to the public in the City of Ames, Iowa on July 25, 2023, or July 26, 2023, at a location other than their regularly established place of business unless said person shall first obtain a permit from the RAGBRAI Committee, except those individuals who have obtained a Vending License pursuant to Division III of Chapter 22 of the Municipal Code (Vending) on or before March 6, 2023, and who continually maintain said license through July 26, 2023.

Sec. 34.5. OUTDOOR ALCOHOLIC BEVERAGE SERVICE AREAS.

The presence of approximately 25,000 additional people in Ames on July 25, 2023, many of whom may be consuming alcoholic beverages, has the potential to overwhelm local law enforcement personnel. Therefore, to ensure public safety, the City Council has determined that no more than one application for a temporary outdoor alcoholic beverage service area within the City of Ames may be accepted and approved by the City for July 25 or July 26, 2023. The RAGBRAI Committee, or its designee, shall have the first right to apply to the City for such a license. However, if the RAGBRAI Committee fails to secure approval by June 30, 2023, the City Council may consider applications from other applicants for an outdoor alcoholic beverage service area for July 25 or July 26, 2023. Any establishment that has, prior to the adoption of this Ordinance,

obtained a license for an outdoor alcoholic beverage service area, where that license is valid for July 25 or July 26, 2023, shall be permitted to operate that outdoor alcoholic beverage service area pursuant to the terms of its license.

Sec. 34.6. VIOLATIONS - PENALTIES.

A violation of any provision of this Chapter shall be a municipal infraction, punishable by a civil penalty of \$250.00 for each violation.

Sec. 34.7. CERTAIN ORDINANCES AND POLICIES SUSPENDED.

- (1) The provisions of this Ordinance shall supersede the policies of the Parks and Recreation Commission regarding vending in City parks.
- (2) The provisions of Division III of Chapter 22 of the Municipal Code (Vending) shall be suspended and not enforced on July 25, 2023, or July 26, 2023, except for those individuals who have obtained a Vending License pursuant to that Division on or before March 1, 2023, and who continually maintain said license through July 26, 2023.
- (3) For the purpose of facilitating entertainment activities in the public right-of-way, any Sidewalk Café Permit authorized pursuant to Division VII of Chapter 22 of the Municipal Code (Sidewalk Café Permits), which has been deemed to be in conflict with the entertainment planned by the RAGBRAI Committee, shall be suspended on July 25, 2023.
- (4) For the purposes of providing camping areas and related facilities for RAGBRAI bicyclists staying overnight, Section 19.11 of Municipal Code (Park Hours) shall be suspended and not enforced on July 24, July 25, or July 26, 2023, for Brookside Park, Stuart Smith Park, Gateway Park, and River Valley Park.
- (5) For the purpose of facilitating the conveyance of supplies and equipment necessary for camping, vending, and other service functions within the parks, Section 19.9 of Municipal Code (Unlawful to Operate a Motor Vehicle in City Parks; Exceptions) shall be suspended and not enforced on July 25, 2023, or July 26, 2023, with respect only to persons designated by the Parks and Recreation Director.

Sec. 34.8. EFFECTIVE DATES.

This Ordinance shall be in effect upon adoption by the Ames City Council and remain in effect until 12:01 a.m. on July 27, 2023.

Section Two. All previous ordinances or parts of such ordinances in conflict with provisions of this Ordinance are hereby suspended.

Section Three. If any section, provision, or part of this Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole, or any section thereof, or part thereof, not adjudged invalid or unconstitutional.

Section Four. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law, and remain in effect until 12:01 a.m. on July 27, 2023.

Passed this _____ day of _____, 2023

Renee Hall, City Clerk

John A. Haila, Mayor

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY AMENDING SECTIONS 29.201 AND 29.1403 AND ARTICLES 6, 7, 8, 10, AND 12 OF CHAPTER 29, BY REPEALING AND REPLACING SECTION 29.1304, AND BY ENACTING A NEW SECTION 29.1304A THEREOF, FOR THE PURPOSE OF REGULATING HOME OCCUPATIONS, 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 amending Sections 29.201 and 29.140 and Articles 6, 7, 8, 10, and 12 of Chapter 29, by repealing and replacing Section 29.1304, and by enacting a new Section 29.1304A as follows:

“Sec. 29.201. DEFINITIONS.

...

(13) Animal Boarding House means a place or establishment other than an animal shelter where animals not owned by the proprietor are sheltered, fed, and watered in return for consideration.

(98) Home Occupation means an occupation, profession, activity, or use conducted for financial gain or profits in a dwelling unit or on a residential property that is clearly secondary to the residential use of the dwelling unit or property, does not alter the exterior of the dwelling unit, or affect the residential character of the property or the neighborhood, and does not employ more than 2 persons, not including resident(s) of the dwelling.

...

Sec. 29.600. “A” AGRICULTURAL.

...

Table 29.600(2) Agricultural (A) Zone Uses

Table with 4 columns: USE CATEGORIES, STATUS, APPROVAL REQUIRED, APPROVAL AUTHORITY. Rows include Household Living Accessory Uses, Home Occupation, and other categories.

...

HO = Home Occupation

...

Sec. 29.701. "RL" RESIDENTIAL LOW DENSITY.

...

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

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY

Household Living Accessory Uses			

Home Occupation	Y	HO --	ZBA/Staff --

...

HO = Home Occupation

...

Sec. 29.702. "RM" RESIDENTIAL LOW DENSITY.

...

**Table 29.702(2)
Residential Medium Density (RM) Zone Uses**

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY

Household Living Accessory Uses			

Home Occupation	Y	HO --	ZBA/Staff --

...

HO = Home Occupation

...

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

...

