

MINUTES OF THE ANKENY CITY COUNCIL

Monday, December 18, 2023 5:30 p.m.

Ankeny Kirkendall Library - City Council Chambers

Mark Holm, Mayor

Bobbi Bentz, Mayor Pro tem

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

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

CEREMONY

1. The Oath of Office was administered by Mayor Mark Holm to Council Members Bobbi Bentz and Todd Shafer.

APPROVAL OF AGENDA

1. Council Member Bentz moved, Stearns seconded, to approve and accept the December 18, 2023 agenda without amendment. Ayes: 4.

PUBLIC HEARING

1. PH 2023-66. Mayor Holm announced this is the time and place for a public hearing on the matter of the adoption of plans, specifications, form of contract and estimate of cost for construction of certain public improvements described in general as construction of the 2024 PCC Reconstruction Program – NW Ash Drive project. Notice of this hearing was published in the Des Moines Register on the 1st day of December, 2023.

Mark Mueller, Public Works Director, reported that the project includes pavement reconstruction, widening for a left turn lane, and minor utility improvements along NW Ash Drive from just south of the Prairie Ridge Sports Complex parking lot to just south of NW 18th Street in the City of Ankeny.

Mayor Holm then asked for any public comment regarding the proposed project. Hearing no comments, Council Member Stearns moved, Bentz seconded, to close public hearing 2023-66. Ayes: 4.

2. PH 2023-67. Mayor Holm announced this is the time and place for a public hearing on the proposed 2024-2028 Capital Improvement Program. A notice of hearing was published in the Des Moines Register on December 8, 2023.

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 2024-2028, the capital improvement program totals \$244,866,000. Of this total, 50.70% is identified for transportation projects, 30.25% for municipal utilities (water, sewer and storm water) projects, 13.33% for municipal buildings, 3.53% for park facilities, 1.17% for sidewalks/trails and 1.02% for operating/construction equipment.

Mayor Holm then asked for any public comment regarding the proposed 2024-2028 Capital Improvement Program. Hearing no comments, Council Member Shafer moved, Stearns

seconded, to close public hearing 2023-67. Ayes: 4.

APPROVAL OF CONSENT AGENDA

Minutes

1. Official council actions of the regular meeting of December 4, 2023, as published.
2. Receive and file minutes of the Plan and Zoning Commission meeting of November 21, 2023.
3. Receive and file minutes of the Zoning Board of Adjustment meeting of November 7, 2023.

Licenses and Permits

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

Finance/Budget

5. Receive and file Financial Reports for November 2023.
6. Receive and file Building Permit Report for November 2023.
7. Receive and file Utility Billing Report for November 2023.
8. Change Order #1 increasing the contract amount by \$11,484.00 to Absolute Concrete Construction, for construction services on the Oralabor Gateway Trail - SW State Street Underpass and SW Oralabor Road and SW State Street Intersection Improvements project.
9. Change Order #4 increasing the contract amount by \$137.90 to Elder Corporation, for construction services on the NE Delaware Avenue Reconstruction - NE 5th Street to Fourmile Creek project.
10. Amendment No. 5 to the Professional Services Agreement increasing the contract amount by \$59,500.00 with Foth Infrastructure and Environment, LLC for additional construction engineering services on the West First Street Widening and Improvements - Phase 1 project.
11. Amendment No. 1 to the Professional Services Agreement increasing the contract amount by \$528,787.00 with HDR Engineering, Inc. (HDR), for construction services on the NW Elevated Water Storage Tank Project.
12. Payment #5 in the amount of \$345,787.70 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.
13. Payment #1 in the amount of \$53,934.59 to Alpha Landscapes, for construction services on the NW 36th Street Widening - NW Ash Dr to N Ankeny Blvd: Landscape Improvements project.
14. Payment #4 in the amount of \$7,875.00 to Bolton & Menk, Inc., for engineering services on the SE Corporate Woods Drive & Crosswinds Drive Traffic Signalization project.
15. Payment #7 in the amount of \$1,151.00 to Civil Design Advantage, for engineering services on the Otter Creek Trunk Sewer Extension - Phase 4 project.
16. Payment #8 in the amount of \$45,495.56 to Civil Design Advantage for engineering services on the NW 36th Street and NW Weigel Drive HMA Resurfacing project.
17. Payment #4 in the amount of \$27,950.00 to DIXON Engineering, Inc., for engineering services on the Delaware Ground Storage Reservoir Rehabilitation project.
18. Payment #8 in the amount of \$903,093.19 to Elder Corporation, for construction services on the NE Delaware Avenue Reconstruction - NE 5th Street to Fourmile Creek project.
19. Payment #7 in the amount of \$167,132.87 to Granite Excavating for construction services on the S. Ankeny Blvd Transmission Blvd project.
20. Payment #9 in the amount of \$459.75 to HR Green, Inc., for engineering services on the NW Irvinedale Drive & NW 18th Street Intersection Improvements project.
21. Payment #13 in the amount of \$27,985.75 to HR Green, Inc., for construction engineering services on the Oralabor Gateway Trail-SW State Street Underpass and SW Oralabor Road and SW State Street Safety Improvements project.

