ANKENY CITY COUNCIL

Regular Meeting

Monday, December 19, 2022
5:30 PM
Ankeny Kirkendall Public Library - City Council Chambers

1250 SW District Drive, Ankeny, Iowa

Mark Holm, Mayor
Bobbi Bentz, Mayor Pro-Tem

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

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ELECTRONIC MEETING INFORMATION

https://zoom.us/j/97312992966?pwd=OEFocWZGS0NYUmtnVHNxcWZFak9Pdz09

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:	Mark Holm, Mayor
ROLL CALL:	Michelle Yuska, City Clerk
PLEDGE OF ALLEGIANCE:	Mark Holm, Mayor

CEREMONY: none

A. PUBLIC FORUM: none

B. APPROVAL OF AGENDA:

1. Approval of the December 19, 2022 Agenda

Action# B1-1. Consider motion to approve and accept the December 19, 2022 agenda, with/without amendment.

C. PUBLIC HEARING(S):

1. PH 2022-72 A request to vacate a portion of a Public Storm Sewer Easement located on Lot 1, John Deere Place Plat 4.

Action# C1-1. Consider motion to close Public Hearing 2022-72.

2. PH 2022-73 A request to vacate a portion of a Public Ingress/Egress Easement located on Lot 1, John Deere Place Plat 4.

Action# C2-1. Consider motion to close Public Hearing 2022-73.

3. PH 2022-74 Proposed voluntary non-urbanized annexation of certain territory located adjacent to the northeast quadrant of Ankeny requested by DRA Properties, LC.

Action# C3-1. Consider motion to close Public Hearing 2022-74.

4. PH 2022-75 Proposed 2023-2027 Capital Improvement Program

Action# C4-1. Consider motion to close Public Hearing 2022-75.

5. PH 2022-76 Proposed NW 18th Street Reconstruction - NW Ash Drive to N Ankeny Boulevard

Action# C5-1. Consider motion to close Public Hearing 2022-76

6. PH 2022-77 Proposed NE Crestmoor Sanitary Sewer Replacement

Action# C6-1. Consider motion to close Public Hearing 2022-77

D. REPORTS OF ADVISORY BOARDS AND COMMISSION: none

E. APPROVAL OF CONSENT AGENDA:

- **Minutes**

CA - 1 Approval of official council actions of the regular meeting of December 5, 2022, as published, subject to correction, as recommended by the City Clerk.

CA - 2 Receive and file minutes of the Plan and Zoning Commission meeting of November 22, 2022.

CA - 3 Receive and file minutes of the Zoning Board of Adjustment meeting of November 22, 2022.

- **Licenses and Permits**

CA - 4 Consider motion to approve the issuance of liquor license(s) and/or beer / wine permit(s) in the City of Ankeny.

- **Finance/Budget**

CA - 5 Consider motion to receive and file Financial Reports for November 2022.

CA - 6 Consider motion to receive and file Building Permit Report for November 2022.

CA - 7 Consider motion to receive and file Utility Billing Report for November 2022.

CA - 8 Consider motion to approve Change Order #3 increasing the contract amount by $9,940.48 to Absolute Concrete Construction, Inc., for construction services on the NW 36th Street Widening - NW Ash Drive to N Ankeny Boulevard project.

CA - 9 Consider motion to approve Change Order #3 decreasing the contract amount by $80,144.83 to Sternquist Construction, for construction services on the SE Crosswinds Drive RISE - Phase 2 project.

CA - 10 Consider motion to approve Payment #8 in the amount of $287,612.83 to Absolute Concrete Construction, Inc., for construction services on the NW 36th Street Widening - NW Ash Drive to N Ankeny Boulevard project.

CA - 11 Consider motion to approve Payment #7 in the amount of $170,950.60 to Absolute Concrete Construction, Inc. for construction services on the SE 3rd Street Utility Improvements - Phase 1 project.