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

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY

Household Living Accessory Uses			

Home Occupation	Y	HO --	ZBA/Staff --

...

HO = Home Occupation

...

Sec. 29.704. "RH" RESIDENTIAL HIGH DENSITY.

...

**Table 29.704(2)
Residential High Density (RH) Zone Uses**

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY

Household Living Accessory Uses			

Home Occupation	Y	HO --	ZBA/Staff --

...

HO = Home Occupation

...

Sec. 29.705. "RLP" RESIDENTIAL LOW DENSITY PARK ZONE.

...

**Table 29.705(4)
Residential Low Density Park (RLP) Zone Uses**

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY

Household Living Accessory Uses			

Home Occupation	Y	HO --	ZBA/Staff --

...

HO = Home Occupation

...

Sec. 29.801. "NC" NEIGHBORHOOD COMMERCIAL ZONING STANDARDS.

...

**Table 29.801(2)
Neighborhood Commercial (NC) Zone Uses**

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY

Household Living Accessory Uses			

Home Occupation	Y	HO --	ABA/Staff --

...

Sec. 29.806. “CCR” COMMUNITY COMMERCIAL/RESIDENTIAL NODE.

...

**Table 29.806(2)
Community Commercial/Residential Node (CCR) Zone Uses**

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY

Household Living Accessory Uses			

Home Occupation	Y	HO --	ZBA/Staff --

...

Sec. 29.808. “DSC” DOWNTOWN SERVICE CENTER.

...

**Table 29.808(2)
Downtown Service Center (DSC) Zone Uses**

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY

Household Living Accessory Uses			

Home Occupation	Y	HO --	ZBA/Staff --

...

Sec. 29.809. “CSC” CAMPUSTOWN SERVICE CENTER.

...

**Table 29.809(2)
Campustown Service Center (CSC) Zone Uses**

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY

Household Living Accessory Uses			

Home Occupation	Y	HO --	ZBA/Staff --

...

Sec. 29.1003. “S-SMD” SOUTH LINCOLN SUB AREA MIXED-USE DISTRICT.

...

**Table 29.1003(2)
South Lincoln Sub Area (S-SMD) Mixed-Use District**

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY

Household Living Accessory Uses			

Home Occupation	Y	HO --	ZBA/Staff --

...

HO = Home Occupation

...

Sec. 29.1004. "DGC" DOWNTOWN GATEWAY COMMERCIAL.

...

**Table 29.1004(2)
Downtown Gateway Commercial (DGC) Uses**

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY

Household Living Accessory Uses			

Home Occupation	Y	HO --	ZBA/Staff --

...

HO = Home Occupation

...

Sec. 29.1202. "F-S" SUBURBAN RESIDENTIAL ZONE.

...

**Table 29.1202(4)-1
Suburban Residential Floating Zone
Residential Low Density (FS-RL) Uses**

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY

Household Living Accessory Uses			

Home Occupation	Y	HO --	ZBA/Staff --

...

HO = Home Occupation

...

**Table 29.1202(4)-2
Suburban Residential Floating Zone
Residential Medium Density (FS-RM) Uses**

USE CATEGORIES	STATUS	APPROVAL REQUIRED	APPROVAL AUTHORITY

Household Living Accessory Uses			

Home Occupation	Y	HO --	ZBA/Staff --

...

HO = Home Occupation

...

Sec. 29.1304. HOME OCCUPATIONS.

- (1) Purpose. This Section is intended to protect residential areas from potential adverse impacts of activities defined as Home Occupations; to permit residents of the community a broad choice in the use of their homes as a place of livelihood in the production or supplementing of personal/family income; to restrict any negative impacts on surrounding properties; and to establish criteria and develop standards for the use of residential structures or dwelling units for Home Occupations.
- (2) Definitions.
 - (a) **Clients and Customers** are visitors to a Home Occupation who are engaging the services offered by the Home Occupation or who are purchasing items sold by the Home Occupation. Clients and customers are not residents of the dwelling where the Home Occupation is located and are not employed by the Home Occupation.
- (3) Regulation.
 - (a) Home Occupations are an allowed use, subject to conformance with all codes and standards of the Ames Municipal Code. No permit or license is required.
 - (b) A Home Occupation shall be operated and maintained in conformance with the criteria set forth in this section.
- (4) Criteria.
 - (a) All Home Occupations must comply with City, County, and State regulations for public health and safety, including rules and regulations related to fire and building codes, health and sanitation, transportation, or traffic control, solid or hazardous waste, pollution, or noise control.
 - (b) Any Home Occupation that does not comply with all of the criteria in this section is prohibited.
 - (c) All Home Occupations must comply with the following requirements:
 - (i) Operation, Impact, and Nuisance.
 - a. The Home Occupation operation shall not alter the structure so that it is no longer a dwelling unit.
 - b. The activity shall be conducted in a manner that will not alter the normal residential character of the premises.
 - c. The use shall be compatible with the residential use of the property and with the surrounding residential uses.
 - d. There shall be no emission of smoke, dust, odor, fumes, glare, noises, vibration, or electrical or electronic disturbances detectable at the lot line that would exceed what is normally produced by the residential use of a dwelling unit.
 - e. Hours of operation for employees, clients/customers, and deliveries are to be between the hours of 6:30 a.m. and 7:00 p.m.
 - (ii) Area Limitations:
 - a. Buildings.

