ANKENY CITY COUNCIL

Regular Meeting

Monday, November 6, 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

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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 November 6, 2023 Agenda

Action# B1-1. Consider motion to approve and accept the November 6, 2023 agenda, with or without amendment.

C. PUBLIC HEARING(S):

1. PH 2023-58 Proposed 80/20 Voluntary Urbanized Annexation of certain territory located adjacent to the northeast quadrant of Ankeny and requested by Hope Kimberley, LLC, BK Linnemeyer Trust, Brian K. and Kelli K. Linnemeyer, Richard R. and Stacey Martin, A. Byron Gustafson, Northstar, LTD., and Gene C. Hildreth, Jr. (Hope Kimberley 2.0)

Action# C1-1. Consider motion to close Public Hearing 2023-58.

2. PH 2023-59 Proposed SE Delaware Avenue & SE 54th Street Traffic Signal

Action# C2-1. Consider motion to close Public Hearing 2023-59.

D. REPORTS OF ADVISORY BOARDS AND COMMISSION:

1. Library Board of Trustees - Gene Lucht

E. APPROVAL OF CONSENT AGENDA:

- **Minutes**

CA - 1 Approval of official council actions of the regular meeting of October 16, 2023, 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 28, 2023.

CA - 3 Receive and file minutes of the Park Board meeting of August 28, 2023.

CA - 4 Receive and file minutes of the Library Board of Trustee meeting of September 21, 2023.

- **Licenses and Permits**

CA - 5 Consider motion to approve the issuance of a special permit to David A. Yount for the purpose of bow hunting of deer for the hunting season effective October 1, 2023 on private property within the city limits pursuant to Municipal Code Section 41.11(3).

CA - 6 Consider motion to approve the issuance of liquor licenses and beer/wine permits in the City of Ankeny.

- **Finance/Budget**

CA - 7 Consider motion to approve Amendment #3 to the Professional Services Agreement increasing the contract amount by $10,500.00 with Snyder & Associates, Inc. for construction engineering services on the N Ankeny Boulevard Fiber Optic Upgrade

phase of the N Ankeny Boulevard Landscape Improvements.

CA - 8 Consider motion to approve Payment #4 in the amount of $68,356.52 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.

CA - 9 Consider motion to approve Payment #7 in the amount of $3,839.00 to Bolton & Menk, Inc., for engineering services on the NW Prairie Ridge Dr/Ash Drive/9th Street Concept Study project.

CA - 10 Consider motion to approve Payment #3 in the amount of $7,264.50 to Bolton & Menk, Inc., for engineering services on the SE Corporate Woods Drive & Crosswinds Drive Traffic Signalization project.

CA - 11 Consider motion to approve Payment #3 in the amount of $4,050.00 to DIXON Engineering, Inc., for engineering services on the Delaware Ground Storage Reservoir Rehabilitation project.

CA - 12 Consider motion to approve Payment #1 in the amount of $8,946.00 to Foth Infrastructure and Environment, LLC for engineering services on the North Four Mile Trunk Sewer - Phase 2 project.

CA - 13 Consider motion to approve Payment #18 in the amount of $9,245.40 to Foth Infrastructure and Environment, LLC for engineering services on the North Four Mile Creek Trunk Sewer project.

CA - 14 Consider motion to approve Payment #7 in the amount of $72,962.10 to Foth Infrastructure and Environment, LLC for engineering services on the NW State Street Extension project.

CA - 15 Consider motion to approve Payment #30 in the amount of $2,574.00 to FOX Strand, for engineering services on the Ankeny ASR project.

CA - 16 Consider motion to approve Payment #6 in the amount of $36,237.50 to FOX Strand, for engineering services on the NE 36th Street & NE 38th Street Water Main Loop project.

CA - 17 Consider motion to approve Payment #7 in the amount of $7,029.50 to HR Green, Inc., for engineering services on the NW Irvinedale Drive & NW 18th Street Intersection Improvements project.

CA - 18 Consider motion to approve Payment #11 in the amount of $74,065.26 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 - 19 Consider motion to approve Payment #25 in the amount of $1,761.25 to JEO Consulting Group, Inc. for construction engineering services on the SE 3rd Street Utility Improvements Phase 1 project.

CA - 20 Consider motion to approve Payment #13 in the amount of $1,453.75 to JEO Consulting Group, Inc., for engineering services on the SE 3rd Street Improvements - Phase 2 project.

CA - 21 Consider motion to approve Payment #14 in the amount of $4,806.30 to McClure Engineering Company, for construction engineering services on the SW State Street Reconstruction - Southbound Lanes project.

