ANKENY CITY COUNCIL

Regular Meeting

Monday, October 17, 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 Whiting

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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 October 17, 2022 Agenda

Action# B1-1. Consider motion to approve and accept the October 17, 2022 agenda, with/without amendment.

C. PUBLIC HEARING(S):

1. PH 2022-62 Proposed NW Weigel Drive Water Connection District 2

Action# C1-1. Consider motion to close Public Hearing 2022-62.

2. PH 2022-63 Proposed amendment to the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, by rezoning certain real estate owned by DRA Properties, LC from R-1 to M-1, Light Industrial District.

Action# C2-1. Consider motion to close Public Hearing 2022-63.

3. PH 2022-64 Proposed vacation of a portion of City owned right-of-way located in Part of Lot B, Prairie Trail Park Plat 1, east of SW School Street at the SW 18th Street intersection.

Action# C3-1. Consider MOTION to close Public Hearing 2022-64.

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 October 3, 2022, 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 September 20, 2022.

CA - 3 Receive and file minutes of the Civil Service Commission meeting of August 8, 2022.

- **Licenses and Permits**

CA - 4 Consider motion to approve the issuance of liquor license(s) and/or beer / wine permit(s) in the City of Ankeny.

- **Finance/Budget**

CA - 5 Consider motion to receive and file Financial Reports for September 2022.

CA - 6 Consider motion to receive and file Building Permit Report for September 2022.

CA - 7 Consider motion to receive and file Utility Billing Report for September 2022.

CA - 8 Consider motion to approve Amendment No. 1 to the Professional Services Agreement increasing the contract amount by $11,500.00 with Foth Infrastructure and Environment, LLC (Foth), for additional design services on the North Four Mile

Creek Trunk Sewer Project.

CA - 9 Consider motion to approve Change Order #2 increasing the contract amount by $2,220.00 to Absolute Concrete Construction, Inc., for construction services on the NW 36th Street Widening - NW Ash Drive to N Ankeny Boulevard project.

CA - 10 Consider motion to approve Change Order #2 decreasing the contract amount by $13,837.20 to Iowa Civil Contracting, Inc., for construction services on the 2022 PCC Street Patching Program project.

CA - 11 Consider motion to approve Change Order #4, increasing the contract amount by $0.00 to RedBud LLC for native vegetation maintenance as part of the 2022 Native Vegetation Maintenance project.

CA - 12 Consider motion to approve Change Order #4 increasing the contract amount by $19,301.00 to Reilly Construction Co., Inc., for construction services on the West First St Widening & Improvements-Phase 1 project.

CA - 13 Consider motion to approve Payment #6 in the amount of $546,415.68 to Absolute Concrete Construction, Inc., for construction services on the NW 36th Street Widening - NW Ash Drive to N Ankeny Boulevard project.

CA - 14 Consider motion to approve Payment #5 in the amount of $55,354.09 to Absolute Concrete Construction, Inc. for construction services on the SE 3rd Street Utility Improvements - Phase 1 project.

CA - 15 Consider motion to approve Payment #5 in the amount of $13,143.00 to Foth Infrastructure and Environment, LLC for engineering services on the North Four Mile Creek Trunk Sewer project.

CA - 16 Consider motion to approve Payment #1 in the amount of $111,456.85 to Grimes Asphalt and Paving Corporation, for construction services on the SE Delaware Ave HMA Widening project.

CA - 17 Consider motion to approve Payment #4 in the amount of $73,920.00 to HDR Engineering, Inc., for engineering services on the NW Irvinedale Elevated Storage Tank project.

CA - 18 Consider motion to approve Payment #5 in the amount of $65,290.75 to HR Green, Inc., for 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 #2 in the amount of $80,157.06 (for invoice #2-080206) to Hydro-Klean, LLC for construction services on the 2022 CIPP Lining project.

CA - 20 Consider motion to approve Payment #2 in the amount of $116,007.32 to Iowa Civil Contracting, Inc., for construction services on the 2022 PCC Pavement Preservation Program project.