- (1) The Home Occupation must occupy less than 50% of the gross floor area of the dwelling unit but may occupy 50% or more of the gross floor area of an accessory structure.
 - (2) Other structures on the property may be used for the Home Occupation, but less than 50% of the sum of the gross floor area of all buildings may be occupied by the business.
 - (3) The gross floor area calculation shall not include attics or detached buildings intended for animal use (chicken coops, dog houses, etc.).
 - (4) All zoning district requirements for primary structures, detached garages, and accessory structures apply.
- b. Yard.
- (1) Home Occupation activity in a yard is prohibited unless it is:
 - (i) In a side or rear yard and
 - (ii) Behind a fence that is:
 1. Solid and opaque, and
 2. A minimum of 6 feet high.
 - (2) The Home Occupation must occupy less than 25% of the fenced yard area, in addition to the space used in (a)(1).
 - (3) Use of a front yard or a street side yard for Home Occupation purposes is prohibited.
 - (4) Use of a yard may be restricted by other City Codes and zoning standards, such as Outdoor Storage.
- (iii) Signage.
- a. Any sign utilized at the Home Occupation shall be limited to one flush-mounted sign on the main residential structure, which shall not exceed one square foot in area.
 - b. Such sign shall not be lighted and nonreflecting materials shall be used.
 - c. The legend shall show only the name of the occupant and the type of occupation.
- (iv) Traffic.
- a. Not more than 10 vehicular trips related to the business per day shall be allowed. A trip to and from the Home Occupation location shall count as one trip.
 - b. The maximum number of trips shall include those taken by employees, clients/customers, and deliveries.
 - c. The delivery and pick up of materials or commodities to the premises by commercial vehicles shall not interfere with the delivery of other services to the area.
- (v) Parking Criteria.
- a. A property with a Home Occupation shall meet all the standards for parking and driveways in Sec. 29.406, including but not limited to, the minimum number of required parking spaces, paving, and location requirements.

- b. Trailers, inoperable vehicles, and other Home Occupation-related equipment shall not be stored on the driveway. One operable company vehicle is allowed to park in the driveway.
 - c. Only one delivery vehicle associated with the activity may be parked on the street near the premises for not more than 4 consecutive hours.
 - d. One additional on-site parking space is required above the normal parking requirement where 2 or more clients/customers are likely to visit the premises concurrently.
 - e. No more than 4 client or customer vehicles related to the Home Occupation during any given hour shall be allowed on the site.
 - f. On street parking of equipment, vehicles, trucks, and trailers related to or used for the home occupation is prohibited, with the exception of one vehicle related to the home occupation that may be parked on the street.
- (vi) Maximum Occupancy of the Dwelling Unit for Employees and Clients/Customers.
- a. There is no limitation on primary residents as employees.
 - b. No more than two non-residents of the dwelling may be employed by the Home Occupation.
 - c. Employees arriving at the site for work that occurs either on-site or off-site are included as non-resident employees.
 - d. The maximum number of clients/customers at any one time shall not exceed four.
 - e. An exception to the maximum occupancy limitation is permitted for exhibitions of goods or sales of goods that occur for three days or fewer when the occurrence is less than three times a year.
- (vii) Number of Home Occupations.
- a. The total number of Home Occupations within a dwelling unit is not limited.
 - b. The cumulative impact of all Home Occupations conducted within the dwelling unit shall not exceed the criteria in this section.
- (5) Rummage/Garage Sales.
- (a) A rummage/garage sale is a sale of household goods and belongings held either outdoors or in a garage.
 - (b) Rummage/garage sales are not Home Occupations, provided the following:
 - (i) The sale does not occur over more than three consecutive days.
 - (ii) No more than three sales per year are conducted.
 - (iii) The maximum number of sales per year is not contingent upon the length of any sale. The number of sales may not increase beyond three by shortening the length of each sale.
- (6) Prohibited Uses. In addition to Home Occupations that do not comply with the criteria, the following uses are prohibited for Home Occupations:
- (a) Alcohol sales
 - (b) Adult-oriented businesses, including:
 - (i) Creating or selling pornography
 - (ii) Providing nude or topless dancing

- (c) Animal boarding houses, kennels, stables, and veterinary hospitals
 - (i) Exception. An in-home animal boarding house is allowed as a Home Occupation for the boarding of up to six (6) animals. Use of the yard for the keeping of boarded animals is not permitted as part of an in-home animal boarding house.
- (d) Dancing studios or exercise studios
- (e) Private clubs
- (f) Restaurants and bars
- (g) Repair or painting of motor vehicles (including motorcycles and boats) or of any trailer, camper, etc., pulled by a motor vehicle
- (h) Firearm training or instruction
- (i) Shooting ranges
- (j) Welding or machine shop
- (k) Dispatch service with cars on-site
- (l) Dry cleaners
- (m) Funeral homes or mortuaries
- (n) Medical and dental offices
- (o) Equipment rental
- (p) Outdoor storage or salvage businesses
- (q) Towing

Sec. 29.1304A. CHILD DAY CARE FACILITIES, HOME-BASED.

- (1) Regulation. A Day Care operated within a dwelling unit that includes a primary resident of the home as an employee is allowed without a permit when it is licensed by the State of Iowa as a Type "A" (e.g., up to six children) or Type "C" 1 adult (e.g., up to eight children).
- (2) A Day Care licensed by the State as a Type "B" or a Type "C" 2 adults or any other type of Day Care requires a Special Use Permit per Section 29.1503. The applicable criteria for a Special Use Permit is listed in Section 29.1503(5).
- (3) Day Care Centers are not a home-based Child Care Facility.
- (4) Dedicated Area. For Family Day Care homes, the entire dwelling unit may be used to serve the various needs of day care (e.g., kitchen, bathroom, napping rooms, play areas, etc.) However, the Day Care can provide care to no more than one person per 35 square feet of the total dwelling unit, exclusive of baths, hallways, closets, kitchens, and dining areas. The dining area may be included in the square footage calculation if used by Day Care participants for activities other than meals.
- (5) Parking and Traffic. Each permitted Day Care must meet and maintain on-site parking to minimum requirements of the Zoning Ordinance. The Board shall consider the proposed parking, along with drop off and pick up, as part of their review to determine if traffic levels and parking are compatible with the area for any Day Care requiring a Special Use Permit. The Board may apply conditions to any Special Use Permits for parking and traffic control as allowed by Section 29.1503.
- (6) Family Day Care in Multifamily Dwellings. Child Care Facilities in multifamily dwellings shall comply with the following additional criteria.
 - (a) A defined outdoor play area is available on-site that provides not less than 75 square feet per child based on the maximum number of children that will be

attending the Day Care at any given time, or a public or neighborhood park is located within 300 feet of the site. This provision only applies to day care provided to children five years of age and older.