CA - 22 Consider motion to approve Payment #8 in the amount of $3,503.00 to MSA Professional Services, Inc., for engineering services on the Uptown Parking Improvements project.

CA - 23 Consider motion to approve Payment #2 in the amount of $46,421.62 to Olsson, Inc., for engineering services on the Fiber Optic Network Upgrade project.

CA - 24 Consider motion to approve Payment #34 in the amount of $881.00 to Shive Hattery for construction administration services associated with the Ankeny Senior Community Center project.

CA - 25 Consider motion to approve Payment #15 in the amount of $30,627.26 to Short Elliott Hendrickson Inc., for engineering services on the S Ankeny Blvd Transmission Main project.

CA - 26 Consider motion to approve Payment #32 in the amount of $13,307.82 to Snyder & Associates, Inc., for engineering services on the HTT Transmission Main and Drainage Improvements project.

CA - 27 Consider motion to approve Payment #1 in the amount of $76,679.45 to Snyder & Associates, for engineering services on the N Ankeny Blvd Improvements 1st Street to 11th Street project.

CA - 28 Consider motion to approve Payment #27 in the amount of $61,524.42 to Snyder & Associates, Inc., for engineering services on the NE Delaware Ave Recon - NE 5th St to NE 18th St project.

CA - 29 Consider motion to approve Payment #18 in the amount of $1,579.55 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements - Phase 2 project.

CA - 30 Consider motion to approve Payment #5 in the amount of $8,366.20 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements - Phase 3 project.

CA - 31 Consider motion to approve Payment #6 in the amount of $60,080.29 to Snyder & Associates, for engineering services on the S Ankeny Blvd Improvements SE Peterson Dr to 1st St project.

CA - 32 Consider motion to approve Payment #44 in the amount of $2,639.25 to Snyder & Associates, Inc., for engineering services on the SE Crosswinds Drive - RISE project.

CA - 33 Consider motion to approve Payment #6 in the amount of $6,292.28 to Snyder & Associates, for engineering services on the SE Delaware Ave and SE 54th St Traffic Signal project.

CA - 34 Consider motion to approve Payment #7 in the amount of $11,282.09 to Snyder & Associates, for engineering services on the SE Oralabor Rd & SE Creekview Dr Traffic Signal Replacement project.

CA - 35 Consider motion to approve Payment #11 in the amount of $41,857.34 to Synergy Contracting, LLC, for construction services on the HTT Water Transmission Main & Drainage Improvements project.

CA - 36 Consider motion to approve the November 6, 2023 Accounts Payable.

CA - 37 Consider motion to adopt **RESOLUTION** declaring an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the City for certain original expenditures paid in connection with specified projects.

CA - 38 Consider motion to adopt **RESOLUTION** naming depositories for the City of Ankeny.

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

CA - 39 Consider motion to adopt **RESOLUTION** accepting final plat, warranty deed to streets, platted easements, sewer connection fee, and authorizing cost-participation for sidewalk oversizing and truncated domes for Centennial Ridge Plat 3.

- **Engineering Items**

CA - 40 Consider motion to adopt a **RESOLUTION** authorizing the purchase of combination traffic signal/ lighting pole assemblies from Millerbernd Manufacturing Company, in the amount of $73,031.00, for contractor installation with the SE Delaware Avenue & SE 54th Street Traffic Signal.

CA - 41 Consider motion to adopt **RESOLUTION** accepting maintenance bond for water main, sanitary sewer, and storm sewer in Centennial Ridge Plat 3.

CA - 42 Consider motion to adopt **RESOLUTION** accepting maintenance bond for paving in Centennial Ridge Plat 3.

CA - 43 Consider motion to adopt **RESOLUTION** accepting maintenance bond for subgrade in Centennial Ridge Plat 3.

CA - 44 Consider motion to adopt **RESOLUTION** accepting public improvements in Park Sight Office Park at Prairie Trail Plat 4 for utilities.

- **Capital Improvement Projects**

CA - 45 Consider motion to adopt **RESOLUTION** approving construction contract and bond with CB&I Storage Tank Solutions, LLC, in the amount of $9,751,758.59 for the NW Irvinedale Drive - Elevated Water Storage Tank project.

CA - 46 **N Ankeny Boulevard Fiber Optic Upgrade**: Consider motion to approve: a) Certificate of Completion; b) **RESOLUTION** accepting the public improvement with Communication Data Link in the amount of $161,073.50; and c) Final Payment #3 in the amount of $651.84; and Retainage Payment in the amount of $4,026.84.

