



ANKENY CITY COUNCIL

Regular Meeting

Monday, October 2, 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=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:

1. Special Presentation: Central Iowa Water Works update – Ted Corrigan, Des Moines Water Works CEO and General Manager and Amy Kahler, Des Moines Water Works CFO

B. APPROVAL OF AGENDA:

1. Approval of the October 2, 2023 Agenda

Action# B1-1. Consider motion to approve and accept the October 2, 2023 agenda, with or without amendment.

C. PUBLIC HEARING(S):

1. PH 2023-55 Proposed amendment to the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, to rezone certain property owned by 98 Investments, LLC, from C-2, General Retail, Highway-Oriented, and Central Business Commercial District, to C-2A, Central Business Commercial District.

Action# C1-1. Consider motion to close Public Hearing 2023-55.

2. PH 2023-56 Proposed request to vacate a drainage easement located on Lot 1 of Aspen Ridge Commercial Plat 3.

Action# C2-1. Consider motion to close Public Hearing 2023-56.

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 18, 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 September 6, 2023.

CA - 3 Receive and file minutes of the Zoning Board of Adjustment meeting of September 6, 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 #1 to the Professional Services Agreement increasing the contract amount by \$12,500.00 with SVPA Architects for design services associated with the Fire Station No. 4 project.

CA - 6 Consider motion to approve Payment #3 in the amount of \$286,373.28 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 - 7** Consider motion to approve Payment #1 in the amount of \$46,513.90 to Concrete Connection, LLC for construction services on the Midway Park - Phase 2 Improvements project.
- CA - 8** Consider motion to approve Payment #17 in the amount of \$20,966.22 to Foth Infrastructure and Environment, LLC for engineering services on the North Four Mile Creek Trunk Sewer project.
- CA - 9** Consider motion to approve Payment #6 in the amount of \$60,553.50 to Foth Infrastructure and Environment, LLC for engineering services on the NW State Street Extension project.
- CA - 10** Consider motion to approve Payment #29 in the amount of \$1,485.00 to FOX Strand, for engineering services on the Ankeny ASR project.
- CA - 11** Consider motion to approve Payment #5 in the amount of \$27,331.25 to FOX Strand, for engineering services on the NE 36th Street & NE 38th Street Water Main Loop project.
- CA - 12** Consider motion to approve Payment #5 in the amount of \$7,231.02 to HGS, LLC, for construction services on the Rock Creek Greenbelt - Native Vegetation project.
- CA - 13** Consider motion to approve Payment #6 in the amount of \$4,511.00 to HR Green, Inc., for engineering services on the NW Irvindale Drive & NW 18th Street Intersection Improvements project.
- CA - 14** Consider motion to approve Payment #10 in the amount of \$26,102.28 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 - 15** Consider motion to approve Payment #7 in the amount of \$6,097.00 to MSA Professional Services, Inc., for engineering services on the Uptown Parking Improvements project.
- CA - 16** Consider motion to approve Payment #14 in the amount of \$37,082.15 to Short Elliott Hendrickson Inc., for engineering services on the S Ankeny Blvd Transmission Main project.
- CA - 17** Consider motion to approve Payment #31 in the amount of \$12,205.74 to Snyder & Associates, Inc., for engineering services on the HTT Transmission Main and Drainage Improvements project.
- CA - 18** Consider motion to approve Payment #32 in the amount of \$14,025.70 to Snyder & Associates, Inc., for engineering services on the N Ankeny Blvd Landscape Improvements project.
- CA - 19** Consider motion to approve Payment #26 in the amount of \$31,342.35 to Snyder & Associates, Inc., for engineering services on the NE Delaware Ave Recon - NE 5th St to NE 18th St project.
- CA - 20** Consider motion to approve Payment #17 in the amount of \$3,919.96 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements - Phase 2 project.
- CA - 21** Consider motion to approve Payment #4 in the amount of \$7,558.75 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements - Phase 3 project.
- CA - 22** Consider motion to approve Payment #5 in the amount of \$49,460.12 to Snyder & Associates, for engineering services on the S Ankeny Blvd Improvements SE

Peterson Dr to 1st St project.

CA - 23 Consider motion to approve Payment #5 in the amount of \$9,365.96 to Snyder & Associates, for engineering services on the SE Delaware Ave and SE 54th St Traffic Signal project.

CA - 24 Consider motion to approve Payment #6 in the amount of \$9,318.02 to Snyder & Associates, for engineering services on the SE Oralabor Rd & SE Creekview Dr Traffic Signal Replacement project.

CA - 25 Consider motion to approve Payment #10 in the amount of \$104,532.26 to Synergy Contracting, LLC, for construction services on the HTT Water Transmission Main & Drainage Improvements project.

CA - 26 Consider motion to approve the October 2, 2023 Accounts Payable.

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

CA - 27 Consider motion to adopt **RESOLUTION** accepting final plat, warranty deed to streets, subdivision bonds for seeding and erosion control, performance and maintenance bonds for public improvements, sewer connection fee, platted easements, parkland dedication, and authorizing cost participation for sidewalk oversizing and 15-inch sanitary sewer for Pine Lake Estates Plat 1.

CA - 28 Consider motion to adopt **RESOLUTION** approving plans and specifications and accepting contracts, performance and maintenance bonds for the construction of sanitary sewer, storm sewer and water main in Pine Lake Estates Plat 1.

CA - 29 Consider motion to adopt **RESOLUTION** approving plans and specifications, and accepting contracts, and performance and maintenance bonds for the construction of subgrade in Pine Lake Estates Plat 1.

CA - 30 Consider motion to adopt **RESOLUTION** approving plans and specifications and accepting contracts, performance and maintenance bonds for the construction of street paving in Pine Lake Estates Plat 1.

