

MINUTES OF THE ANKENY CITY COUNCIL

Monday, October 3, 2022, 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 Whiting

Mayor Mark Holm called the meeting to order at 5:30 p.m. Council Members Bobbi Bentz, Joe Ruddy, Todd Shafer, and Kelly Whiting were in attendance. Council Member Jeff Perry joined the meeting electronically. City Manager David Jones and City Attorney Matt O'Hollearn were also present. Mayor Holm led in the Pledge of Allegiance.

PUBLIC FORUM

1. Melisa Cox, Ankeny Area Chamber of Commerce, spoke about upcoming events.

APPROVAL OF AGENDA

1. Council Member Bentz moved, Shafer seconded, to approve and accept the October 3, 2022 agenda as presented. Ayes: 5.

PUBLIC HEARING

1. PH 2022-60. 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 and estimate of cost for construction of certain public improvements described in general as construction of the Rock Creek Greenbelt – Native Vegetation project. Notice of this hearing was published in the Des Moines Register on the 16th day of September, 2022.

Mike Schrock, Assistant City Manager, reported The Rock Creek Greenbelt – Native Vegetation project includes site preparation mowing, herbicide treatment, and dormant native vegetation seeding of 8 acres of public land located in the Rock Creek Greenbelt.

The project includes clearing and grubbing, removal and construction of sidewalk and shared use trail, temporary traffic control, vegetation maintenance, native planting signs, and miscellaneous associated work necessary to complete the project.

Mayor Holm then asked for any public comment regarding the proposed project. Hearing no comments, Council Member Ruddy moved, Whiting seconded, to close public hearing 2022-60. Ayes: 5.

2. PH 2022-61. 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 and estimate of cost for construction of certain public improvements described in general as construction of the HTT Water Transmission Main & Drainage project. Notice of this hearing was published in the Des Moines Register on the 16th day of September, 2022.

Don Clark, Municipal Utilities Director, reported The High Trestle Trail Transmission Main and Drainage Improvements project includes the installation of approximately 9,900 lineal feet of 24-inch diameter transmission main from the Ash Water Tower heading northwest along the High Trestle Trail (HTT) up to NW 18th Street and the west along NW 18th Street to NW Irvinedale Drive.

Mayor Holm then asked for any public comment regarding the proposed project. Wes Farrand, Snyder & Associates, Inc, provided information about the estimate. Council Member Whiting moved, Bentz seconded, to close public hearing 2022-61. Ayes: 5.

APPROVAL OF CONSENT AGENDA

Minutes

1. Official council actions of the regular meeting of September 19, 2022, as published.
2. Receive and file minutes of the Ankeny Cultural Arts Board meeting of May 9, 2022.
3. Receive and file minutes of the Human Rights Commission meetings: June 23, 2022 and August 25, 2022.
4. Receive and file minutes of the Library Board of Trustee meeting of August 18, 2022.
5. Receive and file minutes of the Plan and Zoning Commission meeting of September 7, 2022.

Licenses and Permits

6. Issuance of cigarette/tobacco 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. Change Order #2 increasing contract 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.
9. Change Order #1 increasing contract by \$4,525.00 with Brothers Cleaning Corporation for construction services on the Rock Creek Greenway Trail Improvements project.
10. Order #2 increasing contract by \$7,742.72 with JAS Construction, LLC, for construction services on the SW Des Moines Street Parks Phase 1 project.
11. Payment #7, \$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.
12. Payment #1, \$105,668.50 to Brothers Cleaning Corporation for construction services on the Rock Creek Greenway Trail Improvements project.
13. Payment #29, \$15,179.25 to Civil Design Advantage for engineering services on the NW 18th Street Extension – NW Weigel Drive to NW Spruce Drive project.
14. Payment #27, \$57,332.58 to Foth Infrastructure and Environment, LLC for engineering services on the West First Street Widening and Improvements - Phase 1 project.
15. Payment #17, \$37,939.97 to FOX Strand, for engineering services on the Ankeny ASR project.
16. Payment #5, \$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.
17. Payment #13, \$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.
18. Payment #2, \$3,940.00 to HR Green, Inc., for engineering services on the SW State Street Fiber Optic Relocation project.
19. Payment #4, \$36,117.50 to HR Green, Inc., for engineering services on the Oralabor Gateway Trail-SW State Street Underpass, SW Oralabor Road, SW State Street Safety Improvements project.
20. Payment #16, \$30,227.50 to JEO Consulting Group, Inc. for engineering services on the SE 3rd Street Utility Improvements Phase 1 project.
21. Payment #14, \$8,886.25 to JEO Consulting Group, Inc., for engineering services on the SE Delaware Avenue HMA Widening project.

