

MINUTES OF THE ANKENY CITY COUNCIL

Monday, January 6, 2025 5:30 p.m.

Ankeny Kirkendall Library - City Council Chambers

Bobbi Bentz, Mayor

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

Mayor Bobbi Bentz called the meeting to order at 5:30 p.m. Council Members Jeff Perry, Joe Ruddy, Todd Shafer, and Kelly Stearns were in attendance. City Manager David Jones and City Attorney Pat Burk were also present. Mayor Bentz led in the Pledge of Allegiance.

CEREMONY

1. Mayor Bentz proclaimed the month of January 2025 as Slavery and Human Trafficking Prevention Month.

PUBLIC FORUM

1. Chris Shires, Vice President, Confluence, provided an update on the South Ankeny Boulevard Revitalization Plan.
2. Renee Potts, Multicultural Task Force, shared information for the Martin Luther King, Jr. day of service on January 20th.

APPROVAL OF AGENDA

1. Council Member Shafer moved, Stearns seconded, to approve and accept the January 6, 2025 agenda without amendment. Ayes: 4.

PUBLIC HEARING

1. PH 2025-01. Mayor Bentz announced this is the time and place for a public hearing on the matter of the proposed Ordinance 2190 amending the zoning regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, by rezoning certain real estate owned by Denny Elwell Family LC from its current R-1, One-Family Residence District to C-2, General Retail, Highway Oriented, and Central Business Commercial District. Layman's Description – approximately 4 acres (+/-) located at the NE Corner of SE Corporate Woods Drive and SE Delaware Avenue, just west of Interstate 35. Notice of this hearing was published in the Des Moines Register on the 27th day of December, 2024 and notices were mailed to affected property owners as required by law.

Eric Jensen, Director of Community Development, reported that the applicant, Denny Elwell Family LC is requesting to rezone property from R-1, One-Family Residence District to C-2, General Retail, Highway Oriented, and Central Business Commercial District. The area subject to the proposed rezoning consists of one parcel, approximately 4 acres in size. The property is currently zoned R-1, One-Family Residence District; property to the north is also zoned R-1, while properties to the west are zoned M-1, Light Industrial District, and properties to the south are zoned C-2, General Retail, Highway Oriented, and Central Business Commercial District. The proposed rezoning generally aligns with The Ankeny Plan 2040 Future Land Use Map, which defines this property as Highway Commercial (HC).

Mayor Bentz then asked for any public comment regarding the proposed amendment. Hearing no comments, Council Member Stearns moved, Shafer seconded, to close public hearing 2025-01. Ayes: 4. Council Member Stearns moved, Ruddy seconded, to accept first consideration of Ordinance 2190. Ayes: Stearns, Ruddy, Perry, Shafer.

APPROVAL OF CONSENT AGENDA

Minutes

1. Official council actions of the regular meeting of December 16, 2024, as published.
2. Receive and file minutes of the Zoning Board of Adjustment meeting of November 5, 2024.

