



ANKENY CITY COUNCIL

Regular Meeting

Monday, December 4, 2023

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=OEFocWZGS0NYUmtnVHNxcWZFak9Pd09>

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 4, 2023 Agenda

Action# B1-1. Consider motion to approve and accept the December 4, 2023 agenda, with or without amendment.

C. PUBLIC HEARING(S):

1. PH 2023-63 Proposed North Four Mile Creek Trunk Sewer - Phase 2 Project

Action# C1-1. Consider motion to close Public Hearing 2023-63.

2. PH 2023-64 Proposed Amendment to Telecommunications & Grounds Space Lease Agreement

Action# C2-1. Consider motion to close Public Hearing 2023-64.

3. PH 2023-65 Proposed Issuance of Not to Exceed \$11,295,000 Water Revenue Capital Loan Notes

Action# C3-1. Consider motion to close Public Hearing 2023-65.

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 20, 2023, 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 7, 2023.

CA - 3 Receive and file minutes of the Library Board of Trustee meeting of October 19, 2023.

- **Licenses and Permits**

CA - 4 Consider motion to approve the issuance of liquor licenses and/or beer/wine permits in the City of Ankeny.

- **Finance/Budget**

CA - 5 Consider motion to approve Amendment No. 1 to the Professional Services Agreement increasing the contract amount by \$53,900.00 with Snyder & Associates, Inc. for construction engineering and property acquisition services associated with the SE Delaware Avenue & SE 54th Street Traffic Signal.

CA - 6 Consider motion to approve Payment #1 in the amount of \$123,636.45 to Ace Pipe Cleaning, Inc., for construction services on the Southern Interceptor Inspection project.

CA - 7 Consider motion to approve Payment #31 in the amount of \$2,766.00 to FOX

Strand, for engineering services on the Ankeny ASR project.

- CA - 8** Consider motion to approve Payment #7 in the amount of \$17,500.00 to FOX Strand, for engineering services on the NE 36th Street & NE 38th Street Water Main Loop project.
- CA - 9** Consider motion to approve Payment #12 in the amount of \$26,000.65 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.
- CA - 10** Consider motion to approve Payment #7 in the amount of \$4,823.75 to JEO Consulting Group, Inc., for engineering services on the Transportation Master Plan.
- CA - 11** Consider motion to approve Payment #2 in the amount of \$15,053.50 to Nilles Associates, Inc., for engineering services on the Vintage Business Park North Lake and Saylor Creek Repairs project.
- CA - 12** Consider motion to approve Payment #16 in the amount of \$43,223.44 to Short Elliott Hendrickson Inc., for engineering services on the S Ankeny Blvd Transmission Main project.
- CA - 13** Consider motion to approve Payment #31 in the amount of \$997.50 to Snyder & Associates, Inc., for engineering services on the High Trestle Trail Ext Magazine Rd to Oralabor Rd project.
- CA - 14** Consider motion to approve Payment #33 in the amount of \$8,492.66 to Snyder & Associates, Inc., for engineering services on the HTT Transmission Main and Drainage Improvements project.
- CA - 15** Consider motion to approve Payment #2 in the amount of \$40,757.61 to Snyder & Associates, for engineering services on the N Ankeny Blvd Improvements 1st Street to 11th Street project.
- CA - 16** Consider motion to approve Payment #32 in the amount of \$51,000.00 to Snyder & Associates, Inc., for engineering services on the NW 36th St Widening - NW Ash Dr to N Ankeny Blvd project.
- CA - 17** Consider motion to approve Payment #28 in the amount of \$26,456.79 to Snyder & Associates, Inc., for engineering services on the NE Delaware Ave Recon - NE 5th St to NE 18th St project.
- CA - 18** Consider motion to approve Payment #6 in the amount of \$5,541.66 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements - Phase 3 project.
- CA - 19** Consider motion to approve Payment #7 in the amount of \$3,304.81 to Snyder & Associates, for engineering services on the SE Delaware Ave and SE 54th St Traffic Signal project.
- CA - 20** Consider motion to approve Payment #8 in the amount of \$13,585.92 to Snyder & Associates, for engineering services on the SE Oralabor Rd & SE Creekview Dr Traffic Signal Replacement project.
- CA - 21** Consider motion to approve Payment #7 in the amount of \$35,944.74 to Snyder & Associates, for engineering services on the S Ankeny Blvd Improvements SE Peterson Dr to 1st St project.
- CA - 22** Consider motion to approve the December 4, 2023 Accounts Payable.