CA - 21 Consider motion to approve Payment #4 in the amount of $12,172.54 to Iowa Civil Contracting, Inc., for construction services on the 2022 PCC Street Patching Program project.

CA - 22 Consider motion to approve Payment #1 in the amount of $95,665.00 to Iowa Signal, Inc., for construction services on the SE Delaware Ave Fiber Optic Connection project.

CA - 23 Consider motion to approve Payment #24 in the amount of $6,036.98 to Kirkham Michael & Associates, Inc., for engineering services on the NE Four Mile Drive RCB Culvert for Deer Creek project.

CA - 24 Consider motion to approve Payment #7 in the amount of $38,657.50 to McClure Engineering Company, for engineering services on the NW 18th Street Reconstruction - NW Ash Dr. to N Ankeny Blvd. (Design) project.

CA - 25 Consider motion to approve Payment #3 in the amount of $23,008.75 to McClure Engineering Company, for engineering services on the SW State Street Reconstruction - Southbound Lanes project.

CA - 26 Consider motion to approve Payment #6 in the amount of $7,989.25 to RDG Planning & Design for engineering services on the Fourmile Creek and Tributary to Fourmile Creek Restoration project.

CA - 27 Consider motion to approve Payment #5 in the amount of $5,036.52 to RedBud LLC for work on the 2022 Native Vegetation Maintenance project.

CA - 28 Consider motion to approve Payment #15 in the amount of $294,391.33. to Reilly Construction Company Inc., for construction services on the West First Street Widening and Improvements - Phase 1 project.

CA - 29 Consider motion to approve Payment #1 in the amount of $140,449.90 to Splash Pool & Spa Builders, LLC, for construction services on the 2022 Prairie Ridge Aquatic Center - Resurfacing Project.

CA - 30 Consider motion to approve Payment #6 in the amount of $53,602.95 to Sternquist Construction, for construction services on the SE Crosswinds Drive RISE - Phase 2 project.

CA - 31 Consider motion to approve the October 17, 2022 Accounts Payable. (Finance Committee: T. Shafer, Chp, K. Whiting, B. Bentz)

- **Personnel Items**

CA - 32 Consider motion to accept the Civil Service Commission certified lists for appointment to Equipment Operator-Public Works Department and Police Officer-Police Department, subject to passing any further departmental requirements.

- **Community Development Items**

CA - 33 Consider motion to adopt **RESOLUTION** accepting a Storm Water Management Facility Maintenance Covenant and Permanent Easement Agreement, located on Lot D, Cherry Glen Estates Plat 6; and associated with the development of 5325 NW 8th Street, Cherry Glen Ballpark Development Project site plan.

CA - 34 Consider motion to adopt **RESOLUTION** providing for the notice and hearing of the City Council of the City of Ankeny, Iowa regarding the voluntary non-urbanized annexation of certain territory located adjacent to the northeast quadrant of Ankeny requested by DRA Properties, LC. (date of hrg: 11/21/22 @ 5:30 p.m.)

CA - 35 Consider motion to adopt **RESOLUTION** providing for the notice and hearing of the City Council of the City of Ankeny, Iowa, to consider the voluntary urbanized annexation of certain territory owned by NGR, Inc. (date of hrg: 11/21/22 @ 5:30 p.m.)

CA - 36 Consider motion to approve the Christian Juon Estates Plat 3 Preliminary Plat, subject to applicable Polk County Subdivision Requirements in lieu of City of Ankeny Subdivision Regulations.

CA - 37 Consider motion to adopt **RESOLUTION** authorizing cost participation for the extension of eight-foot sidewalk; and accepting platted easements located on Lot 65, The Grove Plat 3, and associated with the development of 5001 NW 18th Street, Ankeny Elementary #12.

CA - 38 Consider motion to adopt **RESOLUTION** authorizing the Mayor to sign a

development agreement by and between the City of Ankeny, Iowa, and the Ankeny Community School District for the installation of a potential future traffic signal at the intersection of NW 18th Street and NW Spruce Drive, and associated with the development of 5001 NW 18th Street, Ankeny Elementary #12.