- (b) An area designated and posted for guest parking is provided on the site; or at least one parking space must be posted and reserved for use of the day care operation only. Parking spaces otherwise required to meet minimum parking requirements for the residents may not count toward the required guest or reserved parking spaces.
- (c) The Day Care operator must provide evidence that the owner of the multifamily building has no objections to the Day Care operation, and that he or she agrees to comply with the required guest or reserved parking provisions.

...

Sec. 29.1403. ZONING BOARD OF ADJUSTMENT.

...

(7) **Powers.** As provided by Section 414.12 of the Iowa Code, the Board has the power to:

(b) Special Use Permits, ~~Special Home Occupation Permits~~, and Exceptions. Hear and decide on applications for Special Use Permits, ~~Special Home Occupation Permits~~, and Exceptions in accordance with Sections 29.1503 and 29.1506 of this Ordinance.

...

(9) **Applications to the Board.** Applications to the Board for a Special Use Permit, ~~Special Home Occupation Permit~~, Variance, Exception, or Reasonable Accommodation may be made by any person. Such application shall be made by filing with the secretary of the Board a written notice specifying the grounds therefore. The secretary shall publish notice of the application in a paper of general circulation in the City.

...”

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

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

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

Passed this _____ day of _____, 2023.

Renee Hall, City Clerk

John A. Haila, Mayor

ITEM #: 44
DATE: 02-14-23
DEPT: PW

COUNCIL ACTION FORM

SUBJECT: PRAIRIE VIEW INDUSTRIAL CENTER CONNECTION DISTRICTS

BACKGROUND:

The Prairie View Utility Extension Project consists of the extension of water and sanitary sewer mains to the recently annexed area east of Interstate 35 (I-35). A water main and a gravity sewer main have been constructed from 4100 East Lincoln Way (just east of Country Landscapes) to Teller Ave (580th) and are being further extended to Potter Ave (590th) this winter. Also, a sanitary sewer force main has been installed from Freel Drive to Teller Ave and a sanitary sewer lift station has been constructed south of East Lincoln Way at 207 S Teller Ave.

In order to recover the local costs (portion of project not funded by federal monies) from this project, sewer and water connection fee districts are being established for new industrial development area. When a connection is made to the new infrastructure, the per acre connection fee charge will be \$3,438.87 for Sanitary Sewer and will increase by \$207 each succeeding year. For Water, the per acre connection fee will be \$990.66 and will increase by \$60 each year. For existing single-family homes, the connection fees will be at the standard City rates which currently are \$30 per lineal foot of frontage for each Water and Sanitary Sewer connection using a typical lot frontage of 80 feet.

At the public hearing and first reading of the ordinance on January 31, 2023, City Council directed staff to include a one-time single-family residential exemption for Parcel 42, owned by Randy Brekke. Current zoning allows a single-family home to be constructed on this parcel and this addition to the ordinance will provide for water and sewer connections for the new home at the standard \$30 per lineal foot rate using a frontage of 80 feet. The ordinance, including this revision, is attached.

ALTERNATIVES:

1. Approve on second and third (final) readings an ordinance to amend Municipal Code of the City of Ames, Iowa, by enacting a new Chapter 28, Section 28.908 thereof, for the purpose of creating a water and sanitary sewer connection fee district as the Prairie View Industrial Center Connection District, and by enacting Appendix X setting forth the fees and map for said District, and repealing any and all ordinances or parts of ordinances in conflict to the extent of such conflict, and establishing the effective date.
2. Approve only on second reading the passage of the ordinance.
3. Direct staff to make changes to the ordinance.

CITY MANAGER'S RECOMMENDED ACTION:

Wyffels Hybrids has submitted a site plan to develop a facility at the southeast corner of Lincoln Way and Teller Avenue (Parcels 37-40), which will likely be ready for approval in the coming weeks. Staff is requesting final approval (second and third readings) of the ordinance so that it is in effect prior to the Wyffels site plan approval to make the connection fee process as clear and efficient as possible.

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

MEMO

Legal Department

To: Mayor Haila, Ames City Council

From: Mark O. Lambert, City Attorney

Date: February 10, 2023

Subject: Prairie View Industrial Center Water & Sanitary Sewer Connection Fee District ordinance.

SLS/MOL

At the January 31, 2023 Council meeting, the Council voted to amend the Prairie View Industrial Center Water & Sanitary Sewer Connection Fee District Ordinance to except one additional property by adding the parcel identified as “42” to the list of residential properties excepted under section (5)(a) of the ordinance.

Upon further review and discussions between the Legal Department and Public Works, we’ve decided that some additional wording changes are needed to effectuate the Council’s decision.

Staff recommends that the Council adopt the following amendment to the ordinance:

(5) Limited exception for **existing** residential properties.