- **Personnel Items - none**
- **Community Development Items - none**

- **Engineering Items**

- CA - 23** Consider motion to adopt **RESOLUTION** accepting public improvements for utilities in Reserve at The Grove Plat 1.
- CA - 24** Consider motion to adopt **RESOLUTION** accepting public improvements for paving in Reserve at The Grove Plat 1.
- CA - 25** Consider motion to adopt **RESOLUTION** accepting public improvements for subgrade prep. in Reserve at The Grove Plat 1.
- CA - 26** Consider motion to adopt **RESOLUTION** accepting public improvements in 36th Street Centre Plat 1 for sanitary sewer and water main.
- CA - 27** Consider motion to adopt **RESOLUTION** accepting public improvements in 36th Street Centre Plat 1 for paving & subgrade.

- **Capital Improvement Projects**

- CA - 28** **SW State Street Reconstruction - Southbound Lanes:** Consider motion to approve: a) Final Change Order #1 decreasing the contract amount by \$28,170.00; b) Certificate of Completion; c) **RESOLUTION** accepting the public improvements with Alliance Construction Group, LLC in the amount of \$1,379,423.05; and d) Final Payment #4 in the amount of \$59,147.00 / Release of Retainage in the amount of \$68,971.15.
- CA - 29** **SE Quadrant Fiber Optic Upgrade:** Consider motion to approve: a) Certificate of Completion; b) **RESOLUTION** accepting the public improvement with Electric Conduit Construction Company in the amount of \$81,508.16; and c) Retainage Payment in the amount of \$825.41.

- **Administrative Items**

- CA - 30** Consider motion to adopt **RESOLUTION** approving a 28E Agreement between the City of Ankeny and the Iowa Department of Revenue ("IDR") for a tobacco, Alternative Nicotine and Vapor Product Enforcement Program in the City of Ankeny.
- CA - 31** Consider motion to adopt **RESOLUTION** setting a time and place for a public hearing on the proposed 2024-2028 Capital Improvement Program (date of hrg: 12/18/23 @ 5:30 p.m.).

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-31

Action# E1-1. Consider motion to approve the recommendations for Consent Agenda Items CA-1 through CA-31.

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 2024.

Action# H1-1. Consider motion to adopt RESOLUTION appointing council and staff to serve on various committees and boards for 2024.

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 Committees.

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Proposed North Four Mile Creek Trunk Sewer - Phase 2 (PH 2023-63)

Action# J1-1. Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$1,932,905.00; 2) receive and file report of bids received November 28, 2023; 3) adopt RESOLUTION making award of construction contract with Rognes Corporation in the amount of \$2,076,232.00; and 4) adopt RESOLUTION approving contract and bonds with Rognes Corporation in the amount of \$2,076,232.00.

2. Proposed Amendment to Telecommunications & Grounds Space Lease Agreement (PH 2023-64)

Action# J2-1. Consider motion to adopt RESOLUTION approving Amendment to Telecommunications & Grounds Space Lease by the City of Ankeny and Cell Tower Lease Amendment with NCWPCS MPL 30 - Year Sites Tower Holding LLC, by and through CCATT LLC.

3. Proposed Issuance of Not to Exceed \$11,295,000 Water Revenue Capital Loan Notes (PH 2023-65)

Action# J3-1. Consider motion to adopt RESOLUTION instituting proceedings to take additional action for the authorization of a Loan and Disbursement Agreement and the issuance of not to exceed \$11,295,000 Water Revenue Capital Loan Notes.

Action# J3-2. Consider motion to adopt RESOLUTION approving and authorizing a form of Loan and Disbursement Agreement by and between the City of Ankeny and the Iowa Finance Authority, and authorizing and providing for the issuance and securing the payment of \$11,103,000 Water Revenue Capital Loan Notes, Series 2023D, of the City of Ankeny, State of Iowa, under the provisions of the Code of Iowa, and providing for a method of payment of the Notes; approval of Tax Exemption Certificate.

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 - 2024 PCC Reconstruction - NW Ash Drive - 12/18/23 @ 5:30 p.m.***
- ***Public Hearing - 2024-2028 Capital Improvement Program - 12/18/23 @ 5:30 p.m.***
- ***Council Action Planning Session - 12/18/23 @ 5:30 p.m.***
- ***Regular City Council Meeting - 1/2/24 @ 5:30 p.m.***

L. ADJOURNMENT

1. Adjournment

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