ANKENY CITY COUNCIL

Regular Meeting

Monday, December 5, 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

---

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=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 5, 2022 Agenda

Action# B1-1. Consider motion to approve and accept the December 5, 2022 agenda, with/without amendment.

C. PUBLIC HEARING(S):

1. PH 2022-71 Proposed NW Northlawn Area Utility Improvements - Phase 2

Action# C1-1. Consider motion to close Public Hearing 2022-71

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 November 21, 2022, as published, subject to correction, as recommended by the City Clerk.

CA - 2 Receive and file minutes of the Human Rights Commission meeting of September 22, 2022

CA - 3 Receive and file minutes of the Plan and Zoning Commission meeting of November 8, 2022.

CA - 4 Receive and file minutes of the Zoning Board of Adjustment meeting of November 8, 2022.

CA - 5 Receive and file minutes of the Library Board of Trustee meeting of October 20, 2022.

- **Licenses and Permits**

CA - 6 Consider motion to approve cigarette/tobacco/nicotine/vapor permit(s) in the City of Ankeny.

CA - 7 Consider motion to approve the issuance of liquor license(s) and/or beer / wine permit(s) in the City of Ankeny.

- **Finance/Budget**

CA - 8 Consider motion to approve Payment #29 in the amount of $51,439.19 to Foth Infrastructure and Environment, LLC for engineering services on the West First Street Widening and Improvements - Phase 1 project.

CA - 9 Consider motion to approve Payment #19 in the amount of $26,208.18 to FOX Strand, for engineering services on the Ankeny ASR project.

CA - 10 Consider motion to approve Payment #27 in the amount of $960.70 to Shive Hattery for development services on the Ankeny Senior Community Center.

CA - 11 Consider motion to approve Payment #17 in the amount of $3,841.50 to Snyder & Associates, Inc., for engineering services on the 2021 Pavement Management Study and Master Plan project.

CA - 12 Consider motion to approve Payment #9 in the amount of $3,028.50 to Snyder & Associates, Inc., for engineering services on the Cherry Glen Ballfield Development project.

CA - 13 Consider motion to approve Payment #21 in the amount of $12,849.25 to Snyder & Associates, Inc., for engineering services on the HTT Transmission Main and Drainage Improvements project.

CA - 14 Consider motion to approve Payment #22 in the amount of $3,215.25 to Snyder & Associates, Inc., for engineering services on the N Ankeny Blvd Landscape Improvements project.

CA - 15 Consider motion to approve Payment #16 in the amount of $5,433.50 to Snyder & Associates, Inc., for engineering services on the NE Delaware Ave Recon - NE 5th St to NE 18th St project.

CA - 16 Consider motion to approve Payment #19 in the amount of $2,561.50 to Snyder & Associates, Inc., for engineering services on the NW 36th St and NW State St Interim Improvements project.

CA - 17 Consider motion to approve Payment #24 in the amount of $20,405.13 to Snyder & Associates, Inc., for engineering services on the NW 36th St Widening - NW Ash Dr to N Ankeny Blvd project.

CA - 18 Consider motion to approve Payment #25 in the amount of $941.50 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements - Phase 1 project.

CA - 19 Consider motion to approve Payment #8 in the amount of $7,683.89 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements - Phase 2 project.

CA - 20 Consider motion to approve Payment #35 in the amount of $11,868.00 to Snyder & Associates, Inc., for engineering services on the SE Crosswinds Drive - RISE project.

CA - 21 Consider motion to approve the December 5, 2022 Accounts Payable. (Finance Committee: J. Ruddy, Chp, T. Shafer, K. Stearns)

CA - 22 Consider motion to adopt **RESOLUTION** authorizing the additional cost for the purchase of plow components and the build of a tandem axle snow plow truck for the Public Works Department.

- **Personnel Items - none**

- **Community Development Items**

CA - 23 Consider motion to adopt **RESOLUTION** providing for the notice and hearing of the City Council of the City of Ankeny, Iowa, to consider a request to vacate a portion of a Public Storm Sewer Easement located on Lot 1, John Deere Place Plat 4 (date of hrg: 12/19/22 @ 5:30 pm)

CA - 24 Consider motion to adopt **RESOLUTION** providing for the notice and hearing of the City Council of the City of Ankeny, Iowa, to consider a request to vacate a portion of a Public Ingress/Egress Easement, located on Lot 1, John Deere Place Plat 4 (date of hrg: 12/19/22 @ 5:30 pm)

- **Engineering Items**

CA - 25 Consider motion to adopt a **RESOLUTION** accepting a purchase agreement and approving documents for the acquisition of temporary construction easement for the NW 18th Street Reconstruction - NW Ash Drive to N Ankeny Boulevard project in