Licenses and Permits

3. Issuance of liquor licenses and beer/wine permits in the City of Ankeny.

Finance/Budget

4. Change Order #5 decreasing the contract amount by \$196,371.57 to Elder Corporation, for construction services on the NE Delaware Avenue Reconstruction - NE 5th Street to Fourmile Creek project.
5. Change Order #2 increasing the contract amount by \$4,290.00 with HPC, LLC for construction services associated with Fire Station No. 4.
6. Change Order #1 increasing the contract amount by \$13,550.76 to Mainline Construction for construction services on the High Trestle Trail Experience Park - Phase 1 project.
7. Amendment No. 1 to the Professional Services Agreement increasing the contract amount by \$69,053.00 with HR Green, Inc. for potholing and Right-of-Way services for the NW Irvinedale Drive & NW 18th Street Intersection Improvements project.
8. Supplemental Agreement No. 1 to the Professional Services Agreement increasing the contract amount by \$80,350.00 with Snyder & Associates, Inc. for final design engineering, permitting, public information meeting, and bid assistance for the Sawgrass Park Dam Improvements project.
9. Payment #13 in the amount of \$812,482.10 to Absolute Concrete Construction, Inc. for construction services on the Oralabor Gateway Trail - SW State Street Underpass and SW Oralabor Road and SW State Street Intersection Improvements project.
10. Payment #19 in the amount of \$942.50 to Civil Design Advantage for engineering services on the NW 36th Street and NW Weigel Drive HMA Resurfacing project.
11. Payment #16 in the amount of \$713,958.12 to Elder Corporation, for construction services on the NE Delaware Avenue Reconstruction - NE 5th Street to Fourmile Creek project.
12. Payment #2 in the amount of \$154,192.60 to Granite Excavating, LLC, for construction services on the NE 36th Street & NE 38th Street Water Main Loop project.
13. Payment #23 in the amount of \$12,447.54 to HR Green Inc. for engineering services on the Oralabor Gateway Trail - SW State Street Underpass and SW Oralabor Road and SW State Street Intersection Improvements project.
14. Payment #3 in the amount of \$14,809.55 to Mainline Construction for construction services on the High Trestle Trail Experience Park - Phase 1 project.
15. Payment #9 in the amount of \$10,212.40 to McClure Engineering Company, for design engineering services on the SW Des Moines Street Utility Improvements project.
16. Payment #10 in the amount of \$9,983.93 to MSA Professional Services, Inc., for engineering services on the SW Walnut Street and SW Ordinance Road Water Main project.
17. Payment #22 in the amount of \$8,934.60 to RDG Planning & Design, Inc. for engineering services on the Fourmile Creek and Tributary to Fourmile Creek Restoration project.
18. Payment #42 in the amount of \$11,140.25 to Snyder & Associates, Inc., for engineering services on the HTT Transmission Main and Drainage Improvements project.
19. Payment #41 in the amount of \$14,924.80 to Snyder & Associates, Inc., for engineering services on the NE Delaware Ave Recon - NE 5th St to NE 18th St project.
20. Payment #19 in the amount of \$37,404.25 to Snyder & Associates Inc., for engineering services on the S Ankeny Blvd Improvements SE Peterson Dr to 1st St project.

21. January 6, 2025 Accounts Payable by fund: General \$231,428.65; Fire Gift \$1,464.66, Hotel Motel Tax \$3,000.00; Road Use Tax \$91,767.19; Seizure \$6,950.00; Police/Fire Pension \$120.00; Debt Service \$1,550.00; Library \$653.53; Solid Waste \$36,808.10; Water \$897,834.85; Water Sinking \$550.00; Sewer \$17,359.57; Storm Water \$2,916.24; Golf Course \$7,167.97; Enterprise Project \$352,549.22; Revolving \$37,110.07; Risk Management \$28,668.47; Health Insurance \$8,842.58; Capital Projects \$1,768,057.46; Payroll Totals \$3,489,670.35; Transfers/ACH (\$436,891.47); Agenda Payments Approved Separately (\$2,077,833.04); Grand Total \$4,469,744.40.
22. **RESOLUTION 2025-001** naming authorized bank signers for the City of Ankeny.
23. **RESOLUTION 2025-002** authorizing the purchase of fiber optic cable for Fiber Optic Network Upgrade.
24. Receive and file the City of Ankeny Annual Comprehensive Financial Report (ACFR) for the year ended June 30, 2024.

Community Development

25. **RESOLUTION 2025-003** setting a public hearing for a request to vacate a portion of a Public Ingress/Egress Easement, located on Lot 1; Lot 2 EX Parcel 2018-40 BK 16951 PG 86 Credit Union Plaza (date of hrg: 1/21/25 @ 5:30 p.m.)
26. **RESOLUTION 2025-004** accepting a Storm Water Management Facility Maintenance Covenant and Permanent Easement Agreement, located on Lot 1 Credit Union Plaza; and associated with the development of the Veridian Credit Union Site Plan at 1201 S Ankeny Boulevard.
27. Grant preliminary approval of the First Street Commons Plat 3 Final Plat; and authorize cost participation for the extension of 16-inch water main in an amount estimated to be \$8,075.00.

Engineering

28. Amendment No. 4 to the Professional Services Agreement increasing the contract amount by \$0.00 with Snyder and Associates for construction services on the High Trestle Trail Transmission and Drainage Improvements - Contract 2, HMA Trail Improvements project.
29. **RESOLUTION 2025-005** accepting the maintenance bond for storm sewer for the E 1st St and SE Fourmile Dr Traffic Signal and Turn Lane Widening associated with The Crossings at Deer Creek Plat 15.
30. **RESOLUTION 2025-006** accepting the maintenance bond for traffic signals at the E 1st St and SE Fourmile Dr Traffic Signal and Turn Lane Widening associated with The Crossings at Deer Creek Plat 15.
31. **RESOLUTION 2025-007** accepting the maintenance bond for paving at the E 1st St and SE Fourmile Dr Traffic Signal and Turn Lane Widening associated with The Crossings at Deer Creek Plat 15.
32. **RESOLUTION 2025-008** accepting the maintenance bond for subgrade for the E 1st St and SE Fourmile Dr Traffic Signal and Turn Lane Widening associated with The Crossings at Deer Creek Plat 15.