(a) Parcels 5, 25, 29, 35, 36 **and**, 41 **and** 42, upon which are **or are deemed** single- and multi-family residential uses, shall have a limited exemption from the connection fees of paragraphs 2 and 3 of this section, and in lieu thereof, each of the said parcels shall be subject to the standard connection fee to the existing residence as described in Appendix F of the Ames Municipal Code and regardless of actual frontage shall make a one-time connection using an 80-foot lineal width for the connection fee calculation.

A new draft of the ordinance is in the packet, so the Council can make a motion to amend the ordinance consistent with the new version in the packet, before the second reading.

Appendix X

SANITARY SEWER CONNECTION DISTRICT MAPS AND SCHEDULE OF FEES AND WATER CONNECTION DISTRICT MAP AND SCHEDULE OF FEES

SANITARY SEWER CONNECTION DISTRICT SCHEDULE OF FEES

Prairie View Sanitary Sewer Connection District (All parcels)

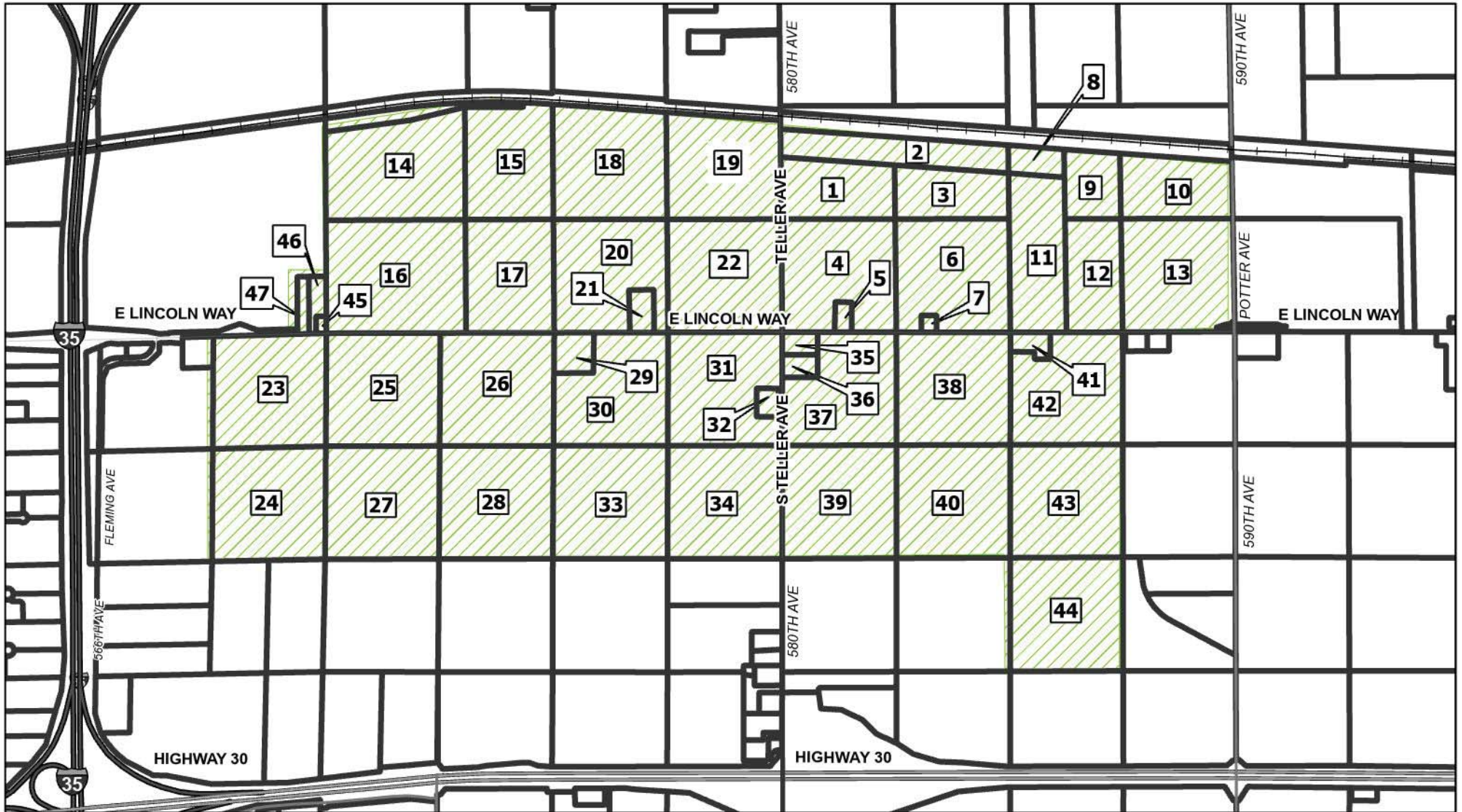
Effective Date	Connection Fee (\$/acre) Annual Increase equal to 6% of original connection fee
Adoption of Ordinance	\$3,438.87
July 1, 2023	\$3,646.00
July 1, 2024	\$3,853.00
July 1, 2025	\$4,060.00
July 1, 2026	\$4,267.00
July 1, 2027	\$4,474.00
July 1, 2028	\$4,681.00
July 1, 2029	\$4,888.00
July 1, 2030	\$5,095.00
July 1, 2031	\$5,302.00
July 1, 2032	\$5,509.00
July 1, 2033	\$5,716.00

WATER CONNECTION DISTRICT SCHEDULE OF FEES

Prairie View Water Connection District (All parcels)

