



ANKENY CITY COUNCIL

Regular Meeting

Monday, October 3, 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 3, 2022 Agenda

Action# B1-1. Consider motion to approve and accept the October 3, 2022 agenda, with/without amendment.

C. PUBLIC HEARING(S):

1. PH 2022-60 Proposed Rock Creek Greenbelt - Native Vegetation

Action# C1-1. Consider motion to close Public Hearing 2022-60.

2. PH 2022-61 High Trestle Trail Transmission Main and Drainage Improvements Project

Action# C2-1. Consider motion to close Public Hearing 2022-61.

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 September 19, 2022, as published, subject to correction, as recommended by the City Clerk.

CA - 2 Receive and file minutes of the Ankeny Cultural Arts Board meeting of May 9th, 2022.

CA - 3 Receive and file minutes of the Human Rights Commission meetings: June 23, 2022 and August 25, 2022.

CA - 4 Receive and file minutes of the Library Board of Trustee meeting of August 18, 2022.

CA - 5 Receive and file minutes of the Plan and Zoning Commission meeting of September 7, 2022.

- **Licenses and Permits**

CA - 6 Consider motion to approve cigarette/tobacco 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 Change Order #2 increasing the contract amount by \$4,468.75 to Absolute Concrete Construction, Inc., for construction services on the NE 36th Street Reconstruction - I-35 to NE Four Mile Drive project.

CA - 9 Consider motion to approve Change Order #1 increasing the contract by \$4,525.00 with Brothers Cleaning Corporation for construction services on the Rock Creek Greenway Trail Improvements project.

CA - 10 Consider motion to approve Change Order #2 increasing the contract by \$7,742.72 with JAS Construction, LLC, for construction services on the SW Des Moines

Street Parks Phase 1 project.

- CA - 11** Consider motion to approve Payment #7 in the amount of \$592,991.19 to Absolute Concrete Construction, Inc., for construction services on the NE 36th Street Reconstruction Project - I-35 to NE Four Mile Drive.
- CA - 12** Consider motion to approve Payment #1 in the amount of \$105,668.50 to Brothers Cleaning Corporation for construction services on the Rock Creek Greenway Trail Improvements project.
- CA - 13** Consider motion to approve Payment #29 in the amount of \$15,179.25 to Civil Design Advantage for engineering services on the NW 18th Street Extension - NW Weigel Drive to NW Spruce Drive project.
- CA - 14** Consider motion to approve Payment #27 in the amount of \$57,332.58 to Foth Infrastructure and Environment, LLC for engineering services on the West First Street Widening and Improvements - Phase 1 project.
- CA - 15** Consider motion to approve Payment #17 in the amount of \$37,939.97 to FOX Strand, for engineering services on the Ankeny ASR project.
- CA - 16** Consider motion to approve Payment #5 in the amount of \$293,065.50 to Gingerich Well & Pump Service, LLC, for construction services on the Well No. 7/ASR No. 3 - Bid Package 1 - Well Construction project.
- CA - 17** Consider motion to approve Payment #13 in the amount of \$68,305.36 to HR Green, Inc., for construction administration and construction inspection services on the NE 36th Street Reconstruction Project - I-35 to NE Four Mile Drive.
- CA - 18** Consider motion to approve Payment #2 in the amount of \$3,940.00 to HR Green, Inc., for engineering services on the SW State Street Fiber Optic Relocation project.
- CA - 19** Consider motion to approve Payment #4 in the amount of \$36,117.50 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 - 20** Consider motion to approve Payment #16 in the amount of \$30,227.50 to JEO Consulting Group, Inc. for engineering services on the SE 3rd Street Utility Improvements Phase 1 project.
- CA - 21** Consider motion to approve Payment #14 in the amount of \$8,886.25 to JEO Consulting Group, Inc., for engineering services on the SE Delaware Avenue HMA Widening project.
- CA - 22** Consider motion to approve Payment #3 in the amount of \$6,496.25 to JEO Consulting Group, Inc., for engineering services on the SE 3rd Street Improvements - Phase 2 project.
- CA - 23** Consider motion to approve Payment #1 in the amount of \$94,249.50 to Priority Excavating LLC, for construction services on the N Ankeny Blvd Water Main project.
- CA - 24** Consider motion to approve Payment #1 in the amount of \$37,281.04 to Redbud, LLC, for construction services on the Landscaping Improvements for High Trestle Extension project.
- CA - 25** Consider motion to approve Payment #5 in the amount of \$2,083.91 to Short Elliott Hendrickson Inc., for engineering services on the N Ankeny Blvd Water Main project.
- CA - 26** Consider motion to approve Payment #2 in the amount of \$13,894.08 to Short Elliott

