

MINUTES OF THE ANKENY CITY COUNCIL

Monday, December 5, 2022 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, Jeff Perry, Joe Ruddy, Todd Shafer, and Kelly Stearns were in attendance. City Manager David Jones and City Attorney Amy Beattie were also present. Mayor Holm led in the Pledge of Allegiance.

APPROVAL OF AGENDA

1. Council Member Bentz moved, Stearns seconded, to approve and accept the December 5, 2022 agenda as presented. Ayes: 5.

PUBLIC HEARING

1. PH 2022-71. 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, estimate of cost and enhancement of payment for construction of certain public improvements described in general as construction of the NW Northlawn Area Utility Improvements – Phase 2. Notice of this hearing was published in the Des Moines Register on the 18th day of November, 2022

Mark Mueller, Public Works Director, reported the NW Northlawn Area Utility Improvements – Phase 2 project includes the replacement of PCC street pavement, sanitary sewer, water main, and storm sewer located on NW Scott Street from NW 2nd Street to approximately 600 feet north of NW 4th Street in the Northlawn neighborhood in the City of Ankeny.

Mayor Holm then asked for any public comment regarding the proposed project. Hearing no comments, Council Member Shafer moved, Stearns seconded, to close public hearing 2022-71. Ayes: 5.

APPROVAL OF CONSENT AGENDA

Minutes

1. Official council actions of the regular meeting of November 21, 2022, as published.
2. Receive and file minutes of the Human Rights Commission meeting of September 22, 2022.
3. Receive and file minutes of the Plan and Zoning Commission meeting of November 8, 2022.
4. Receive and file minutes of the Zoning Board of Adjustment meeting of November 8, 2022.
5. Receive and file minutes of the Library Board of Trustee meeting of October 20, 2022.

Licenses and Permits

6. Issuance of cigarette/tobacco/nicotine/vapor permit(s) in the City of Ankeny.
7. Issuance of liquor licenses and/or beer/wine permits in the City of Ankeny.

Finance/Budget

8. Payment #29, \$51,439.19 to Foth Infrastructure and Environment, LLC for engineering services on the West First Street Widening and Improvements - Phase 1 project.
9. Payment #19, \$26,208.18 to FOX Strand, for engineering services on the Ankeny ASR project.

10. Payment #27, \$960.70 to Shive Hattery for development services on the Ankeny Senior Community Center.
11. Payment #17, \$3,841.50 to Snyder & Associates, Inc., for engineering services on the 2021 Pavement Management Study and Master Plan project.
12. Payment #9, \$3,028.50 to Snyder & Associates, Inc., for engineering services on the Cherry Glen Ballfield Development project.
13. Payment #21, \$12,849.25 to Snyder & Associates, Inc., for engineering services on the HTT Transmission Main and Drainage Improvements project.
14. Payment #22, \$3,215.25 to Snyder & Associates, Inc., for engineering services on the N Ankeny Blvd Landscape Improvements project.
15. Payment #16, \$5,433.50 to Snyder & Associates, Inc., for engineering services on the NE Delaware Ave Recon - NE 5th St to NE 18th St project.
16. Payment #19, \$2,561.50 to Snyder & Associates, Inc., for engineering services on the NW 36th St and NW State St Interim Improvements project.
17. Payment #24, \$20,405.13 to Snyder & Associates, Inc., for engineering services on the NW 36th St Widening - NW Ash Dr to N Ankeny Blvd project.
18. Payment #25, \$941.50 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements - Phase 1 project.
19. Payment #8, \$7,683.89 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements - Phase 2 project.
20. Payment #35, \$11,868.00 to Snyder & Associates, Inc., for engineering services on the SE Crosswinds Drive – RISE project.
21. December 5, 2022 Accounts Payable by fund: General 225,831; Hotel Motel Tax 1,341; Road Use Tax 197,866; Seizure 711; Tax Increment Financing 114,007; Debt Service 2,442,030; Library Foundation 1,358; Solid Waste 97,473; Water 79,956; Water Sinking 251,480; Sewer 6,632; Storm Water 4,029; Golf Course 9,155; Enterprise Project 124,881; Revolving 30,387; Risk Management 17,203; Health Insurance 9,150; Capital Projects 167,916; Payroll Totals 1,768,540; Transfers/ACH (195,040); Agenda Payments approved separately (150,436); Grand Total \$ 5,204,470.
22. **RESOLUTION 2022-536** 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.

Community Development

23. **RESOLUTION 2022-537** 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)
24. **RESOLUTION 2022-538** 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

25. **RESOLUTION 2022-539** 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)
26. **RESOLUTION 2022-540** 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)
27. **RESOLUTION 2022-541** 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)

28. **RESOLUTION 2022-542** accepting public improvements in Kimberley Estates Plat 2 Sanitary Trunk Sewer.

Administrative

29. **RESOLUTION 2022-543** 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.).
30. Approve 2023 Parks & Recreation Department fees.

Approval of Consent Agenda Items

1. Council Member Bentz moved, second by Shafer, to approve the recommendations for Consent Agenda Items CA-1 through CA-30. Ayes: Bentz, Shafer, Perry, Ruddy, Stearns.

LEGISLATIVE BUSINESS

Boards and Commissions

1. Council Member Ruddy moved, Bentz seconded, to adopt **RESOLUTION 2022-544** appointing council and staff to serve on various committees and boards for 2023. Ayes: Ruddy, Bentz, Perry, Shafer, Stearns.
2. Council Member Stearns moved, Ruddy seconded, to adopt **RESOLUTION 2022-545** appointing a member and alternate member to the Polk County 911 Service Board. Ayes: Stearns, Ruddy, Bentz, Perry, Shafer.
3. Council Member Bentz moved, Stearns seconded, to adopt **RESOLUTION 2022-546** appointing representatives to the Des Moines Area MPO Committee. Ayes: Bentz, Stearns, Perry, Ruddy, Shafer.

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. Council Member Ruddy moved, Stearns seconded, to accept third consideration of Ordinance 2125, sending it on its final passage and publication as required by law. Ayes: Ruddy, Stearns, Bentz, Perry, Shafer.
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. Council Member Stearns moved, Ruddy seconded, to accept third consideration of Ordinance 2126, sending it on its final passage and publication as required by law. Ayes: Stearns, Ruddy, Bentz, Perry, Shafer.

NEW BUSINESS

1. NW Northlawn Area Utility Improvements - Phase 2 (PH 2022-71). Council Member Ruddy moved, Stearns seconded, to adopt 1) **RESOLUTION 2022-547** 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 2022-548** making award of construction contract with On-Track Construction, LLC in the amount of \$2,027,500.00; and 4) adopt **RESOLUTION 2022-549** approving contract and bonds with On-Track Construction, LLC in the amount of \$2,027,500.00. Ayes: Ruddy, Stearns, Bentz, Perry, Shafer.

2. NE Delaware Avenue Reconstruction - NE 5th Street to 700 feet North of NE 18th Street Initiate Proceedings. Council Member Bentz moved, Stearns seconded, to adopt 1) **RESOLUTION 2022-550** 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.) Ayes: Bentz, Stearns, Perry, Ruddy, Shafer.

ADMINISTRATIVE BUSINESS

Report of City Staff

David Jones, City Manager, acknowledged Fire Chief Clack and thanked him for his years of service. Jones congratulated Chief Clack on his upcoming retirement.

ADJOURNMENT

1. Meeting was adjourned at 5:58 p.m.

Michelle Yuska, City Clerk

Mark Holm, Mayor

Published in the Des Moines Register on 12/16/22.