22. Payment #3, \$6,496.25 to JEO Consulting Group, Inc., for engineering services on the SE 3rd Street Improvements - Phase 2 project.
23. Payment #1, \$94,249.50 to Priority Excavating LLC, for construction services on the N Ankeny Blvd Water Main project.
24. Payment #1, \$37,281.04 to Redbud, LLC, for construction services on the Landscaping Improvements for High Trestle Extension project.
25. Payment #5, \$2,083.91 to Short Elliott Hendrickson Inc., for engineering services on the N Ankeny Blvd Water Main project.
26. Payment #2, \$13,894.08 to Short Elliott Hendrickson Inc., for engineering services on the S Ankeny Blvd Transmission Main project.
27. Payment #7, \$4,944.50 to Snyder & Associates, Inc., for engineering services on the Cherry Glen Ballfield Development Project.
28. Payment #25, \$2,336.69 to Snyder & Associates, Inc., for engineering services on the SE Delaware Ave and SE 8th St Widening and Traffic Signalization project.
29. Payment #26, \$6,297.63 to Snyder & Associates, Inc., for engineering services on the High Trestle Trail Ext Magazine Rd to Oralabor Rd project.
30. Payment #23, \$5,508.88 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements - Phase 1 project.
31. Payment #18, \$1,219.38 to Snyder & Associates, Inc., for engineering services on the NW 36th St and NW State St Interim Improvements project.
32. Payment #22, \$21,724.65 to Snyder & Associates, Inc., for engineering services on the NW 36th St Widening - NW Ash Dr to N Ankeny Blvd project.
33. Payment #15, \$2,877.55 to Snyder & Associates, Inc., for engineering services on the 2021 Pavement Management Study and Master Plan project.
34. Payment #20, \$4,863.63 to Snyder & Associates, Inc., for engineering services on the N Ankeny Blvd Landscape Improvements project.
35. Payment #14, \$48,325.63 to Snyder & Associates, Inc., for engineering services on the NE Delaware Ave Recon - NE 5th St to NE 18th St project.
36. Payment #33, \$14,160.89 to Snyder & Associates, Inc., for engineering services on the SE Crosswinds Drive – RISE project.
37. Payment #19, \$15,138.00 to Snyder & Associates, Inc., for engineering services on the HTT Transmission Main and Drainage Improvements project.
38. October 3, 2022 Accounts Payable by Fund: General 352,418; Hotel Motel Tax 968; Road Use Tax 113,541; Seizure 735; Police/Fire Pension 7,037; Library Foundation 450; Water 123,865; Sewer 40,590; Storm Water 2,932; Golf Course 34,827; Enterprise Project 501,767; Revolving 2,466; Risk Management 82,209; Health Insurance 1,645; Capital Projects 1,160,376; Payroll Totals 2,043,973; Transfers/ACH (194,704); Agenda Payments approved separately (1,531,056); Grand Total \$ 2,744,039.
39. **RESOLUTION 2022-436** 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.

Community Development

40. **RESOLUTION 2022-437** 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.
41. **RESOLUTION 2022-438** accepting Public Sanitary Sewer Easements, associated with the development of Centennial Estates Plat 2.
42. **RESOLUTION 2022-439** 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.)

43. **RESOLUTION 2022-440** 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

44. **RESOLUTION 2022-441** adopting a Footing Drain Disconnection and Sump Pump Discharge Connection Program Financial Assistance Grant Policy.
45. **RESOLUTION 2022-442** 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)
46. **RESOLUTION 2022-443** 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)
47. **RESOLUTION 2022-444** 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.).

Administrative Items

48. **RESOLUTION 2022-445** ordering preparation of final plat and schedule of assessments for nuisance abatement within the City of Ankeny, Iowa.
49. 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.
50. Amend contract with CivicPlus for the City of Ankeny website.

Approval of Consent Agenda Items

1. Council Member Ruddy moved, second by Whiting, to approve the recommendations for Consent Agenda Items CA-1 through CA-50. Ayes: Ruddy, Whiting, Bentz, Perry, Shafer.

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. Council Member Whiting moved, Bentz seconded, to accept third consideration of Ordinance 2121, sending it on its final passage and publication as required by law. Ayes: Whiting, Bentz, Perry, Shafer, Ruddy.

NEW BUSINESS

1. Rock Creek Greenbelt - Native Vegetation (PH 2022-60) Council Member Ruddy moved, Bentz seconded, to adopt 1) **RESOLUTION 2022-446** 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 2022-447** making award of construction contract with HGS, LLC in the amount of \$96,960.30; and 4) adopt **RESOLUTION 2022-448** approving contract and bonds with HGS, LLC in the amount of \$96,960.30. Ayes: Ruddy, Bentz, Perry, Shafer, Whiting.

2. HTT Water Transmission Main & Drainage Improvements (PH 2022-61) Council Member Bentz moved, Whiting seconded, to adopt 1) **RESOLUTION 2022-449** 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 2022-450** making award of construction contract with Synergy Contracting, LLC in the amount of \$5,778,405.00. Ayes: Bentz, Whiting, Perry, Ruddy, Shafer.
3. \$235,000 Water Revenue Capital Loan Notes Anticipation Project Note, Series 2022 Council Member Whiting moved, Shafer seconded, to adopt **RESOLUTION 2022-451** 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. Ayes: Whiting, Shafer, Bentz, Perry, Ruddy.

ADJOURNMENT

1. Meeting was adjourned at 6:10 p.m.

Michelle Yuska, City Clerk

Mark Holm, Mayor

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