

MINUTES OF THE ANKENY CITY COUNCIL

Monday, December 16, 2024 5:30 p.m.

Ankeny Kirkendall Library - City Council Chambers

Bobbi Bentz, Mayor Pro tem

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

Mayor Pro Tem Bobbi Bentz called the meeting to order at 5:30 p.m. Council Members Jeff Perry, Joe Ruddy, and Todd Shafer were in attendance. Council Member Kelly Stearns joined the meeting electronically. Assistant City Manager Mike Schrock and City Attorney Amy Beattie were also present. Mayor Pro Tem Bentz led in the Pledge of Allegiance.

CEREMONY

1. Mayor Pro Tem Bentz formally recognized City Attorney Amy Beattie for her dedicated 30 years of service with the City.

APPROVAL OF AGENDA

1. Council Member Shafer moved, Perry seconded, to approve and accept the December 16, 2024 agenda without amendment. Ayes: 5.

PUBLIC HEARING

1. PH 2024-60. Mayor Pro Tem Bentz announced this is the time and place for a public hearing on the matter of the proposed Ordinance 2189 vacating an Ingress/Egress Easement associated with Siena Hills Plat 7 Lot 1. Notice of this hearing was published in the Des Moines Register on the 6th day of December, 2024.

Eric Jensen, Director of Community Development, reported that this easement was originally platted with the intent of a future "frontage road" that is no longer warranted. This property will be developed by a single owner, so no public ingress/egress easement is necessary.

Mayor Pro Tem Bentz then asked for any public comment regarding the proposed amendment. Hearing no comments, Council Member Shafer moved, Ruddy seconded, to close public hearing 2024-60. Ayes: 5. Council Member Ruddy moved, Shafer seconded, to accept first consideration of Ordinance 2189. Ayes: Ruddy, Shafer, Bentz, Perry, Stearns.

2. PH 2024-61. Mayor Pro Tem Bentz announced this is the time and place for a public hearing on the proposed 2025-2029 Capital Improvement Program. A notice of hearing was published in the Des Moines Register on December 6, 2024.

Mike Schrock, Assistant City Manager, reported that the capital improvement program serves as a guide for the provision of public improvements, outlining the timing and financing of projects for a five-year period. For 2025-2029, the capital improvement program totals \$235,836,955. Of this total, 54.15% is identified for transportation projects, 29.54% for municipal utilities (water, sewer and storm water) projects, 10.94% for municipal buildings, 3.07% for park facilities, 1.28% for sidewalks/trails and 1.02% for operating/construction equipment.

Mayor Pro Tem Bentz then asked for any public comment regarding the proposed 2025-2029 Capital Improvement Program. Hearing no comments, Council Member Shafer moved, Ruddy seconded, to close public hearing 2024-61. Ayes: 5. Council Member Perry moved, Ruddy seconded, adopt **RESOLUTION 2024-472** approving the 2025-2029 Capital Improvement

Program. Ayes: Perry, Ruddy Bentz, Shafer, Stearns.

APPROVAL OF CONSENT AGENDA

Minutes

1. Official council actions of the regular meeting of December 2, 2024, as published.
2. Official council actions of the special meeting of December 6, 2024, as published.
3. Receive and file minutes of the Plan and Zoning Commission meeting of November 19, 2024.
4. Receive and file minutes of the Library Board of Trustee meeting of October 17, 2024.
5. Receive and file minutes of the Ankeny Cultural Arts Board meeting of March 25, 2024.

Licenses and Permits

6. Issuance of Cigarette/Tobacco/Nicotine/Vapor Permits valid December 16, 2024 - June 30, 2025.
7. Issuance of liquor licenses and beer/wine permits in the City of Ankeny.

Finance/Budget

8. Receive and file Financial Reports for November 2024.
9. Receive and file Building Permit Report for November 2024.
10. Receive and file the Utility Billing Report for November 2024.
11. 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.
12. 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.
13. Payment #5 in the amount of \$17,693.50 to Civil Design Advantage for engineering services on the SE Creekview Drive Extension (RISE) project.
14. 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.
15. Payment #6 in the amount of \$1,650.00 to DIXON Engineering, Inc., for engineering services on the Magazine Ground Storage Reservoir Rehabilitation project.
16. Payment #24 in the amount of \$25,491.81 to HDR Engineering, Inc., for engineering services on the NW Irvinedale Elevated Storage Tank project.
17. 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.
18. 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.
19. 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.
20. 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.
21. 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.
22. Payment #8 in the amount of \$35,385.13 to Rognes Corporation, for construction services on the SE 3rd Street Improvements - Phase 2 project.
23. 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.
24. 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.
25. December 16, 2024 Accounts Payable by fund: General \$453,655.02; Hotel Motel Tax \$70,323.22; Police Gift Fund \$162.10; Road Use Tax \$210,995.15; Solid Waste \$109,677.26;

Water \$106,934.27; Water Sinking \$121,253.40; Sewer \$686,170.44; Storm Water \$10,608.02; Golf Course \$12,917.96; Enterprise Project \$189,175.16; Revolving \$21,965.50; Risk Management \$141,491.75; Capital Projects \$702,341.72; Payroll Totals \$1,475,349.53; Transfers/ACH (\$218,097.45); Agenda Payments Approved Separately (\$897,316.38); Grand Total \$3,197,606.67.