CA - 12 Consider motion to approve Payment #4 in the amount of $30,872.58 to Con-Struct, Inc., for construction services on the NW 36th Street and NW State Street Interim Improvements project.

CA - 13 Consider motion to approve Payment #30 in the amount of $36,558.37 to Foth Infrastructure and Environment, LLC for engineering services on the West First Street Widening and Improvements - Phase 1 project.

CA - 14 Consider motion to approve Payment #3 in the amount of $263,466.71 to Grimes Asphalt and Paving Corporation, for construction services on the SE Delaware Ave HMA Widening project.

CA - 15 Consider motion to approve Payment #3 in the amount of $50,000 to Group Creative Services for services on the Northwest Irvinedale Drive Trailhead Public Art Project.

CA - 16 Consider motion to approve Payment #6 in the amount of $101,640.00 to HDR Engineering, Inc., for engineering services on the NW Irvinedale Elevated Storage Tank project.

CA - 17 Consider motion to approve Payment #4 in the amount of $1,515.00 to HR Green, Inc., for engineering services on the SW State Street Fiber Optic Relocation project.

CA - 18 Consider motion to approve Payment #18 in the amount of $18,380.00 to JEO Consulting Group, Inc. for engineering services on the SE 3rd Street Utility Improvements Phase 1 project.

CA - 19 Consider motion to approve Payment #5 in the amount of $15,661.25 to JEO Consulting Group, Inc., for engineering services on the SE 3rd Street Improvements - Phase 2 project.

CA - 20 Consider motion to approve Payment #26 in the amount of $2,951.04 to Kirkham Michael & Associates, Inc., for engineering services on the NE Four Mile Drive RCB Culvert for Deer Creek project.

CA - 21 Consider motion to approve Payment #9 in the amount of $2,900.00 to McClure Engineering Company, for engineering services on the NW 18th Street Reconstruction - NW Ash Dr. to N Ankeny Blvd. (Design) project.

CA - 22 Consider motion to approve Payment #5 in the amount of $26,760.50 to McClure Engineering Company, for engineering services on the SW State Street Reconstruction - Southbound Lanes project.

CA - 23 Consider motion to approve Payment #2 in the amount of $17,240.00 to Nilles Associates, Inc., for engineering services on the NE Crestmoor Sanitary Sewer Replacement project.

CA - 24 Consider motion to approve Payment #17 in the amount of $213,474.85 to Reilly Construction Company Inc., for construction services on the West First Street Widening and Improvements - Phase 1 project.

CA - 25 Consider motion to approve Payment #8 in the amount of $69,512.89 to Sternquist Construction, for construction services on the SE Crosswinds Drive RISE - Phase 2 project.

CA - 26 Consider motion to approve Payment #1 in the amount of $111,373.25 to Synergy Contracting, LLC, for construction services on the HTT Water Transmission Main & Drainage Improvements project.

CA - 27 Consider motion to approve Payment #3 in the amount of $231,477.42 to WRH, Inc., for construction services on the Well No. 7/ASR No. 3 - Bid Package 2 - Well Pump and Control Building project.

CA - 28 Consider motion to approve the December 19, 2022 Accounts Payable. (Finance Committee: T. Shafer, Chp, K. Stearns, B. Bentz)

CA - 29 Consider motion to adopt **RESOLUTION** authorizing the purchase of a chassis for a Public Works Department Sign Truck (replace existing truck #275).

- **Personnel Items**

CA - 30 Consider motion to approve an amendment to the labor agreement with the Ankeny Professional Firefighters Employees' Union dated July 1, 2022 - June 30, 2025.

- **Community Development Items**

CA - 31 Consider motion to adopt **RESOLUTION** accepting the final plat and platted easements for Brakes Plus Plat 1.

CA - 32 Consider motion to adopt **RESOLUTION** waiving approval the Saylorville Casey's Final Plat.