Effective Date	Connection Fee (\$/acre) Annual Increase equal to 6% of original connection fee
Adoption of Ordinance	\$990.66
July 1, 2023	\$1,051.00
July 1, 2024	\$1,111.00
July 1, 2025	\$1,171.00
July 1, 2026	\$1,231.00
July 1, 2027	\$1,291.00
July 1, 2028	\$1,351.00
July 1, 2029	\$1,411.00
July 1, 2030	\$1,471.00
July 1, 2031	\$1,531.00
July 1, 2032	\$1,591.00
July 1, 2033	\$1,651.00

Prairie View Industrial Utility Connection District



ACREAGE COMPUTATION BY PARCEL

PARCEL	PARCEL ID	Acres
1	1004300130	19.59
2	1004300225	19.62
3	1004300230	16.57
4	1004300305	36.21
5	1004300375	1.34
6	1004300405	37.89
7	1004300450	0.6
8	1004400125	4.9
9	1004400130	11.76
10	1004400140	28.35
11	1004400250	20.71
12	1004400325	19.25
13	1004400405	37.42
14	1005300120	43.1
15	1005300225	31.32
16	1005300305	47.94
17	1005300405	29.04
18	1005400105	39.72
19	1005400205	35.47
20	1005400305	35.8
21	1005400375	2.69
22	1005400400	37.18
23	1007200200	37.38
24	1007200400	40
25	1008100100	38.6
26	1008100200	38.49
27	1008100300	40
28	1008100400	40
29	1008200105	4.65
30	1008200110	34.35
31	1008200205	35.77
32	1008200270	1.93*
33	1008200300	40
34	1008200400	38.64
35	1009100105	2.04
36	1009100110	2.04
37	1009100120	33.15
38	1009100200	38.49
39	1009100300	38.64
40	1009100400	40
41	1009200100	2.44
42	1009200120	35.56
43	1009200300	40
44	1009400100	40
45	1006400285	0.54
46	1006400280	2.23
47	1006400275	1.85

* Not included with connection fee calculations

ORDINANCE NO.

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY ENACTING A NEW CHAPTER 28, SECTION 28.908 THEREOF, FOR THE PURPOSE OF CREATING A WATER AND SANITARY SEWER CONNECTION FEE DISTRICT IN THE PRAIRIE VIEW INDUSTRIAL CENTER CONNECTION DISTRICT; AND BY ENACTING APPENDIX X SETTING FORTH THE FEES AND MAP FOR SAID DISTRICT, AND REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; AND ESTABLISHING AN EFFECTIVE DATE.

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

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by enacting a new Chapter 28, Section 28.908 as follows:

“Sec. 28.908 PRAIRIE VIEW INDUSTRIAL CENTER WATER AND SANITARY SEWER CONNECTION FEE DISTRICT

(1) There is hereby established pursuant to Sec. 384.38(3) Code of Iowa, 2021, a water and sanitary sewer connection fee district shown on the map in Appendix “X” the legal descriptions for which are as follows:

Parcels 1, 3, 4, 6 and 10:

The Southwest Quarter lying South of the Chicago and Northwestern Railroad Right-of-way, and the West Quarter of the Southeast Quarter lying South of said railroad right-of-way, all in Section 4, Township 83 North, Range 23 West of the 5th P.M. in Story County, Iowa, EXCEPT highways, and EXCEPT the following:

Beginning at a point on the South line of said Section 4 which is 861 feet West of the South Quarter corner thereof: and run thence West along said South line 179 feet, thence North 197 feet, thence East 179 feet, and thence South 197 feet to the point of beginning; and

ALSO, EXCEPT: Beginning at a point on the South line of the Southwest Quarter of said Section 4, 609.9 feet East of the Southwest corner of said Section, thence North 0 ° 57' East 269 feet, thence South 88°37' East 264.3 feet to the South line of said Southwest Quarter, thence West 200.4 feet to the point of beginning; and commencing at the Southwest corner of said Section 4, thence East 609.9 feet, thence North 0°57' East 269 feet to the point of beginning, thence continuing North 0 ° 57' East 84.3 feet, thence South 88°26' East 193.2 feet, thence South 0°57' West 83.68 feet, thence North 88°37' West 193.2 feet to the point of beginning;

and ALSO, EXCEPT: Parcel A of the North Half of the Southwest Quarter and the Northwest Quarter of the Southeast Quarter, in Section 4, Township 83 North, Range 23 West of the 5th P.M. in Story County, Iowa. (Parcel A is about 24.86 acres, including 0.34 acres of highway right-of-way).

Parcels 2 and 8:

Parcel "A" located in the North Half of the Southwest Quarter and in the Northwest Quarter of the Southeast Quarter, all in Section 4, Township 83 North, Range 23 West of the 5th P.M., Story County, Iowa.

More particularly described as follows:

Commencing at the West ¼ Corner of said Section 4-83-23, Story County, Iowa; Thence S 0°31'37"E 270.81' along the west line of the Southwest Quarter of said Section 4 to the Point of Beginning; Thence, S85°53'23"E 3319.23' along the south right of way line of the Union Pacific Railroad as presently established, to a point located on the east line of the West Half of the Northwest Quarter of the Southeast Quarter of said Section 4; Thence S0°46'55"E 327.33' along said east line; Thence N85°53'23"W 3320.69' to the west line of the Southwest Quarter of said Section 4; Thence, N0°31'37"W 327.21' along said West line to the Point of Beginning, as shown on Plat of Survey recorded in Book 344 at Page 2. Parcel "A" contains 24.86 acres including 0.34 acres of presently established road right of way.

Parcel 5: Beginning at a point on the South Line of the Southwest Quarter of Section 4, Township 83 North, Range 23 West of the 5th P.M., Story County, Iowa. 609.9 feet east of the Southwest Corner of said Section 4, thence North 0 ° 57' east 353.3 feet, thence South 88 ° 37' east 193.2 feet, thence South 0 ° 57' West 83.68 feet, thence South 0 ° 37' East 264.3 feet, thence West 200.4 feet to the point of beginning.

