



ANKENY CITY COUNCIL

Regular Meeting
Monday, December 16, 2024
5:30 PM

Ankeny Kirkendall Public Library - City Council Chambers
1250 SW District Drive, Ankeny, Iowa

Bobbi Bentz, Mayor Pro-Tem

Council Members: Jeff Perry, Joe Ruddy, Todd Shafer, Kelly Stearns

All City Council meetings are open to the public. Assistive Listening Devices (ALD) are available for persons with impaired hearing. To request information in an alternative format or request an accommodation to participate in a City Council meeting, contact the Office of the City Clerk at 965-6405.

Anyone seeking assistance in communicating with the City should contact Relay Iowa at 1-800-735-2942 (TDY), or 1-800-735-2943 (Voice).

ELECTRONIC MEETING INFORMATION

<https://zoom.us/j/97312992966?pwd=OEFocWZGS0NYUmtVHNxcWZFak9PdZ09>

Meeting ID: 973 1299 2966

Passcode: 1234

Dial in: +1 312 626 6799; Meeting ID: 973 1299 2966; Passcode: 1234

PROCEDURAL ACTIONS:

Call to Order: Bobbi Bentz, Mayor Pro-Tem

Roll Call: Michelle Yuska, City Clerk

Pledge of Allegiance: Bobbi Bentz, Mayor Pro-Tem

CEREMONY:

1. Special Presentation: Recognition of Amy Beattie for 30 years serving as City Attorney

A. PUBLIC FORUM:

B. APPROVAL OF AGENDA:

1. Approval of the December 16, 2024 Agenda

Consider motion to approve and accept the December 16, 2024 agenda, with or without amendment.

C. PUBLIC HEARING(S):

1. PH 2024-60 A proposal to vacate an Ingress/Egress Easement associated with the development at Siena Hills Plat 7.

Consider motion to close Public Hearing 2024-60.

Consider motion to accept first consideration of ORDINANCE 2189.

2. PH 2024-61 Proposed 2025-2029 Capital Improvement Program

Consider motion to close Public Hearing 2024-61.

Consider motion to adopt RESOLUTION approving the 2025-2029 Capital Improvement Program.

D. REPORTS OF ADVISORY BOARDS AND COMMISSION:

E. APPROVAL OF CONSENT AGENDA:

• **MINUTES**

- CA - 1.** Approval of official council actions of the regular meeting of December 2, 2024, as published, subject to correction, as recommended by the City Clerk.
- CA - 2.** Approval of official council actions of the special meeting of December 6, 2024, as published, subject to correction, as recommended by the City Clerk.
- CA - 3.** Receive and file minutes of the Plan and Zoning Commission meeting of November 19, 2024.
- CA - 4.** Receive and file minutes of the Library Board of Trustee meeting of October 17, 2024.
- CA - 5.** Receive and file minutes of the Ankeny Cultural Arts Board meeting of March 25, 2024.

• **LICENSES AND PERMITS**

- CA - 6.** Consider motion to approve the issuance of Cigarette/Tobacco/Nicotine/Vapor Permits for December 16, 2024 - June 30, 2025.
- CA - 7.** Consider motion to approve the issuance of liquor licenses and beer/wine permits in the City of Ankeny.

• **FINANCE/BUDGET**

- CA - 8.** Consider motion to receive and file Financial Reports for November 2024.
- CA - 9.** Consider motion to receive and file Building Permit Report for November 2024.
- CA - 10.** Consider motion to receive and file the Utility Billing Report for November 2024.
- CA - 11.** Consider motion to approve Change Order #1 increasing the contract amount by \$4,006.50 to Rognes Corporation for construction services on the SE 3rd Street Utility

Improvements - Phase 2 project.

- CA - 12.** Consider motion to approve Payment #2 in the amount of \$37,110.42 to Alpha Landscapes, for construction services on the N Ankeny Boulevard and 18th Street Intersection Improvements project.
- CA - 13.** Consider motion to approve Payment #5 in the amount of \$17,693.50 to Civil Design Advantage for engineering services on the SE Creekview Drive Extension (RISE) project.
- CA - 14.** Consider motion to approve Payment #9 in the amount of \$7,896.00 to Civil Design Advantage, LLC, for engineering services on the Westlawn Place Area Utility Improvements - Conceptual Design project.
- CA - 15.** Consider motion to approve Payment #6 in the amount of \$1,650.00 to DIXON Engineering, Inc., for engineering services on the Magazine Ground Storage Reservoir Rehabilitation project.
- CA - 16.** Consider motion to approve Payment #24 in the amount of \$25,491.81 to HDR Engineering, Inc., for engineering services on the NW Irvindale Elevated Storage Tank project.
- CA - 17.** Consider motion to approve Payment #8 in the amount of \$463,642.75 to HPC, LLC for construction services work associated with the Ankeny Fire Station No. 4 project.
- CA - 18.** Consider motion to approve Payment #4 in the amount of \$34,733.67 to Heartland Underground Solutions (Kline Electric, Inc.), for construction services on the SE Corporate Woods Dr & SE Crosswinds Dr Traffic Signal Project.
- CA - 19.** Consider motion to approve Payment #16 in the amount of \$1,500.00 to ISG (I&S Group) for design and construction work on the High Trestle Trail Park Phase 1 project.
- CA - 20.** Consider motion to approve Payment #20 in the amount of \$6,335.75 to JEO Consulting Group, Inc., for engineering services on the SE 3rd Street Improvements - Phase 2 project.
- CA - 21.** Consider motion to approve Payment #3 in the amount of \$9,670.50 to JEO Consulting Group, Inc., for engineering services on the SW Magazine Road and SW Cherry Street Concept Study project.
- CA - 22.** Consider motion to approve Payment #8 in the amount of \$35,385.13 to Rognes Corporation, for construction services on the SE 3rd Street Improvements - Phase 2 project.
- CA - 23.** Consider motion to approve Payment #6 in the amount of \$6,788.70 to Sternquist Construction, for construction services on the 2024 PCC Reconstruction Program - NW Westwood Street project.
- CA - 24.** Consider motion to approve Payment #20 in the amount of \$13,150.09 to SVPA Architects Inc. for design and construction administration services associated with the Ankeny Fire Station No. 4 project.
- CA - 25.** Consider motion to approve the December 16, 2024 Accounts Payable.