CA - 39 Consider motion to adopt **RESOLUTION** approving plans and specifications, contracts, and performance and maintenance bonds for the construction of street paving in The Grove Plat 3, and associated with the development of 5001 NW 18th Street, Ankeny Elementary #12.

CA - 40 Consider motion to adopt **RESOLUTION** approving plans and specifications, contracts, and performance and maintenance bonds for the construction of subgrade in The Grove Plat 3, and associated with the development of 5001 NW 18th Street, Ankeny Elementary #12.

CA - 41 Consider motion to adopt **RESOLUTION** providing for the notice and hearing of the City Council of the City of Ankeny, Iowa, to rezone certain property owned by Hope K. Farms, LLC located south of NW 54th Street and east of NW Irvinedale Drive. (date of hrg: 11/7/22 @ 5:30 p.m.)

CA - 42 Consider motion to adopt **RESOLUTION** providing for the notice and hearing of the City Council of the City of Ankeny, Iowa, to rezone certain property owned by Hardship Land LLC., and located north of NW 18th Street and east of NW Weigel Drive. (date of hrg: 11/7/22 @ 5:30 p.m.)

CA - 43 Consider motion to adopt **RESOLUTION** accepting Storm Water Management Facility Maintenance Covenant and Permanent Easement Agreement, located on Outlot Z, 4 Mile Drive Industrial Park Plat 1 and associated with the development of the Purefoods-West Office Addition Site Plan at 3210 SE Corporate Woods Drive.

- **Engineering Items**

CA - 44 Consider motion to adopt **RESOLUTION** accepting maintenance bond for water main and sanitary sewer in First Street Commons Plat 2.

CA - 45 Consider motion to adopt **RESOLUTION** accepting public improvements in Ankeny Market Village for utilities (sanitary sewer).

CA - 46 Consider motion to adopt **RESOLUTION** accepting public improvements in Greystones at Prairie Trail Plat 1 for utilities.

CA - 47 Consider motion to adopt **RESOLUTION** accepting public improvements in Grove Landing Plat 1 for utilities.

CA - 48 Consider motion to adopt **RESOLUTION** accepting public improvements in Grove Landing Plat 1, for paving.

CA - 49 Consider motion to adopt **RESOLUTION** accepting public improvements in Grove Landing Plat 2 for utilities.

CA - 50 Consider motion to adopt **RESOLUTION** accepting public improvements in Grove Landing Plat 2, for paving.

CA - 51 Consider motion to adopt **RESOLUTION** accepting public improvements in Grove Landing Plat 3 for utilities.

CA - 52 Consider motion to adopt **RESOLUTION** accepting public improvements in Grove Landing Plat 3, for paving.

- **Capital Improvement Projects**

CA - 53 **2022 PCC Reconstruction Program - SE Peachtree Drive**: Consider motion to approve: a) Final Change Order #1 increasing the contract amount by $4,950.00;

b) Certificate of Completion; c) **RESOLUTION** accepting the public improvement with Con-Struct, Inc. in the amount of $810,505.00; and d) Final Payment #5 in the amount of $6,583.50; and Retainage Payment in the amount of $40,525.25.

CA - 54 **SW Oralabor Road & SW Irvinedale Drive Interim Signal Modifications**: Consider motion to approve: a) Certificate of Completion; b) **RESOLUTION** accepting the public improvement with Iowa Signal, Inc. in the amount of $27,581.50; and c) Final Payment #1 in the amount of $26,202.42; and Retainage Payment in the amount of $1,379.08.

CA - 55 **Northwest Elementary School Traffic Signal Replacement**: Consider motion to approve: a) Final Change Order #1 increasing the contract amount by $1,190.00; b) Certificate of Completion; c) **RESOLUTION** accepting the public improvement with Iowa Signal, Inc. in the amount of $54,420.00; and d) Final Payment #1 in the amount of $51,699.00; and Retainage Payment in the amount of $2,721.00.