Parcel 7: Beginning at a point on the South line of Section 4, Township 83 North, Range 23 West of the 5th PM, Story County, Iowa, a distance of 861 feet West of the South Quarter Corner of said Section 4, thence continuing West along said South line 179 feet, thence North 197 feet, thence East 179 feet, thence South 197 feet to the point of beginning.

Parcels 9, 11, 12, and 13:

All that part of the East three-fourths (E3/4) of the Southeast Quarter (SE ¼) of Section Four (4), Township Eighty-three (83) North, Range Twenty-three (23) West of the 5th P.M., Iowa, lying South of the right-of-way of the Chicago and Northwestern Railway, except the following: beginning on the East line of said Southeast Quarter SE¼) of Section Four (4) at a point in the South right-of-way line of the Chicago and Northwestern Railway, thence South 100.37 feet, thence North 85°03' West, 100 feet distant from and parallel to the said right-of-way line 1977.68 feet, thence North 100.37 feet to said right-of-way line, thence South 85°03' East along said South right-of-way line, 1977.68 feet to the point of beginning.

Parcel 14: Parcel "J" a part of the Southwest Quarter (SW¼) and of the South Half (S½) of the Northwest Quarter (NW ¼) of Section Five (5), Township Eighty-three (83) North, Range Twenty-three (23) West of the 5th P.M., Ames, Story

County, Iowa, as shown on the Plat of Survey recorded on May 15, 2018. as Inst No. 18-04082. Slide 604. Page 6.

Parcel 15: Parcel "K" a part of the Southwest Quarter (SW 1/4) and of the South Half (S1/2) of the Northwest Quarter (NW1/4) of Section Five (5), Township Eighty-three (83) North, Range Twenty-three (23) West of the 5th P.M., Ames, Story County, Iowa, as shown on the Plat of Survey recorded on May 15, 2018, as Inst. No. 18-04082, Slide 604, Page 6.

Parcels 16 and 17:

The South Half (S1/2) of the Southwest Quarter (SW1/4) of Section Five (5), Township Eighty-three (83) North, Range Twenty-three (23) West of the 5th P.M., Ames, Story County, Iowa.

Parcels 18, 19, 20, and 22:

The Southeast Quarter (SE¹/₄) of Section Five (5), Township Eighty-three (83) North, Range Twenty-three (23) West of the 5th P.M., Iowa, lying South of the Chicago and Northwestern Railroad Company's right-of-way, subject to public highways, EXCEPT Commencing at a point on the South line of the Southeast Quarter of Section 5, Township 83 North, Range 23 West of the 5th P.M., Story County, Iowa, 883 Feet East of the Southwest Corner of said Southeast Quarter, thence East along said Section line 270 Feet, thence North 484 feet, thence West 270 Feet, thence South 484 feet to the point of beginning, subject to roads and easements of record AND the Southwest Quarter (SW¹/₄) of the Northeast Quarter (NE¹/₄) of Section Five (5), Township Eighty-three (83) North, Range Twenty-three (23) West of the 5th P.M., lying South of the Chicago and Northwestern Railroad Company's Right-of-Way.

Parcel 21: Commencing at a point on the South line of the Southeast Quarter (SE 1/4) of Section Five (5), Township Eighty-three (83) North, Range Twenty-three (23) West of the 5th P.M., Ames, Story County, Iowa, 883 feet East of the SW Corner of said SE 1/4; thence East along said Section line 270 feet; thence North 484 feet; thence West 270 feet; thence South 484 feet to the point of beginning.

Parcels 23 and 24:

The East Half (E1/2) of the Northeast Quarter (NE1/4) of Section Seven (7) Township Eighty-three (83) North, Range Twenty-three (23) West of the 5th P.M., Ames, Story County, Iowa.

Parcels 25 and 27:

The West One-half (W 1/2) of the Northwest Quarter (NW 1/4) of Section 8, Township 83 North, Range 23 West of the 5th P.M., Story County, Iowa; subject to easements of record.

Parcels 26 and 28:

The East Half (E1/2) of the Northwest Quarter (NW1/4) of Section Eight (8), Township Eighty-three (83) North, Range Twenty-three (23) West of the 5th P.M., Ames, Story County, Iowa.

Parcel 29: Beginning at the Northwest corner of the Northeast Quarter (NE¹/₄) of Section 8, Township 83 North, Range 23 West of the 5th P.M., Iowa, thence East along the North line of said Section 8, 464 Feet; thence South 470.9 Feet, thence West 461 Feet to the West line of said Northeast Quarter (NE¹/₄); thence North along the West line of said Northeast Quarter (NE¹/₄) 470.9 Feet to the point of beginning.

Parcels 30 and 33:

The West Half of the Northeast Quarter of Section 8, Township 83 North, Range 23 West of the 5th P.M. in Story County, Iowa, EXCEPT beginning at the Northwest corner of said Northeast Quarter, run thence East along the North line thereof 464.0 feet, thence South 470.9 feet, thence West 461.0 feet to the West line of said Northeast Quarter, thence North along said West line 470.9 feet to the point of beginning.

Parcels 31 and 34:

The East half (E¹/₂) of the Northeast quarter (NE¹/₄) of Section Eight, Township 83N, Range 23W of the Fifth (5th) P.M., Story County, Iowa, subject to any easements of record. EXCEPT Parcel "G" and Parcel "H."

Parcel 32: Parcels 'G' and 'H' in the Northeast Quarter of the Northeast Quarter (NE¹/₄ NE¹/₄) of Section 8, Township 83 North, Range 23 West, of the 5th P.M., Story County, Iowa, as shown on the "Plat of Survey" filed in the office of the Recorder of Story County, Iowa, on January 6, 2020, and recorded as Instrument No. 2020- 00146.

