



ANKENY CITY COUNCIL

Regular Meeting

**Tuesday, September 6, 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 September 6, 2022 Agenda

Action# B1-1. Consider motion to approve and accept the September 6, 2022 agenda, with/without amendment.

C. PUBLIC HEARING(S): none

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 August 15, 2022, as published, subject to correction, as recommended by the City Clerk.

CA - 2 Receive and file minutes of the Library Board of Trustee meeting of July 21, 2022.

CA - 3 Receive and file minutes of the Plan and Zoning Commission meeting of August 2, 2022.

CA - 4 Receive and file minutes of the Zoning Board of Adjustment meeting of June 7, 2022.

CA - 5 Receive and file minutes of the Zoning Board of Adjustment meeting of June 21, 2022.

- **Licenses and Permits**

CA - 6 Consider motion to approve the issuance of liquor license(s) and/or beer / wine permit(s) in the City of Ankeny.

- **Finance/Budget**

CA - 7 Consider motion to Approve Amendment #1 to the Professional Services Agreement increasing the contract amount by \$11,500.00 with Snyder & Associates, Inc., for additional engineering services on the Cherry Glen Ballfield Improvements due to additional trail improvements.

CA - 8 Consider motion to approve Amendment #1 to Professional Services Agreement increasing the contract amount by \$10,000.00 with Snyder & Associates, Inc. for additional engineering services for the 2021 Pavement Management Study and Master Plan.

CA - 9 Consider motion to approve Change Order #1 increasing the contract by \$11,975.40 with JAS Construction, LLC, for construction services on the SW Des Moines Street Parks Phase 1 project.

CA - 10 Consider motion to approve Change Order #2 decreasing the contract amount by \$24,713.90 to OnTrack Construction, LLC, for construction services on the NW 36th Street and NW Weigel Drive Water Main (Construction) project.

CA - 11 Consider motion to approve Change Order #4 increasing the contract amount by \$2,250.00 to Redbud Landscaping, LLC, for construction services on the SW Des Moines Street - Prairie Trail to Magazine Native Planting project.

CA - 12 Consider motion to approve Change Order #7 increasing the contract amount by

\$1,500.00 to Sternquist Construction, for construction services on the NW 18th Street Extension - NW Weigel Drive to NW Spruce Drive project.

- CA - 13** Consider motion to approve Payment #6 in the amount of \$501,647.50 to Absolute Concrete Construction, Inc., for construction services on the NE 36th Street Reconstruction Project - I-35 to NE Four Mile Drive.
- CA - 14** Consider motion to approve Payment #3 in the amount of \$126,710.14 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 #28 in the amount of \$21,351.50 to Civil Design Advantage for engineering services on the NW 18th Street Extension - NW Weigel Drive to NW Spruce Drive project.
- CA - 16** Consider motion to approve Payment #4 in the amount of \$19,132.80 to Foth Infrastructure and Environment, LLC for engineering services on the North Four Mile Creek Trunk Sewer project.
- CA - 17** Consider motion to approve Payment #26 in the amount of \$39,430.14 to Foth Infrastructure and Environment, LLC for engineering services on the West First Street Widening and Improvements - Phase 1 project.
- CA - 18** Consider motion to approve Payment #16 in the amount of \$35,640.96 to FOX Strand, for engineering services on the Ankeny ASR project.
- CA - 19** Consider motion to approve Payment #1 in the amount of \$2,565.00 to HR Green, Inc., for engineering services on the SW State Street Fiber Optic Relocation project.
- CA - 20** Consider motion to approve Payment #2 in the amount of \$10,686.04 to ISG (I&S Group) for design and construction work on the High Trestle Trail Park Phase 1 project.
- CA - 21** Consider motion to approve Payment #1 in the amount of \$228,643.29 to JAS Construction, LLC, for construction services on the SW Des Moines Street Park Phase 1 project.
- CA - 22** Consider motion to approve Payment #15 in the amount of \$23,732.50 to JEO Consulting Group, Inc. for engineering services on the SE 3rd Street Utility Improvements Phase 1 project.
- CA - 23** Consider motion to approve Payment #2 in the amount of \$17,092.50 to JEO Consulting Group, Inc., for engineering services on the SE 3rd Street Improvements - Phase 2 project.
- CA - 24** Consider motion to approve Payment #13 in the amount of \$1,813.75 to JEO Consulting Group, Inc., for engineering services on the SE Delaware Avenue HMA Widening project.
- CA - 25** Consider motion to approve Payment #23 in the amount of \$19,993.52 to Kirkham Michael & Associates, Inc., for engineering services on the NE Four Mile Drive RCB Culvert for Deer Creek project.
- CA - 26** Consider motion to approve Payment #7 in the amount of \$1,934.52 to Kirkham Michael and Associates, for engineering services on the Westwinds Storm Sewer Extension Project - SW Westwinds Drive.
- CA - 27** Consider motion to approve Payment #17 in the amount of \$16,931.00 to MSA Professional Services, Inc., for engineering services on the NW 36th Street and NW Weigel Drive Water Main project.
- CA - 28** Consider motion to approve Payment #2 in the amount of \$11,095.00 to Nilles