- Hendrickson Inc., for engineering services on the S Ankeny Blvd Transmission Main project.
- CA - 27** Consider motion to approve Payment #7 in the amount of \$4,944.50 to Snyder & Associates, Inc., for engineering services on the Cherry Glen Ballfield Development Project.
- CA - 28** Consider motion to approve Payment #25 in the amount of \$2,336.69 to Snyder & Associates, Inc., for engineering services on the SE Delaware Ave and SE 8th St Widening and Traffic Signalization project.
- CA - 29** Consider motion to approve Payment #26 in the amount of \$6,297.63 to Snyder & Associates, Inc., for engineering services on the High Trestle Trail Ext Magazine Rd to Oralabor Rd project.
- CA - 30** Consider motion to approve Payment #23 in the amount of \$5,508.88 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements - Phase 1 project.
- CA - 31** Consider motion to approve Payment #18 in the amount of \$1,219.38 to Snyder & Associates, Inc., for engineering services on the NW 36th St and NW State St Interim Improvements project.
- CA - 32** Consider motion to approve Payment #22 in the amount of \$21,724.65 to Snyder & Associates, Inc., for engineering services on the NW 36th St Widening - NW Ash Dr to N Ankeny Blvd project.
- CA - 33** Consider motion to approve Payment #15 in the amount of \$2,877.55 to Snyder & Associates, Inc., for engineering services on the 2021 Pavement Management Study and Master Plan project.
- CA - 34** Consider motion to approve Payment #20 in the amount of \$4,863.63 to Snyder & Associates, Inc., for engineering services on the N Ankeny Blvd Landscape Improvements project.
- CA - 35** Consider motion to approve Payment #14 in the amount of \$48,325.63 to Snyder & Associates, Inc., for engineering services on the NE Delaware Ave Recon - NE 5th St to NE 18th St project.
- CA - 36** Consider motion to approve Payment #33 in the amount of \$14,160.89 to Snyder & Associates, Inc., for engineering services on the SE Crosswinds Drive - RISE project.
- CA - 37** Consider motion to approve Payment #19 in the amount of \$15,138.00 to Snyder & Associates, Inc., for engineering services on the HTT Transmission Main and Drainage Improvements project.
- CA - 38** Consider motion to approve the October 3, 2022 Accounts Payable. (Finance Committee: J. Ruddy Chp, T. Shafer, K. Whiting)
- CA - 39** Consider motion to adopt a **RESOLUTION** authorizing the purchase of traffic signal pole assemblies for installation with the NE Delaware Avenue Widening - NE 5th Street to 700 feet North of NE 18th Street.
- **Personnel Items - none**
 - **Community Development Items**
- CA - 40** Consider motion to adopt **RESOLUTION** accepting a Storm Water Management Facility Maintenance Covenant and Permanent Easement Agreement, located on Lot 5, Northview Centre Plat 2; and associated with the development of Lot 5 Northview Centre Plat 2 Site Plan.
- CA - 41** Consider motion to adopt **RESOLUTION** accepting Public Sanitary Sewer

Easements, associated with the development of Centennial Estates Plat 2.

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 DRA Properties, LC, located along the east side of SE Four Mile Drive and one-half mile south of SE Oralabor Road. (date of hrg: 10/17/22 @ 5:30 p.m.)

CA - 43 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 Public 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 within Heritage Park at Prairie Trail. (date of hrg: 10/17/22 @ 5:30 p.m.).

- **Engineering Items**

CA - 44 Consider a motion to adopt a **RESOLUTION** adopting a Footing Drain Disconnection and Sump Pump Discharge Connection Program Financial Assistance Grant Policy.