22. Payment #5 in the amount of \$45,885.00 to J&K Contracting, for construction services on the North Four Mile Creek Trunk Sewer project.
23. Payment #8 in the amount of \$10,635.50 to JEO Consulting Group, Inc., for engineering services on the Transportation Master Plan.
24. Payment #13 in the amount of \$9,627.34 to Kirkham Michael and Associates, for engineering services on the Westwinds Storm Sewer Extension Project - SW Westwinds Drive.
25. Payment #7 in the amount of \$13,585.00 to On Track Construction, LLC for construction services on the NW Northlawn Area Utility Improvements - Phase 2.
26. Payment #6 in the amount of \$8,768.28 to Romtech Companies, for construction services on the restroom facility at Midway Park.
27. #35 in the amount of \$7,687.00 to Shive Hattery for construction administration services associated with the Ankeny Senior Community Center project.
28. Payment #12 in the amount of \$32,972.60 to Synergy Contracting, LLC, for construction services on the HTT Water Transmission Main & Drainage Improvements project.
29. Payment #8 in the amount of \$47,803.20 to SVPA Architects Inc. for design services associated with the Ankeny Fire Station No. 4 project.
30. December 18, 2023 Accounts Payable by fund: General \$213,968.57; Hotel Motel Tax \$444,743.38 Road Use Tax \$42,772.69; Tax Increment Financing \$44,649.00; Police/Fire Pension \$1,184.00; Debt service \$1,800.00; Library Foundation \$142.87; Solid Waste \$105,700.28; Water \$962,489.99; Water Sinking \$550.00; Sewer \$621,241.90; Storm Water \$18,489.35; Golf Course \$15,394.74; Enterprise Project \$341,649.00; Revolving \$59,548.14; Risk Management \$49,368.51; Health Insurance \$216.00; Capital Projects \$1,690,932.94; Payroll Totals \$1,462,402.36; Transfers/ACH (\$207,568.90); Agenda Payments Approved Separately (\$1,965,329.67); Grand Total \$3,904,345.15.
31. **RESOLUTION 2023-462** naming depositories for the City of Ankeny.

Community Development

32. **RESOLUTION 2023-463** accepting final plat and platted easements for Heritage Commercial at Prairie Trail Plat 1.
33. **RESOLUTION 2023-464** to allow Lot 9, Parkway North at Prairie Trail Plat 2, driveway access onto SW Des Moines Street, by removing note 12 from the Parkway North at Prairie Trail Plat 2 final plat.

Engineering

34. Receive and file the 2023 Pavement Management Study and Master Plan as completed by Snyder & Associates, Inc.
35. **RESOLUTION 2023-465** authorizing the City of Ankeny to submit an application for Federal Surface Transportation Block Grant Set-Aside Program 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.
36. **RESOLUTION 2023-466** authorizing the execution of an Urban-State Traffic Engineering Program (U-STEP) funding agreement between the Iowa Department of Transportation (DOT) and the City of Ankeny, Iowa, for the sharing of construction costs for the proposed SW Oralabor Road and SW Edgewood Lane Intersection Improvements project.
37. **RESOLUTION 2023-467** authorizing the execution of a Cooperative Agreement for Primary Road Project funding between the Iowa Department of Transportation (DOT) and the City of Ankeny, Iowa, for the sharing of construction costs for the proposed SW Oralabor Road and SW Edgewood Lane Intersection Improvements project.
38. **RESOLUTION 2023-468** 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 NE 18th Street Bridge

Over Interstate 35 project and further approving the application which obligates the City of Ankeny to matching funds for the construction of said project.