Associates, Inc., for engineering service on the SW Des Moines Street Park Phase 1 Improvements.

- CA - 29** Consider motion to approve Payment #2 in the amount of \$6,277.50 to Nilles Associates, Inc., for engineering services on the Diamond Hills Greenway Stream Repairs project.
- CA - 30** Consider motion to approve Payment #1 in the amount of \$16,997.50 to Nilles Associates, Inc., for engineering services on the NE Crestmoor Sanitary Sewer Replacement project.
- CA - 31** Consider motion to approve Payment #1 in the amount of \$49,017.04 to Olsson, Inc., for engineering services on the Fiber Optic Network Master Plan project.
- CA - 32** Consider motion to approve Payment #5 in the amount of \$2,924.20 to On Track Construction, LLC, for construction services on the NW 36th Street and NW Weigel Drive Water Main (Construction) project.
- CA - 33** Consider motion to approve Payment #5 in the amount of \$57,348.00 to RDG Planning & Design for engineering services on the Fourmile Creek and Tributary to Fourmile Creek Restoration project.
- CA - 34** Consider motion to approve Payment #3 in the amount of \$12,045.43 to RedBud LLC for work on the 2022 Native Vegetation Maintenance project.
- CA - 35** Consider motion to approve Payment #13 in the amount of \$575,099.51 to Reilly Construction Company Inc., for construction services on the West First Street Widening and Improvements - Phase 1 project.
- CA - 36** Consider motion to approve Payment #4 in the amount of \$1,376.32 to Short Elliott Hendrickson Inc., for engineering services on the N Ankeny Blvd Water Main project.
- CA - 37** Consider motion to approve Payment #1 in the amount of \$107,390.36 to Short Elliott Hendrickson Inc., for engineering services on the S Ankeny Blvd Transmission Main project.
- CA - 38** Consider motion to approve Payment #6 in the amount of \$11,985.41 to Snyder & Associates, Inc., for engineering services on the Cherry Glen Ballfield Development Project.
- CA - 39** Consider motion to approve Payment #25 in the amount of \$12,963.77 to Snyder & Associates, Inc., for engineering services on the High Trestle Trail Ext Magazine Rd to Oralabor Rd project.
- CA - 40** Consider motion to approve Payment #18 in the amount of \$22,644.25 to Snyder & Associates, Inc., for engineering services on the HTT Transmission Main and Drainage Improvements project.
- CA - 41** Consider motion to approve Payment #19 in the amount of \$3,265.38 to Snyder & Associates, Inc., for engineering services on the N Ankeny Blvd Landscape Improvements project.
- CA - 42** Consider motion to approve Payment #13 in the amount of \$96,981.13 to Snyder & Associates, Inc., for engineering services on the NE Delaware Ave Recon - NE 5th St to NE 18th St project.
- CA - 43** Consider motion to approve Payment #17 in the amount of \$7,838.14 to Snyder & Associates, Inc., for engineering services on the NW 36th St and NW State St Interim Improvements project.
- CA - 44** Consider motion to approve Payment #21 in the amount of \$30,580.51 to Snyder & Associates, Inc., for engineering services on the NW 36th St Widening - NW Ash Dr to N Ankeny Blvd project.