• **COMMUNITY DEVELOPMENT ITEMS**

- CA - 26.** Consider motion to adopt **RESOLUTION** providing for the notice and hearing of the City Council of the City of Ankeny, Iowa, to rezone certain property owned by Denny Elwell Family LC, located north of SE Corporate Woods Drive, east of SE Delaware Avenue and west of Interstate-35. (date of hrg: 1/6/25 @ 5:30 p.m.)
- CA - 27.** Consider motion to adopt **RESOLUTION** accepting a Public Sanitary Sewer Easement, associated with the development of Hope Crossing.
- CA - 28.** Consider motion to adopt **RESOLUTION** accepting final plat, warranty deed to streets, subdivision bonds for seeding and erosion control, platted easements, and parkland dedication agreement; and authorizing cost participation for the extension of water main and sanitary sewer for The Crossings at Deer Creek Plat 13.
- CA - 29.** Consider motion to adopt **RESOLUTION** waiving approval of the final plat for Delaney Acres Plat 1.

• **ENGINEERING ITEMS**

- CA - 30.** Consider motion to adopt a **RESOLUTION** adopting a revised Policy on the Pavement Design Standards for Public Streets Constructed with Development Projects, dated December 16, 2024, in the City of Ankeny.
- CA - 31.** Consider motion to adopt **RESOLUTION** authorizing the Certificate of Termination of the Development Agreement with M-H Property Enterprises, LLC.
- CA - 32.** Consider motion to adopt **RESOLUTION** accepting a proposal and Performance, Payment and Maintenance Bond from InRoads, LLC. in the amount of \$151,546.00 for the construction of the HTT Water Main & Drainage Contract 2, HMA Trail Improvements Project.
- CA - 33.** Consider motion to approve the **RESOLUTION** authorizing the City of Ankeny to submit an application for Federal Surface Transportation Block Grant Set-Aside Funding to the Des Moines Area Metropolitan Planning Organization (MPO) for the partial funding of the Oralabor Gateway Trail Grade Separation of South Ankeny Boulevard and further approving the application which obligates the City of Ankeny to matching funds for the construction of said project.
- CA - 34.** Consider motion to approve the **RESOLUTION** authorizing the City of Ankeny to submit an application for Federal Surface Transportation Block Grant (STBG) Program Funding to the Des Moines Area Metropolitan Planning Organization (MPO) for the partial funding of the NW State Street Widening and Pavement Rehabilitation - West 1st Street to NW 18th Street project and further approving the application which obligates the City of Ankeny to matching funds for the construction of said project.
- CA - 35.** Consider motion to adopt **RESOLUTION** accepting the maintenance bond for water main, sanitary sewer, and storm sewer in The Crossings at Deer Creek Plat 13.
- CA - 36.** Consider motion to adopt **RESOLUTION** accepting the maintenance bond for subgrade in The Crossings at Deer Creek Plat 13.
- CA - 37.** Consider motion to adopt **RESOLUTION** accepting the maintenance bond for concrete paving in The Crossings at Deer Creek Plat 13.
- CA - 38.** Consider motion to adopt **RESOLUTION** accepting the maintenance bond for asphalt paving in The Crossings at Deer Creek Plat 13.

- CA - 39.** Consider motion to adopt **RESOLUTION** accepting public improvements in Rueter Property Phase 1 for storm sewer and subgrade.
- CA - 40.** Consider motion to adopt **RESOLUTION** accepting public improvements in Rueter Property Phase 1 for paving.
- CA - 41.** Consider motion to adopt **RESOLUTION** accepting public improvements in Savannah at Ankeny for utilities and subgrade.
- CA - 42.** Consider motion to adopt **RESOLUTION** accepting public improvements in Savannah at Ankeny for paving.