CA - 56 **2022 PCC Reconstruction Program - NW 5th Street Project**: Consider motion to approve: a) Final Change Order #3 increasing the contract amount by $5,183.38; b) Certificate of Completion; c) **RESOLUTION** accepting the public improvement with Absolute Concrete Construction in the amount of $697,313.88; and d) Final Payment #4 in the amount of $43,009.06; and Retainage Payment in the amount of $34,865.70.

CA - 57 **NW 36th Street and NW Weigel Drive Water Main**: Consider motion to approve: a) Certificate of Completion; b) **RESOLUTION** accepting the public improvements with On Track Construction, LLC in the amount of $1,319,476.89.00; c) Change Order #3 for ($3,885.00); d) Final Payment #6 in the amount of $2,636.25 / Release of Retainage in the amount of $65,973.84.

- **Administrative Items**

CA - 58 Consider motion to adopt **RESOLUTION** approving construction contract and bond with Synergy Contracting, LLC of Des Moines, Iowa, in the amount of $5,778,405.00 for the HTT Water Transmission Main & Drainage Improvements project.

CA - 59 Consider motion to approve Medical Director Contract effective January 1, 2023 through December 31, 2024.

CA - 60 Consider motion to adopt **RESOLUTION** approving the City of Urbandale as a member of the Metropolitan Sister Cities Commission.

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-60

Action# E1-1. Consider motion to approve the recommendations for Consent Agenda Items CA-1 through CA-60

F. SUPPLEMENTAL AND REMOVED CONSENT AGENDA ITEMS: none

G. RECESS - Mark Holm, Mayor

H. LEGISLATIVE BUSINESS:

- **Approval of Ordinances:**

1. Ord 2122 An Ordinance amending Chapter 94.05 of the Municipal Code of the City of Ankeny, Water Connection Districts Established. (PH 2022-62)

Action# H1-1. Consider motion to accept first consideration of ORDINANCE 2122.

2. Ord 2123 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 DRA Properties, LC. (PH 2022-63)

Action# H2-1. Consider motion to accept first consideration of ORDINANCE 2123.

3. Ord 2124 An Ordinance vacating a portion of City owned right-of-way located in Part of Lot B, Prairie Trail Park Plat 1, east of SW School Street at the SW 18th Street intersection. (PH 2022-64)

Action# H3-1. Consider motion to accept first consideration of ORDINANCE 2124.

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Final plat and schedule for levying assessments for Nuisance Abatement.

Action# J1-1. Consider RESOLUTION approving final plat and schedule for levying assessments for Nuisance Abatement.

2. Proposed Cherry Glen Ballfield Development
Initiate Proceedings

Action# J2-1. Consider motion to adopt RESOLUTION ordering construction on the Cherry Glen Ballfield Development project and fixing a date for hearing thereon and taking of bids therefor. (date of bid-letting: 11/15/22 @ 10:30 a.m./date of hrg: 11/21/22 @ 5:30 p.m.)

3. Ankeny Strategic Plan 2022 Amendment

Action# J3-1. Consider motion to adopt Ankeny Strategic Plan 2022 Amendment

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 Whiting

- **Future Council Agenda Items:**

- ***Public Hearing - Hope Crest rezoning - 11/7/22 @ 5:30 p.m.***
- ***Public Hearing - Hardship Land, LLC rezoning - 11/7/22 @ 5:30 p.m.***
- ***Regular Council Meeting - 11/21/22 @ 5:30 p.m.***
- ***Public Hearing - DRA Properties, LC annexation - 11/21/22 @ 5:30 p.m.***
- ***Public Hearing - NGR Four Mile Dr annexation - 11/21/22 @ 5:30 p.m.***
- ***Public Hearing - Cherry Glen Ballfield Development - 11/21/22 @ 5:30 p.m.***

L. ADJOURNMENT

1. Adjournment