- CA - 45** Consider motion to approve Payment #22 in the amount of \$2,448.13 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements - Phase 1 project.
- CA - 46** Consider motion to approve Payment #32 in the amount of \$17,139.09 to Snyder & Associates, Inc., for engineering services on the SE Crosswinds Drive - RISE project.
- CA - 47** Consider motion to approve Payment #14 in the amount of \$210,282.74 to Sternquist Construction, for construction services on the NW 18th Street Extension - NW Weigel Drive to NW Spruce Drive project.
- CA - 48** Consider motion to approve the September 6, 2022 Accounts Payable. (Finance Committee: B. Bentz, Chp, J. Perry, J. Ruddy)
- CA - 49** Consider motion to adopt a **RESOLUTION** accepting a proposal from Brothers Cleaning Corporation, in the amount of \$54,130.00 for the construction of the 2022 Shade Canopy Assembly and Installation project.

- **Personnel Items**

- CA - 50** Consider motion to adopt **RESOLUTION** relating to the implementation of a Cybersecurity Training Policy in the Standard and Administrative Policy and Procedures Manual of the City of Ankeny, Iowa.

- **Community Development Items**

- CA - 51** Consider motion to adopt **RESOLUTION** accepting a Storm Water Management Facility Maintenance Covenant and Permanent Easement Agreement located on Lot 1, Corporate Woods Business Park Plat 3; and associated with the development of 1600 SE Corporate Woods Drive, Baker Group Parking Lot Expansion Site Plan.
- CA - 52** Consider motion to adopt **RESOLUTION** accepting final plat, platted easements, warranty deed to streets and park, subdivision bond for seeding and erosion control, performance and maintenance bonds for paving and underground improvements and authorizing cost participation for sidewalk widening for Heritage Park at Prairie Trail Plat 3.
- CA - 53** Consider motion to adopt **RESOLUTION** approving plans and specifications and accepting contracts, performance and maintenance bonds for the construction of water main, sanitary sewer and storm sewer in Heritage Park at Prairie Trail Plat 3.
- CA - 54** Consider motion to adopt **RESOLUTION** approving plans and specifications and accepting contracts, performance and maintenance bonds for the construction of street paving in Heritage Park at Prairie Trail Plat 3.
- CA - 55** Consider motion to adopt **RESOLUTION** receiving and filing application for the annexation of, and providing for the giving of notice for annexation of certain territory located adjacent to the southeast quadrant of Ankeny for property owned by NGR Inc.
- CA - 56** Consider motion to adopt **RESOLUTION** receiving and filing application for the annexation of, and providing for the giving of notice for annexation of certain territory located adjacent to the Northeast Quadrant of Ankeny.
- CA - 57** Consider motion to adopt **RESOLUTION** approving the final plat for 7AZU Development Plat 2, subject to applicable Polk County subdivision requirements in lieu of City of Ankeny subdivision regulations.
- CA - 58** Consider motion to grant preliminary approval of Centennial Ridge Plat 3; and

authorize cost-participation request for sidewalk oversizing and truncated domes along NW Reinhart Drive in the amount estimated to be \$4,327.00.

- CA - 59** Consider motion to adopt **RESOLUTION** accepting a public sidewalk easement associated with the development of Canyon Landing Plat 1.

- **Engineering Items**

- CA - 60** Consider motion to adopt a **RESOLUTION** accepting a purchase agreement and approving documents for the acquisition of street right-of-way, 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. (The Condos at Delaware Park)
- CA - 61** Consider motion to adopt a **RESOLUTION** accepting a purchase agreement and approving documents for the acquisition of temporary construction easement for the NE Delaware Avenue Reconstruction - NE 5th Street to 700 feet North of NE 18th Street project in Ankeny, Iowa. (The Townhouses at Delaware Park)
- CA - 62** Consider motion to adopt **RESOLUTION** authorizing the Mayor to sign a development agreement with DRA Properties, L.C., concerning the construction of a traffic signal and related improvements at the intersection of SW Vintage Parkway and SW Magazine Road in the City of Ankeny, Iowa.
- CA - 63** Consider motion to adopt **RESOLUTION** approving and authorizing the acquisition of property and property interests for the Westwinds Storm Sewer Extension project.
- CA - 64** Consider a motion to adopt a **RESOLUTION** accepting a purchase agreement and approving documents for the acquisition of a permanent water main easement and a temporary construction easement from Gateway of High Trestle Crossing Association for the High Trestle Trail (HTT) Transmission Main and Drainage Improvements Project in Ankeny, Iowa. (Gateway of High Trestle Crossing Association)
- CA - 65** Consider a motion to adopt a **RESOLUTION** accepting a purchase agreement and approving documents for the acquisition of a permanent water main easement from Rock Equity Holdings, LLC for the High Trestle Trail (HTT) Transmission Main and Drainage Improvements Project in Ankeny, Iowa. (Rock Equity Holdings, LLC)
- CA - 66** Consider motion to adopt **RESOLUTION** authorizing the Mayor to sign a hold harmless agreement allowing Zack and Nicole Mundy to place an above ground pool in a portion of the City's Storm Sewer and Drainage Easement on a part of Lot 10, Creekside Plat 4.
- CA - 67** Consider motion to adopt **RESOLUTION** accepting public improvements in Trestle Corner Plat 1, for traffic signal modifications.