CA - 45 Consider motion to adopt a **RESOLUTION** accepting a purchase agreement and approving documents for the acquisition of permanent sidewalk easement and temporary construction easement for the NE Delaware Avenue Reconstruction - NE 5th Street to 700 feet North of NE 18th Street project in Ankeny, Iowa. (Ashbrooke HC5, LLC)

CA - 46 Consider motion to adopt a **RESOLUTION** accepting a purchase agreement and approving documents for the acquisition of temporary construction easement for the Oralabor Gateway Trail-SW State Street Grade Separated Crossing and SW Oralabor Road and SW State Street Safety Improvements project in Ankeny, Iowa. (TIC Properties, LLC)

CA - 47 Consider motion to adopt a **RESOLUTION** accepting a purchase agreement and approving documents for the acquisition of street right-of-way and temporary construction easement for the Oralabor Gateway Trail-SW State Street Grade Separated Crossing and SW Oralabor Road and SW State Street Safety Improvements project in Ankeny, Iowa. (Prairie Trail Property, Inc.)

- **Capital Improvement Projects - none**

- **Administrative Items**

CA - 48 Consider motion to adopt **RESOLUTION** ordering preparation of final plat and schedule of assessments for nuisance abatement within the City of Ankeny, Iowa.

CA - 49 Consider motion authorizing the City of Ankeny to enter into an agreement with Operation Underground Railroad (O.U.R.), providing the Ankeny Police Department an electronic storage detection (ESD) K9 and financial support for the operating costs related to the ESD K9.

CA - 50 Consider motion authorizing the City of Ankeny to amend contract with CivicPlus for the City of Ankeny website.

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-50

Action# E1-1. Consider motion to approve the recommendations for Consent Agenda Items CA-1 through CA-50

F. SUPPLEMENTAL AND REMOVED CONSENT AGENDA ITEMS: none

G. RECESS - Mark Holm, Mayor

H. LEGISLATIVE BUSINESS:

- **Approval of Ordinances:**

1. Ord 2121 An Ordinance amending the Municipal Code of the City of Ankeny, Iowa, by adding Chapter 103, Footing Drain Disconnection Program.

Action# H1-1. Consider motion to accept third consideration of ORDINANCE 2121, sending it on its final passage and publication as required by law.

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Proposed Rock Creek Greenbelt - Native Vegetation (PH 2022-60)

Action# J1-1. Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$215,400.00; 2) receive and file report of bids received September 27, 2022; 3) adopt RESOLUTION making award of construction contract with HGS, LLC in the amount of \$96,960.30; and 4) adopt RESOLUTION approving contract and bonds with HGS, LLC in the amount of \$96,960.30.

2. Proposed HTT Water Transmission Main & Drainage Improvements (PH 2022-61)

Action# J2-1. Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$4,654,285.00; 2) receive and file report of bids received September 27, 2022; 3) adopt RESOLUTION making award of construction contract with Synergy Contracting, LLC in the amount of \$5,778,405.00; and 4) adopt RESOLUTION approving contract and bonds with Synergy Contracting, LLC in the amount of \$5,778,405.00.

3. Proposed \$235,000 Water Revenue Capital Loan Notes Anticipation Project Note, Series 2022

Action# J3-1. Consider RESOLUTION approving and authorizing a form of Interim 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 \$235,000 Water Revenue Capital Loan Notes Anticipation Project Note, Series 2022, of the City of Ankeny, Iowa, under the provisions of the Code of Iowa, and providing for a method of payment of said Note.

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 - NW Weigel Dr Water Connection District 2 - 10/17/22 @ 5:30 p.m.***
- ***Public Hearing - rezone - DRA Properties, LC - 10/17/22 @ 5:30 p.m.***
- ***Public Hearing - vacate - ROW Heritage Park at Prairie Trail - 10/17/22 @ 5:30 p.m.***
- ***Council Action Planning Session - 10/17/22 @ 5:30 p.m.***
- ***Regular Council Meeting - 11/7/22 @ 5:30 p.m.***

L. ADJOURNMENT

1. Adjournment

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