Capital Improvement Projects

33. **NW 36th Street and NW Weigel Drive HMA Resurfacing:** a) Final Change Order #3 decreasing the contract amount by \$76,416.72; b) Certificate of Completion; c) **RESOLUTION 2025-009** accepting the public improvements with InRoads, LLC in the amount of \$1,615,225.28; and d) Final Payment #6 in the amount of \$9,259.65; Retainage Payment in the amount of \$80,761.26.
34. **NE 62nd St. Box Culvert Construction:** a) Final Change Order #1 increasing the contract amount by \$748.48; b) Certificate of Completion; c) **RESOLUTION 2025-010** accepting the

public improvements with Gus Construction in the amount of \$466,268.05; and d) Final Payment #4 in the amount of \$43,356.99; Retainage Payment in the amount of \$23,313.40.

35. **North Four Mile Creek Trunk Sewer - Phase 1:** a) Final Change Order #3 decreasing the contract amount by \$32,798.00; b) Certificate of Completion; c) **RESOLUTION 2025-011** accepting the public improvements with J&K Contracting in the amount of \$1,978,202.00; and d) Final Payment #9 in the amount of \$20,799.00; Retainage Payment in the amount of \$98,910.10.
36. **RESOLUTION 2025-012** ordering construction on the SW Des Moines Street Utility Improvements - SW Ordinance Road to SW Kenworthy Drive project and fixing a date for hearing thereon and taking of bids therefor. (date of bid opening: 1/28/25 @ 10:30 A.M. / date of hrg: 2/3/25 @ 5:30 P.M.)
37. **RESOLUTION 2025-013** ordering construction on the NW Irvinedale Drive & NW 18th Street Intersection Improvements project and fixing a date for hearing thereon and taking of bids therefor. (date of bid opening: 1/28/25 @ 10:30 A.M. / date of hrg: 2/3/25 @ 5:30 P.M.)

Administrative Items

38. **RESOLUTION 2025-014** approving the appointment of Michael Schrock as Interim City Manager.

APPROVAL OF CONSENT AGENDA

1. Council Member Shafer moved, second by Stearns, to approve the recommendations for Consent Agenda Items CA-1 through CA-38. Ayes: Shafer, Stearns, Perry, Ruddy.

LEGISLATIVE BUSINESS

Boards and Commissions

39. Annual Mayoral Appointments to Committees and Boards. Council Member Ruddy moved, Shafer seconded, to adopt **RESOLUTION 2025-015** appointing council and staff to serve on various committees and boards for 2025. Ayes: Ruddy, Shafer, Perry, Stearns. Council Member Stearns moved, Shafer seconded, to adopt **RESOLUTION 2025-016** amending appointments of a member and alternate member to the Polk County 911 Service Board. Ayes: Stearns, Shafer, Perry, Ruddy. Council Member Stearns moved, Shafer seconded, to adopt **RESOLUTION 2025-017** Ankeny's representatives to the Central Iowa Water Works Board and Committees. Ayes: Stearns, Shafer, Perry, Ruddy. Council Member Stearns moved, Shafer seconded, to adopt **RESOLUTION 2025-018** appointing members and alternate members to the Polk County Emergency Management Commission. Ayes: Stearns, Shafer, Perry, Ruddy.

Approval of Ordinances

40. **Ord 2189.** An Ordinance vacating an Ingress/Egress Easement associated with Siena Hills Plat 7, Lot 1. Council Member Shafer moved, Stearns seconded, to accept second consideration of ORDINANCE 2189. Ayes: Shafer, Stearns, Perry, Ruddy.

ADJOURNMENT

1. Moved by Perry, seconded by Shafer, to go into Executive Session at 6:01 p.m., pursuant to the provisions of Iowa Code Section 21.5, subparagraph (j) "to discuss the purchase or sale of particular real estate only where the premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property". Ayes: Perry, Shafer, Ruddy,

Stearns. Council adjourned the executive session at 6:33 p.m. and returned to regular session at 6:35 p.m. Meeting was adjourned at 6:35 p.m.

Michelle Yuska, City Clerk

Bobbi B. Bentz, Mayor

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