CA - 31 Consider motion to adopt **RESOLUTION** authorizing the Mayor to sign a Development Agreement with DRA Properties, LC regarding traffic improvement items identified in the September 13, 2023 traffic study associated with the development of Pine Lake Estates Plat 1.

CA - 32 Consider motion to approve the Trestle Ridge Estates Phase 2 Preliminary Plat; and accept street names NW Newhaven Drive, NW Woodmoor Drive, NW Fairfield Drive, and NW Fairfield Court.

CA - 33 Consider motion to adopt **RESOLUTION** authorizing the Mayor of the City of Ankeny to request a cost estimate for a special census.

CA - 34 Consider motion to adopt **RESOLUTION** accepting final plat and platted easements for Ankeny Northwest Water Tower Plat 1.

- **Engineering Items**

CA - 35 Consider motion to adopt **RESOLUTION** authorizing the execution of a Predesign Agreement For Primary Road Project between the Iowa Department of Transportation (DOT) and the City of Ankeny, Iowa for the sharing of responsibilities for the proposed North Ankeny Boulevard Improvements-1st Street to 11th Street.

- **Capital Improvement Projects**

CA - 36 Consider motion to adopt **RESOLUTION** authorizing the Mayor to sign Iowa DOT Certificate of Completion forms for both SE Crosswinds Drive RISE - Phase 1 and SE Crosswinds Drive RISE - Phase 2 projects.

CA - 37 Consider motion to adopt **RESOLUTION** ordering construction of the SE Delaware Avenue & SE 54th Street Traffic Signal and fixing a date for public hearing thereon and taking of bids therefor. (date of bid opening: 10/31/23 @ 10:30 A.M. / date of hrg: 11/6/23 @ 5:30 P.M.)

- **Administrative Items - none**
- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-37.

Action# E1-1. Consider motion to approve the recommendations for Consent Agenda Items CA-1 through CA-37.

F. SUPPLEMENTAL AND REMOVED CONSENT AGENDA ITEMS: none

G. RECESS - Mark Holm, Mayor

H. LEGISLATIVE BUSINESS:

- **Approval of Ordinances:**

1. Ord 2150 An Ordinance amending the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, to rezone property owned by Hope Kimberley, LLC from R-1 One Family Residential District to R-3 Multiple-Family Residence District, restricted to 10 units per acre (Rezoning Area A).

Action# H1-1. Consider motion to accept third consideration of ORDINANCE 2150, sending it on its final passage and publication as required by law.

2. Ord 2151 An Ordinance amending the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, to rezone property owned by Hope Kimberley, LLC from R-1 One Family Residential District to C-2, General Retail, Highway Oriented and Central Business Commercial District (Rezoning Area F).

Action# H2-1. Consider motion to accept third consideration of ORDINANCE 2151, sending it on its final passage and publication as required by law.

3. Ord 2152 An Ordinance amending the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, to rezone property owned by Hope Kimberley, LLC from R-1 One Family Residential District to Planned Unit Development, PUD (Rezoning Area B and E).

Action# H3-1. Consider motion to accept third consideration of ORDINANCE 2152, sending it on its final passage and publication as required by law.

4. Ord 2153 An Ordinance amending the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, to rezone property owned by Hope Kimberley, LLC from R-1 One Family Residential District to R-3, Multiple Family Residence District, Restricted to Single Family (Rezoning Area D).

Action# H4-1. Consider motion to accept third consideration of ORDINANCE 2153, sending it on its final passage and publication as required by law.

5. Ord 2154 An Ordinance amending Chapter 82 of the code of ordinances of the City of Ankeny, Iowa, by amending provisions to match current standards and practices for use of Multi-Use Recreational Trails.

Action# H5-1. Consider motion to accept third consideration of ORDINANCE 2154, sending it on its final passage and publication as required by law.

6. Ord 2155 An Ordinance amending Chapter 132 of the code of ordinances of the City of Ankeny, Iowa, by amending provisions to match current standards and practices for use of Multi-Use Recreational Trails.

Action# H6-1. Consider motion to accept third consideration of ORDINANCE 2155, sending it on its final passage and publication as required by law.

7. Ord 2156 An Ordinance amending the Ankeny Municipal Code by adding a new Chapter 58, Urban Chickens, pertaining to the keeping of chickens within the City of Ankeny.

Action# H7-1. Consider motion to accept second consideration of ORDINANCE 2156.

8. Ord 2157 An Ordinance amending the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, to rezone certain property owned by 98 Investments, LLC. (PH 2023-55)

Action# H8-1. Consider motion to accept first consideration of ORDINANCE 2157.

9. Ord 2158 An Ordinance vacating a drainage easement on Lot 1 of Aspen Ridge Commercial Plat 3. (PH 2023-56).

Action# H9-1. Consider motion to accept first consideration of ORDINANCE 2158.

10. 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# H10-1. Consider motion to accept first consideration of ORDINANCE 2159.

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Proposed North Ankeny Boulevard Improvements - 1st Street to 11th Street Professional Services Agreement with Snyder & Associates, Inc.

Action# J1-1. Consider motion to approve the Professional Services Agreement with Snyder & Associates, Inc. for the preliminary design engineering services on the North Ankeny Boulevard Improvements - 1st Street to 11th Street project in an amount not to exceed \$282,300.00 and authorize the Mayor to execute said agreement.

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 - Annexation - Hope Kimberley 2.0 - 10/16/23 @ 5:30 p.m.***
- ***Public Hearing - SE Delaware Ave & SE 54th St Traffic Signal - 11/6/23 @ 5:30 p.m.***
- ***Regular Council Meeting - 11/20/23 @ 5:30 p.m.***

L. ADJOURNMENT

1. Adjournment

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