Community Development

26. **RESOLUTION 2024-473** 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.)
27. **RESOLUTION 2024-474** accepting a Public Sanitary Sewer Easement, associated with the development of Hope Crossing.
28. **RESOLUTION 2024-475** 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.
29. **RESOLUTION 2024-476** waiving approval of the final plat for Delaney Acres Plat 1.

Engineering

30. **RESOLUTION 2024-477** 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.
31. **RESOLUTION 2024-478** authorizing the Certificate of Termination of the Development Agreement with M-H Property Enterprises, LLC.
32. **RESOLUTION 2024-479** 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.
33. **RESOLUTION 2024-480** 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.
34. **RESOLUTION 2024-481** 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.
35. **RESOLUTION 2024-482** accepting the maintenance bond for water main, sanitary sewer, and storm sewer in The Crossings at Deer Creek Plat 13.
36. **RESOLUTION 2024-483** accepting the maintenance bond for subgrade in The Crossings at Deer Creek Plat 13.
37. **RESOLUTION 2024-484** accepting the maintenance bond for concrete paving in The Crossings at Deer Creek Plat 13.
38. **RESOLUTION 2024-485** accepting the maintenance bond for asphalt paving in The Crossings at Deer Creek Plat 13.
39. **RESOLUTION 2024-486** accepting public improvements in Rueter Property Phase 1 for storm sewer and subgrade.
40. **RESOLUTION 2024-487** accepting public improvements in Rueter Property Phase 1 for paving.

41. **RESOLUTION 2024-488** accepting public improvements in Savannah at Ankeny for utilities and subgrade.
42. **RESOLUTION 2024-489** accepting public improvements in Savannah at Ankeny for paving.

Capital Improvement Projects

43. **RESOLUTION 2024-490** approving construction contract and bonds with Van Maanen Electric, Inc. in the amount of \$830,887.82 for the Fiber Optic Network Upgrade Project.
44. **2024 PCC Street Patching Program**: a) Final Change Order #2 increasing the contract amount by \$16,895.00; b) Certificate of Completion; c) **RESOLUTION 2024-491** 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.
45. **NW Northlawn Area Utility Improvements - Phase 3**: a) Final Change Order #1 decreasing the contract amount by \$25,880.75; b) Certificate of Completion; c) **RESOLUTION 2024-492** 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.
46. **2023 Annual Storm Sewer Repairs**: a) Certificate of Completion; b) **RESOLUTION 2024-493** 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.
47. **2024 Annual Storm Sewer Repairs**: a) Certificate of Completion; b) **RESOLUTION 2024-494** 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.
48. **2024 PCC Reconstruction Program - NW Ash Drive**: a) Certificate of Completion; b) **RESOLUTION 2024-495** 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.
49. **RESOLUTION 2024-496** 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

50. **RESOLUTION 2024-497** 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

1. Council Member Shafer moved, second by Perry, to approve the recommendations for Consent Agenda Items CA-1 through CA-50. Ayes: Shafer, Perry, Bentz, Ruddy, Stearns.

LEGISLATIVE BUSINESS

Boards and Commissions

51. Annual Mayoral Appointments to Committees and Boards. Council Member Shafer moved, Perry seconded, to adopt **RESOLUTION 2024-498** appointing council and staff to serve on various committees and boards for 2025. Ayes: Shafer, Perry, Bentz, Ruddy, Stearns. Council Member Ruddy moved, Shafer seconded, to adopt **RESOLUTION 2024-499** appointing a member and alternate member to the Polk County 911 Service Board. Ayes: Ruddy, Shafer, Bentz, Perry, Stearns. Council Member Ruddy moved, Perry seconded, to adopt

RESOLUTION 2024-500 appointing representatives to the Des Moines Area MPO Committees. Ayes: Ruddy, Perry, Bentz, Shafer, Stearns.

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. Council Member Stearns moved, Ruddy seconded, to accept third consideration of ORDINANCE 2188 , sending it on its final passage and publication as required by law. Ayes: Stearns, Ruddy, Bentz, Shafer. Nays: Perry.

NEW BUSINESS

1. Mayoral Vacancy Appointment: Council Member Stearns moved, Shafer seconded, to adopt **RESOLUTION 2024-501** appointing Bobbi Bentz to the office of Mayor to fill a vacant unexpired term. Ayes: Stearns, Shafer, Bentz, Perry, Ruddy.
2. Notice of Intent to fill City Council vacancy by appointment: Council Member Shafer moved, Perry seconded, to adopt **RESOLUTION 2024-502** 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. Ayes: Shafer, Perry, Ruddy, Stearns.

ADJOURNMENT

1. Meeting was adjourned at 6:03 p.m.

Michelle Yuska, City Clerk

Bobbi B. Bentz, Mayor

Published in the Des Moines Register on 12/27/24.