CA - 33 Consider motion to adopt **RESOLUTION** accepting final plat, warranty deed to streets, sewer and water connection fees, platted easements, and park land dedication agreement; and authorizing cost participation for the extension of eight-foot sidewalk for Northgate Plat 6

- **Engineering Items**

CA - 34 Consider motion to adopt a **RESOLUTION** accepting a purchase agreement and approving documents for the acquisition of street right-of-way and temporary construction easement for the NE Delaware Avenue Reconstruction - NE 5th Street to 700 feet North of NE 18th Street project in Ankeny, Iowa. (Meridith Revocable Trust)

CA - 35 Consider motion to adopt **RESOLUTION** approving plans and specifications and accepting contracts, performance and maintenance bonds for the construction of

subgrade prep in the Nelson Senior Living (Turn Lane) project.

CA - 36 Consider motion to adopt **RESOLUTION** approving plans and specifications and accepting contracts, performance and maintenance bonds for the construction of paving improvements in the Nelson Senior Living (Turn Lane) project.

CA - 37 Consider motion to adopt a **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 West First Street Widening Improvement Phase 2 project - east of Greenwood Street to just west of State Street, and further approving the application which obligates the City of Ankeny to matching funds for the construction of said project.

CA - 38 Consider motion to adopt **RESOLUTION** accepting maintenance bond for water main, sanitary sewer, and storm sewer in Northgate Plat 6.

CA - 39 Consider motion to adopt **RESOLUTION** accepting maintenance bond for paving in Northgate Plat 6

CA - 40 Consider motion to adopt **RESOLUTION** accepting maintenance bond for subgrade in Northgate Plat 6.

CA - 41 Consider motion to adopt **RESOLUTION** accepting public improvements in Canyon Landing Duplexes Plat 1 for utilities & subgrade prep.

CA - 42 Consider motion to adopt **RESOLUTION** accepting public improvements in Canyon Landing Duplexes Plat 1 for paving.

CA - 43 Consider motion to adopt **RESOLUTION** accepting public improvements in Canyon Landing Townhomes Plat 1 for utilities & subgrade prep.

CA - 44 Consider motion to adopt **RESOLUTION** accepting public improvements in Canyon Landing Townhomes Plat 1 for paving (PCC & HMA).

CA - 45 Consider motion to adopt **RESOLUTION** accepting traffic signal improvements and termination of associated development agreement for Casey's General Store-SE Corporate Woods Drive and SE Convenience Blvd.

CA - 46 Consider motion to adopt **RESOLUTION** accepting utilities and subgrade improvements at Casey's General Store-SE Corporate Woods Drive and SE Convenience Blvd.

CA - 47 Consider motion to adopt **RESOLUTION** accepting paving improvements at Casey's General Store-SE Corporate Woods Drive and SE Convenience Blvd.

- **Capital Improvement Projects**

CA - 48 **Flashing Beacon & RRFB Installations**: Consider motion to approve: a) Certificate of Completion; b) **RESOLUTION** accepting the public improvement with Iowa Signal, Inc. in the amount of $56,080.00; and c) Final Payment #1 in the amount of $53,276.00; and Retainage Payment in the amount of $2,804.00.

CA - 49 **SW Des Moines Street Parks Phase 1**: Consider motion to approve: a) Certificate of Completion; b) **RESOLUTION** accepting the public improvements with JAS Construction, LLC, in the amount of $338,198.44; c) Change Order #3 decreasing the contract amount $13,555.75; d) Final Payment #2 in the amount of $92,645.23 / Release of Retainage in the amount of $16,909.92.

- **Administrative Items**

CA - 50 Consider motion to approve certification to the Treasurer of State the population of the Hope Kimberley, LLC annexed territory as determined by the last certified

federal census of said territory.

- **Approval of Consent Agenda Items**

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

Action# E1-1. Consider motion to approve the recommendations for Consent Agenda Items CA-1 through CA-50.

F. SUPPLEMENTAL AND REMOVED CONSENT AGENDA ITEMS: none

G. RECESS - Mark Holm, Mayor

H. LEGISLATIVE BUSINESS:

- **Boards/Commissions Appointments:**

1. Consider Mayor Appointments to Boards and Commissions.

Action# H1-1. Consider motion approving Mayor appointments to Board and Commission Members as presented.