- **Capital Improvement Projects**

- CA - 68** **2022 Asphalt Street Resurfacing Program - SW Ordinance Road**: Consider motion to approve: a) Final Change Order #2 increasing the contract amount by \$3,630.00; b) Certificate of Completion; c) **RESOLUTION** accepting the public improvement with OMG Midwest, Inc. DBA Des Moines Asphalt & Paving in the amount of \$297,745.33; and d) Final Payment #2 in the amount of \$6,868.50; and Retainage Payment in the amount of \$14,887.27.

- **Administrative Items**

- CA - 69** Consider motion to receive and file the Ankeny Summerfest 2022 Report.
- CA - 70** Consider motion to approve the Orders of Dismissal of the First Violation of tobacco

offense for Tobacco Permit Holders.

- CA - 71** Consider motion to approve the Orders Accepting Acknowledgement/Settlement Agreement with Tobacco Permit Holders.

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-71

Action# E1-1. Consider motion to approve the recommendations for Consent Agenda Items CA-1 through CA-71

F. SUPPLEMENTAL AND REMOVED CONSENT AGENDA ITEMS: none

G. RECESS - Mark Holm, Mayor

H. LEGISLATIVE BUSINESS:

- **Approval of Ordinances:**

1. Ord 2118 An Ordinance amending Chapter 100, Regulation of Industrial Wastewater, of the Municipal Code of the City of Ankeny, Iowa.

Action# H1-1. Consider motion to accept first consideration of ORDINANCE 2118.

2. Ord 2119 An Ordinance amending Chapter 101, Regulations of Fat, Oil and Grease Discharge by Food Service Establishments, of the Municipal Code of the City of Ankeny, Iowa.

Action# H2-1. Consider motion to accept first consideration of ORDINANCE 2119.

3. Ord 2120 An Ordinance amending Chapter 102, Regulation of Hauled Waste, of the Municipal Code of the City of Ankeny, Iowa.

Action# H3-1. Consider motion to accept first consideration of ORDINANCE 2120.

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

Action# H4-1. Consider motion to accept first consideration of ORDINANCE 2121.

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Proposed High Trestle Trail Transmission Main and Drainage Improvements Project
Initiate Proceedings

Action# J1-1. Consider motion to adopt RESOLUTION ordering construction on the HTT Transmission Main and Drainage Improvements Project and fixing a date for hearing thereon and taking of bids therefor. (date of bid-letting: 9/27/22 @ 10:30 a.m./date of hrg: 10/3/22 @ 5:30 p.m.)

2. Proposed Rock Creek Greenbelt - Native Vegetation
Initiate Proceedings

Action# J2-1. Consider motion to adopt RESOLUTION ordering construction on the Rock Creek Greenbelt - Native Vegetation Improvements project; and fixing a date for hearing thereon and taking of bids therefor;(date of bid-letting: 9/27/22 @ 10:30 a.m./date of hrg: 10/3/22 @ 5:30 p.m.)

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:**

- ***Regular Council Meeting - 9/19/22 @ 5:30 p.m.***
- ***Public Hearing - Notice of Intent - 9/19/22 @ 5:30 p.m.***
- ***Council Action Planning Session - 9/19/22 @ 5:30 p.m.***
- ***Public Hearing - HTT Water Transmission Main & Drainage Improvements - 10/3/22 @ 5:30 p.m.***
- ***Public Hearing - 2022 Rock Creek Greenbelt - Native Vegetation Improvements - 10/3/22 @ 5:30 p.m.***

L. ADJOURNMENT

1. Adjournment