39. **RESOLUTION 2023-469** accepting public improvements for utilities in Copeland Commercial.
40. **RESOLUTION 2023-470** accepting public improvements for utilities, paving, and subgrade prep for Kum & Go (965 SE Corporate Woods Drive).

Capital Improvement Projects

41. **2023 PCC Reconstruction Program - SE 8th Street:** a) Final Change Order #1 decreasing the contract amount by \$9,572.50; b) Certificate of Completion; c) **RESOLUTION 2023-471** accepting the public improvements with All Star Concrete, LLC in the amount of \$632,528.50; and d) Final Payment #5 in the amount of \$660.12 / Release of Retainage in the amount of \$31,626.43.
42. **2023 City-Wide Surface Restoration:** a) Final Change Order #1 increasing the contract amount in the amount of \$8,000.00; b) Certificate of Completion; c) **RESOLUTION 2023-472** accepting the public improvement with Absolute Group in the amount of \$105,767.00; and d) Final Payment #1 in the amount of \$100,478.65 / Release of Retainage in the amount of \$5,288.35.
43. **West First Street Widening and Improvements - Phase 1:** a) Final Change Order #6 decreasing the contract amount by \$85,291.66; b) Certificate of Completion; c) **RESOLUTION 2023-473** accepting the public improvements with Reilly Construction Co., Inc. in the amount of \$5,136,290.09; and d) Final Payment #20 in the amount of \$39,446.79 and Release of Retainage in the amount of \$30,000.00.
44. **RESOLUTION 2023-474** ordering construction on the 2024 PCC Reconstruction Program - NW Westwood Street project and fixing a date for hearing thereon and taking of bids therefor. (date of bid opening: 01/09/24 @ 10:30 A.M. / date of hrg: 01/16/24 @ 5:30 P.M.)

Administrative Items

45. Set public hearing on an Amendment of Current City Budget for Fiscal Year July 1, 2023 - June 30, 2024 and direct City Clerk to publish notice of such hearing (date of hrg: 01/02/24 @ 5:30 p.m.).
46. Authorize the Ankeny Police Department to enter into an agreement with agencies throughout the Des Moines / Polk County metropolitan area to establish common understandings of responsibility and define the purpose, policy, and procedures for Polk County Iowa Metropolitan OW I Blood Draw Policy.
47. Approve the fuel supply services contract with Key Cooperative of Roland, Iowa, and authorize the Mayor to sign Letter of Agreement.
48. **RESOLUTION 2023-475** authorizing the approval and acceptance of a warranty deed from TJL Investments, LLC and DNF, LLC for land associated with the development of Fire Station No. 4.

Approval of Consent Agenda Items

1. Council Member Stearns moved, second by Shafer, to approve the recommendations for Consent Agenda Items CA-1 through CA-48, removing item CA-11 Amendment No. 1 to the PSA with HDR Engineering, Inc., for construction services on the NW Elevated Water Storage Tank Project. Ayes: Stearns, Shafer, Bentz, Ruddy.

LEGISLATIVE BUSINESS

Boards/Commissions Appointments

1. Council Member Stearns moved, Ruddy seconded, to approve Mayoral appointments to Board and Commission Members as presented. Ayes: Stearns, Ruddy, Bentz, Shafer.

NEW BUSINESS

1. Proposed 2024 PCC Reconstruction Program - NW Ash Drive (PH 2023-66) Council Member Stearns moved, Shafer seconded, to adopt 1) **RESOLUTION 2023-476** adopting plans, specifications, form of contract and estimate of cost \$820,005.25; 2) receive and file report of bids received December 12, 2023; 3) adopt **RESOLUTION 2023-477** making award of construction contract with Concrete Technologies, Inc. in the amount of \$677,902.66; and 4) adopt **RESOLUTION 2023-478** approving contract and bonds with Concrete Technologies, Inc. in the amount of \$677,902.66. Ayes: Stearns, Shafer, Bentz, Ruddy.
2. Proposed 2024-2028 Capital Improvement Program (PH 2023-67). Council Member Shafer moved, Stearns seconded, to adopt **RESOLUTION 2023-479** approving the 2024-2028 Capital Improvement Program. Ayes: Shafer, Stearns, Bentz, Ruddy.

ADJOURNMENT

1. Meeting was adjourned at 5:50 p.m.

Michelle Yuska, City Clerk

Mark E. Holm, Mayor

Published in the Des Moines Register on 12/29/23.