- **CAPITAL IMPROVEMENT PROJECTS**

- CA - 43.** Consider motion to adopt **RESOLUTION** approving construction contract and bonds with Van Maanen Electric, Inc. in the amount of \$830,887.82 for the Fiber Optic Network Upgrade Project.
- CA - 44.** **2024 PCC Street Patching Program:** Consider motion to approve: a) Final Change Order #2 increasing the contract amount by \$16,895.00; b) Certificate of Completion; c) **RESOLUTION** accepting the public improvements with TK Concrete, Inc. in the amount of \$808,052.00; and d) Final Payment #8 in the amount of \$16,387.50; Retainage Payment in the amount of \$40,402.60.
- CA - 45.** **NW Northlawn Area Utility Improvements - Phase 3:** Consider motion to approve: a) Final Change Order #1 decreasing the contract amount by \$25,880.75; b) Certificate of Completion; c) **RESOLUTION** accepting the public improvements with Absolute Concrete Construction in the amount of \$1,097,102.00; and d) Final Payment #9 in the amount of \$71,259.03; Retainage Payment in the amount of \$54,855.10.
- CA - 46.** **2023 Annual Storm Sewer Repairs:** Consider Motion to Approve: a) Certificate of Completion; b) **RESOLUTION** accepting the public improvements with On Track Construction, LLC, in the amount of \$159,520.00; and c) Final Payment #4 in the amount of \$4,056.50 and Release of Retainage in the amount of \$7,976.00.
- CA - 47.** **2024 Annual Storm Sewer Repairs:** Consider Motion to Approve: a) Certificate of Completion; b) **RESOLUTION** accepting the public improvements with On Track Construction, LLC, in the amount of \$133,252.94; and c) Final Payment #3 in the amount of \$11,182.22 and Release of Retainage in the amount of \$6,662.65.
- CA - 48.** **2024 PCC Reconstruction Program - NW Ash Drive:** Consider motion to approve: a) Certificate of Completion; b) **RESOLUTION** accepting the public improvements with Concrete Technologies, Inc. in the amount of \$669,729.17; and c) Final Payment #6 in the amount of \$0.00; Retainage Payment in the amount of \$23,486.46.
- CA - 49.** Consider motion to adopt **RESOLUTION** ordering construction on the 2025 PCC Reconstruction Program - SE 8th Street project and fixing a date for hearing thereon and taking of bids therefor. (date of bid opening: 1/14/25 @ 10:30 A.M. / date of hrg: 1/21/25 @ 5:30 P.M.)

- **ADMINISTRATIVE ITEMS**

- CA - 50.** Consider motion to adopt **RESOLUTION** approving a 28E Agreement between the City of Ankeny and the Iowa Department of Revenue ("IDR") for a tobacco, Alternative Nicotine and Vapor Product Enforcement Program in the City of Ankeny.

• **APPROVAL OF CONSENT AGENDA ITEMS**

1. Consent Agenda Items CA-1 through CA-50.

Consider motion to approve the recommendations for Consent Agenda Items CA-1 through CA-50.

F. SUPPLEMENTAL AND REMOVED CONSENT AGENDA ITEMS:

G. RECESS

H. LEGISLATIVE BUSINESS:

• **BOARDS/COMMISSIONS APPOINTMENTS:**

51. Committees & Annual Mayoral appointments of council and staff to serve on various Boards committees and boards during 2025.

Consider motion to adopt RESOLUTION appointing council and staff to serve on various committees and boards for 2025.

Consider motion to adopt RESOLUTION appointing a member and alternate member to the Polk County 911 Service Board.

Consider motion to adopt RESOLUTION appointing representatives to the Des Moines Area MPO Committees.

• **APPROVAL OF ORDINANCES:**

52. Ord 2188 An Ordinance Repealing Chapter 27, Mayor's Youth Council, of the Code of Ordinances of the City of Ankeny, Iowa.

Consider motion to accept third consideration of ORDINANCE 2188, sending it on its final passage and publication as required by law.

I. OLD BUSINESS:

J. NEW BUSINESS:

1. Mayoral Vacancy Appointment

Consider motion to adopt RESOLUTION appointing a mayor to fill a vacant unexpired term.

2. Notice of Intent to fill City Council vacancy by appointment.

Consider motion to adopt RESOLUTION providing for notice of intent to fill City Council vacancy by appointment, and authorize and direct the City Clerk to publish Notice of Intent to Appoint in the time and in the manner as required by law.

K. ADMINISTRATIVE BUSINESS:

• **REPORT OF THE CITY STAFF:**

City Manager
City Attorney

- **REPORT OF THE GOVERNING BODY:**

Mayor

City Council Members:

Council Member Perry

Council Member Ruddy

Council Member Shafer

Council Member Stearns

- **FUTURE COUNCIL AGENDA ITEMS:**

- Public Hearing - Delaware Ave & Corporate Woods Rezoning - 1/6/25 @ 5:30 p.m.

- Department Budget Presentations - 1/17/25 @ 8:30 a.m.

- Public Hearing - 2025 PCC Reconstruction Program - SE 8th Street - 1/21/25 @ 5:30 p.m.

L. **ADJOURNMENT**