Ankeny, Iowa. (D&M Associates, LLC)

CA - 26 Consider motion to adopt a **RESOLUTION** accepting a purchase agreement and approving documents for the acquisition of temporary construction easement for the NW 18th Street Reconstruction - NW Ash Drive to N Ankeny Boulevard project in Ankeny, Iowa. (Sean and Shelby Shafer)

CA - 27 Consider motion to adopt a **RESOLUTION** accepting a purchase agreement and approving documents for the acquisition of temporary construction easement for the NW 18th Street Reconstruction - NW Ash Drive to N Ankeny Boulevard project in Ankeny, Iowa. (Pranati Vaddadi and Yasasvy Nanyam)

CA - 28 Consider motion to adopt **RESOLUTION** accepting public improvements in Kimberley Estates Plat 2 Sanitary Trunk Sewer.

- **Capital Improvement Projects - none**

- **Administrative Items**

CA - 29 Consider motion to adopt **RESOLUTION** setting a time and place for a public hearing on the proposed five-year Capital Improvement Program (CIP) for the years 2023 through 2027 (date of hrg: 12/19/22 @ 5:30 p.m.).

CA - 30 Consider motion to approve 2023 Parks & Recreation Department fees.

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-30.

Action# E1-1. Consider motion to approve the recommendations for Consent Agenda Items CA-1 through CA-30.

F. SUPPLEMENTAL AND REMOVED CONSENT AGENDA ITEMS: none

G. RECESS - Mark Holm, Mayor

H. LEGISLATIVE BUSINESS:

- **Boards/Commissions Appointments:**

1. Mayor's annual appointments of council and staff to serve on various committees and boards for 2023.

Action# H1-1. Consider motion to adopt RESOLUTION appointing council and staff to serve on various committees and boards for 2023.

Action# H1-2.
Consider motion to adopt RESOLUTION appointing a member and alternate member to the Polk County 911 Service Board.

Action# H1-3.
Consider motion to adopt RESOLUTION appointing representatives to the Des Moines Area MPO Committee.

- **Approval of Ordinances:**

1. Ord 2125 An Ordinance amending the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, to rezone certain property owned by Hardship

Land LLC from R-1, One-Family Residence District, to R-3 Multiple-Family Residence District restricted to 10 units per acre.

Action# H1-1. Consider motion to accept third consideration of ORDINANCE 2125, sending it on its final passage and publication as required by law.

2. Ord 2126 An Ordinance amending the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, by rezoning certain real estate owned by Hope K. Farms, LLC.

Action# H2-1. Consider motion to accept third consideration of ORDINANCE 2126, sending it on its final passage and publication as required by law.

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Proposed NW Northlawn Area Utility Improvements - Phase 2 (PH 2022-71)

Action# J1-1. Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract, estimate of cost $1,694,000.00 and enhancement of payment; 2) receive and file report of bids received November 29, 2022; 3) adopt RESOLUTION making award of construction contract with On-Track Construction, LLC in the amount of $2,027,500.00; and 4) adopt RESOLUTION approving contract and bonds with On-Track Construction, LLC in the amount of $2,027,500.00.

2. Proposed NE Delaware Avenue Reconstruction - NE 5th Street to 700 feet North of NE 18th Street
Initiate Proceedings

Action# J2-1. Consider motion to adopt RESOLUTION ordering construction on the NE Delaware Avenue - NE 5th Street to 700 feet North of NE 18th Street project, and fixing a date for hearing thereon and taking of bids therefor. (date of bid letting: 12/20/22 @ 10:00 A.M. / date of hrg: 1/3/23 @ 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 - NW 18th St Reconstruction - NW Ash Dr to N Ankeny Blvd - 12/19/22 @ 5:30 p.m.***
- ***Public Hearing - NE Crestmoor Sanitary Sewer Replacement - 12/19/22 @ 5:30 p.m.***
- ***Public Hearing - Annexation - DRA Properties, LC - 12/19/22 @ 5:30 p.m.***
- ***Public Hearing - CIP 2023-2027 - 12/19/22 @ 5:30 p.m.***
- ***Public Hearing - vacate - Storm Sewer Easement - John Deere Place Plat 4 - 12/19/22 @ 5:30 p.m.***
- ***Public Hearing - vacate - Ingress/Egress Easement - John Deere Place Plat 4 - 12/19/22 @ 5:30 p.m.***
- ***Public Hearing - SRF Loan - 1/3/23***
- ***Public Hearing - NE Delaware Ave Reconstruction - NE 5th St to 700 feet north of NE 18th St - 1/3/23 @ 5:30 p.m.***

L. ADJOURNMENT

1. Adjournment

Council Action Planning Session will commence following adjournment of regular meeting.