CA - 47 Consider motion to adopt **RESOLUTION** ordering construction on the North Four Mile Creek Trunk Sewer - Phase 2 project and fixing a date for hearing thereon and taking of bids therefor. (date of bid opening: 11/28/23 @ 10:30 a.m./date of hrg: 12/4/23 @ 5:30 p.m.)

- **Administrative Items**

CA - 48 Consider motion to approve certification to the Treasurer of State the population of the Hope K Farms, LLC annexed territory as determined by the last certified federal census of said territory.

CA - 49 Consider motion to approve 2024 Parks & Recreation Department fees.

CA - 50 Consider motion to approve a Master Service Agreement with NextRequest for a public records request management software and authorize the Mayor to sign Agreement.

CA - 51 Consider motion to adopt **RESOLUTION** fixing date for a public hearing on the proposition to authorize a Master Services and Purchasing Agreement payable from the General Fund in the principal amount of not to exceed $200,000 for personal property for use by the City, and providing for publication of notice thereof (date of hrg: 11/20/23 @ 5:30 p.m.).

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-51

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

CA-1 through CA-51.

F. SUPPLEMENTAL AND REMOVED CONSENT AGENDA ITEMS: none

G. RECESS - Mark Holm, Mayor

H. LEGISLATIVE BUSINESS:

- **Approval of Ordinances:**

1. Ord 2158 An Ordinance vacating a drainage easement on Lot 1 of Aspen Ridge Commercial Plat 3.

Action# H1-1. Consider motion to accept third consideration of ORDINANCE 2158, sending it on its final passage and publication as required by law.

Action# H1-2. Consider motion to adopt RESOLUTION authorizing the sale of property vacated by the City of Ankeny, Iowa, to Mike Murphy, Murphy Commercial Properties, LLC.

2. Ord 2159 An Ordinance creating Chapter 49 of the Code of Ordinances of the City of Ankeny, Iowa, by creating provisions pertaining to camping within city limits.

Action# H2-1. Consider motion to accept third consideration of ORDINANCE 2159, sending it on its final passage and publication as required by law.

3. Ord 2160 An Ordinance Amending Ordinance Nos. 1039, 1189, 1423, 1446, 1741, 1943, 1947, 1965, 2038, and 2072, and providing that general property taxes shall no longer be divided on certain property located within the Amended 1989 Ankeny Economic Development Urban Renewal Area, in City of Ankeny, County of Polk, State of Iowa (Removing "Amendment No. 1 Area", "Amendment No. 2 Area", and "Amendment No. 3 Area" from division of taxes only)

Action# H3-1. Consider motion to accept first consideration of ORDINANCE 2160.

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Proposed 80/20 Voluntary Urbanized Annexation of certain territory located adjacent to the northeast quadrant of Ankeny requested by Hope Kimberley, LLC, BK Linnemeyer Trust, Brian K. and Kelli K. Linnemeyer, Richard R. and Stacey Martin, A. Byron Gustafson, Northstar, LTD., and Gene C. Hildreth, Jr. (Hope Kimberley 2.0) (PH 2023-58)

Action# J1-1. Consider motion to receive and file correspondence.

Action# J1-2. Consider motion to adopt RESOLUTION annexing certain territory located adjacent to the northeast quadrant of Ankeny requested by Hope Kimberley, LLC, BK Linnemeyer Trust, Brian K. and Kelli K. Linnemeyer, Richard R. and Stacey Martin, A. Byron Gustafson, Northstar, LTD., and Gene C. Hildreth, Jr. (Hope Kimberley 2.0).

2. Proposed SE Delaware Avenue and SE 54th Street Traffic Signal (PH 2023-59)

Action# J2-1. Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost $625,446.00; 2) receive and file report of bids received October 31, 2023; 3) adopt RESOLUTION making award of construction contract with

Jasper Construction Services in the amount of $436,109.00; and 4) adopt RESOLUTION approving contract and bonds with Jasper Construction Services in the amount of $436,109.00.

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 Northlawn Area Utility Improvements - Phase 3 - 11/20/23 @ 5:30 p.m.***
  - ***Public Hearing - Annexation - Legacy Housby, LLC - 11/20/23 @ 5:30 p.m.***
  - ***Public Hearing - Not to Exceed $200,000 Master Services & Purchasing Agreement - 11/20/23 @ 5:30 p.m.***
  - ***Public Hearing - North Four Mile Creek Trunk Sewer - Phase 2 - 12/4/23 @ 5:30 p.m.***

L. ADJOURNMENT

1. Adjournment

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