Parcel 35: The West 25 rods of the North 16 rods of the Northwest Quarter of the Northwest Quarter of Section 9, Township 83 North, Range 23, West of the 5th P.M., except the road area on the North and West sides, containing approximately 2.5 Acres, more or less. This being Parcel No. 10-09-100-105 in the Story County Treasurer's Office as of February 28, 2002.

Parcel 36: The West 25 rods of the South 16 rods of the North 32 rods of the Northwest Quarter of the Northwest Quarter of Section 9, Township 83 North, Range 23 West of the 5th P.M.

Parcels 37, 38, 39 and 40:

The Northwest Quarter (NW¹/₄) of Section Nine (9), Township Eighty-three (83) North, Range Twenty-three (23) West of the 5th P.M., Ames, Story County, Iowa, EXCEPT commencing at the NW Corner of Sec. 9-T83N-R23W of the 5th P.M., Ames, Story County, Iowa running thence East 25 rods, thence South 32 rods, thence West 25 rods, thence North 32 rods to the point of beginning and also except legally established highways.

Parcel 41: Parcel "C" in the NW 1/4 of the NE 1/4 of Section 9, Township 83 North, Range 23 West of the 5th PM, Story County, Iowa, as shown in the Plat of Survey filed in the Office of the Story County Recorder on May 16, 1994, in Book 12, Page 65.

Parcel 42, 43, and 44:

The West Half (W $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) and the Northwest quarter (NW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 9, Township 83 North, Range 23 West of the 5th P.M., except Highway, and except

PARCEL "C" in the Northwest Quarter (NW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 9, Township 83 North, Range 23 West of the 5th P.M., Story County, Iowa, as shown in the Plat of Survey filed in the office of the Story County Recorder on the 16th day of May 1994 and recorded in Book 12 at Page 65.

Parcel 45: The East 119.1 Feet of the South 199 Feet of the recorded Warranty Deed in Book 279, Page 79, in the Story County Recorder's Office, Story County, Iowa.

Parcel 46: The East Twelve (12) rods of the South Forty (40) rods of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Six (6), Township 83 North, Range 23 West of the 5th P.M.

Parcel 47: The West Two (2) acres of the East Half (E $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Six (6), Township 83 North, Range 23 West of the 5th P.M., also described as the West Eight (8) rods of the East Twenty (20) rods of the South Forty (40) Rods of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Six (6), Township 83 North, Range 23 West of the 5th P.M.

(2) The fee for connection of a property within the aforesaid district to the water or sanitary sewer utility shall be applied according to the acreage shown in Appendix X, as follows:

(a) The connection fee for sanitary sewer service for all parcels is \$3,438.87 per acre of property served by this connection including reasonable interest.

(b) The connection fee for water service is \$990.66 per acre of property served by this connection including reasonable interest.

(3) Annual increase in connection fees are as follows:

(a) For the purposes of accounting for the costs incurred by the City of Ames to finance improvements, the connection district fee shall increase on an annual basis.

(b) The fees shall increase annually at a rate of approximately six percent (6%) of the original connection fee for a period of at least ten (10) years.

(c) The annual increase in the connection district fees shall be based on six percent (6%) of the original connection fee of \$3,438.87 per acre for sanitary sewer connection and \$990.66 for water connection and will be rounded to an even dollar amount per year. Thus, the connection district fee will increase at a rate of \$203 per year for sanitary sewer connections and \$60 per year for water connections. Appendix "X" shows the tabulations of the connection district fees for each of the ten years beginning on the date of adoption of this ordinance, and increasing on July 1st for each year following, and ending on July 1, 2033.

(d) After July 1, 2033, the connection district fees will continue to increase at a rate of \$203 per year for sanitary sewer connections and \$60 per year for water connections, unless the connection fee annual increases are modified by the City of Ames.

(4) Exception for Parcel 32. The City-owned Parcel 32 (207 S Teller Avenue) is exempted from water and sewer connection fees because it provides the water and sewer infrastructure to serve the connection district area and no facilities will be constructed requiring water or sewer service.

(5) Limited exception for residential properties.

(a) Parcels 5, 25, 29, 35, 36, 41 and 42, upon which are or are deemed single- and multi-family residential uses, shall have a limited exemption from the connection fees of paragraphs 2 and 3 of this section, and in lieu thereof, each of the said parcels shall be subject to the standard connection fee to the existing residence as described in Appendix F of the Ames Municipal Code and regardless of actual frontage shall make a one-time connection using an 80-foot lineal width for the connection fee calculation.

(b) Unless for good cause shown and approved by the City Council waiving enforcement of the district connection fees, if a parcel described in subparagraph (a) is subdivided for other than existing residential uses, the owner shall be liable for and pay the connection fees of paragraphs 2 and 3 of this section.

(6) Subject only to the limited exception set forth above, for purposes of determining the amount and timing of fees due under paragraphs 2, 3, and 7 of this section, a “connection of a property” shall be deemed to include the individual parcel for which a service connection is requested and all other adjacent or contiguous parcels, or both, within the district that are under common ownership of one person or two or more related parties. As used herein, “related parties” has the same meaning as used in 26 U.S. Code section 267.

(7) The fee required by this section shall be paid to the City as required by section 384.38 of the Code of Iowa, prior to final plat or site plan approval, including all future phases, whichever event occurs first, which shall be deemed by the City to be a utility connection application as described in the Code of Iowa.

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 _____, 2023.

Renee Hall, City Clerk

John A. Haila, Mayor