- **Approval of Ordinances:**

1. Ord 2127 An Ordinance vacating a portion of a Public Storm Sewer Easement located on Lot 1, John Deere Place Plat 4 (PH: 2022-72)

Action# H1-1. Consider motion to accept first consideration of ORDINANCE 2127.

2. Ord 2128 An Ordinance vacating a portion of a Public Ingress/Egress Easement located on Lot 1, John Deere Place Plat 4 (PH: 2022-73)

Action# H2-1. Consider motion to accept first consideration of ORDINANCE 2128.

3. Ord 2129 An Ordinance amending the code of ordinances of the City of Ankeny, Iowa, by modifying provisions pertaining to liquor license and wine and beer permits.

Action# H3-1. Consider motion to accept first consideration of ORDINANCE 2129.

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Proposed voluntary non-urbanized annexation of certain territory located adjacent to the northeast quadrant of Ankeny requested by DRA Properties, LC. (PH 2022-74)

Action# J1-1. Consider motion to receive and file correspondence received from Scott and Suzanne Campbell, dated November 9, 2022.

Action# J1-2. Consider motion to receive and file the September 26, 2022 Consultation Meeting Report.

Action# J1-3. Consider motion to adopt RESOLUTION annexing certain territory located adjacent to the northeast quadrant of Ankeny requested by DRA Properties, LC.

2. Proposed 2023-2027 Capital Improvement Program (PH 2022-75)

Action# J2-1. Consider motion to adopt RESOLUTION approving the 2023-2027 Capital Improvement Program.

3. Proposed NW 18th Street Reconstruction - NW Ash Drive to N Ankeny Boulevard (PH 2022-76)

Action# J3-1. Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract. estimate of cost $4,988,357.25 and enhancement of payment; 2) receive and file report of bids received December 13, 2022; 3) adopt RESOLUTION making award of construction contract with Elder Corporation in the amount of $4,355,000.00; and 4) adopt RESOLUTION approving contract and bonds with Elder Corporation in the amount of $4,355,000.00.

4. Proposed NE Crestmoor Sanitary Sewer Replacement (PH 2022-77)

Action# J4-1. Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost $452,474.00; 2) receive and file report of bids received December 13, 2022; 3) adopt RESOLUTION making award of construction contract with Absolute Concrete Construction in the amount of $402,605.00; and 4) adopt RESOLUTION approving contract and bonds with Absolute Concrete Construction in the amount of $402,605.00.

5. Proposed 2023 State Legislative Priorities

Action# J5-1.
Consider motion to adopt RESOLUTION establishing the City of Ankeny's 2023 State Legislative Priorities.

6. SW State Street Reconstruction - Southbound Lanes
Initiate Proceedings

Action# J6-1. Consider motion to adopt RESOLUTION ordering construction on the SW State Street Reconstruction - Southbound Lanes project and fixing a date for hearing thereon and taking of bids therefor. (date of bid opening: 1/10/23 @ 10:30 A.M. / date of hearing: 1/17/23 @ 5:30 P.M.)

K. ADMINISTRATIVE BUSINESS:

- **Report of the City Staff:**

  City Manager
  City Attorney

- **Report of the Governing Body:**

  Mayor

  City Council Members:
  Council Member Bentz
  Council Member Perry
  Council Member Ruddy

Council Member Shafer
Council Member Stearns

- **Future Council Agenda Items:**

  - ***Public Hearing - SRF Loan - 1/3/23 @ 5:30 p.m.***
  - ***Public Hearing - NE Delaware Ave Reconstruction - NE 5th St to 700 feet north of NE 18th St - 1/3/23 @ 5:30 p.m.***
  - ***Public Hearing - SW State St Reconstruction - Southbound Lanes - 1/17/23 @ 5:30 p.m.***

L. ADJOURNMENT

1. Adjournment