



ANKENY CITY COUNCIL

Regular Meeting

**Monday, August 15, 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

All City Council meetings are open to the public. Assistive Listening Devices (ALD) are available for persons with impaired hearing. To request information in an alternative format or request an accommodation to participate in a City Council meeting, contact the Office of the City Clerk at 965-6405.

Anyone seeking assistance in communicating with the City should contact Relay Iowa at 1-800-735-2942 (TDY), or 1-800-735-2943 (Voice).

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:

1. Presentation - President Denson - "State of DMACC"

A. PUBLIC FORUM: none

B. APPROVAL OF AGENDA:

1. Approval of the August 15, 2022 Agenda

Action# B1-1. Consider motion to approve and accept the August 15, 2022 agenda, with/without amendment.

C. PUBLIC HEARING(S): none

D. REPORTS OF ADVISORY BOARDS AND COMMISSION:

1. Library Board of Trustees

E. APPROVAL OF CONSENT AGENDA:

- **Minutes**

- CA - 1** Approval of official council actions of the regular meeting of August 1, 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 July 19, 2022.
- CA - 3** Receive and file minutes of the Civil Service Commission meeting of July 11, 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.
- CA - 5** Consider motion to approve cigarette/tobacco/nicotine/vapor permit in the City of Ankeny.
- CA - 6** Consider motion to approve the issuance of a special permit to Eric Weichers for the purpose of bow hunting of deer for the hunting season effective October 1, 2022 through January 10, 2023 on private property within the city limits pursuant to Municipal Code Section 41.11(3).

- **Finance/Budget**

- CA - 7** Consider motion to receive and file Financial Reports for July 2022.
- CA - 8** Consider motion to receive and file Building Permit Report for July 2022.
- CA - 9** Consider motion to receive and file Utility Billing Report for July 2022.
- CA - 10** Consider motion to approve Change Order #1 increasing the contract amount by \$15,509.00 to Absolute Concrete, for construction services on the PCC Reconstruction Program - NW 5th Street project.
- CA - 11** Consider motion to approve Change Order #2 increasing the contract amount by \$19,603.00 to Cramer & Associates, Inc., for construction services on the High Trestle Trail Extension - SE Magazine to SE Oralabor Road project.
- CA - 12** Consider motion to approve Change Order #3 increasing the contract amount by \$85,890.00 to Gingerich Well & Pump Service, LLC, for construction services on the Well No. 7/ASR No. 3 - Bid Package 1 - Well Construction project.

- CA - 13** Consider motion to approve Change Order #1 increasing the contract amount by \$6,600.00 to Iowa Civil Contracting, Inc., for construction services on the 2022 PCC Street Patching Program project.
- CA - 14** Consider a motion to approve Amendment No. 9 to the professional services agreement increasing the contract amount by \$10,000 with Shive-Hattery for construction administration services associated with the Albaugh Senior Community Center project.
- CA - 15** Consider motion to approve Payment #5 in the amount of \$132,339.47 to Absolute Concrete Construction, Inc., for construction services on the NE 36th Street Reconstruction Project - I-35 to NE Four Mile Drive.
- CA - 16** Consider motion to approve Payment #4 in the amount of \$256,068.32 to Absolute Concrete Construction, Inc., for construction services on the NW 36th Street Widening - NW Ash Drive to N Ankeny Boulevard project.
- CA - 17** Consider motion to approve Payment #2 in the amount of \$168,709.55 to Absolute Concrete, for construction services on the 2022 PCC Reconstruction Program - NW 5th Street project.
- CA - 18** Consider motion to approve Payment #3 in the amount of \$137,604.88 to Construct, Inc., for construction services on the 2022 PCC Reconstruction Program - SE Peachtree Drive project.
- CA - 19** Consider motion to approve Payment #2 in the amount of \$235,868.66 to Construct, Inc., for construction services on the NW 36th Street and NW State Street Interim Improvements project.
- CA - 20** Consider motion to approve Payment #12 in the amount of \$95,771.13 to Cramer & Associates, Inc., for construction services on the High Trestle Trail Ext Magazine Rd to Oralabor Rd project.
- CA - 21** Consider motion to approve Payment #5 in the amount of \$80,334.90 to Gus Construction, for construction services on the NE Four Mile Drive RCB Culvert for Deer Creek project.
- CA - 22** Consider motion to approve Payment #2 in the amount of \$23,100.00 to HDR Engineering, Inc., for engineering services on the NW Irvinedale Elevated Storage Tank project.
- CA - 23** Consider motion to approve Payment #1 in the amount of \$118,520.34 to Howrey Construction, Inc., for construction services on the 2022 Sidewalk Gaps and Trail Replacements project.
- CA - 24** Consider motion to approve Payment #3 in the amount of \$59,151.51 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 - 25** Consider motion to approve Payment #12 in the amount of \$18.06 to HR Green, Inc., for design services on the NE 36th Street Reconstruction Project - I-35 to NE Four Mile Drive.
- CA - 26** Consider motion to approve Payment #2 in the amount of \$189,014.83 to Iowa Civil Contracting, Inc., for construction services on the 2022 PCC Street Patching Program project.
- CA - 27** Consider motion to approve Payment #5 in the amount of \$28,367.75 to McClure Engineering Company, for engineering services on the NW 18th Street Reconstruction - NW Ash Dr. to N Ankeny Blvd. (Design) project.
- CA - 28** Consider motion to approve Payment #1 in the amount of \$7,553.00 to McClure

Engineering Company, for engineering services on the SW State Street Reconstruction - Southbound Lanes project.

- CA - 29** Consider motion to approve Payment #1 in the amount of \$54,497.99 to OnTrack Construction LLC for construction services on the Diamond Hills Greenway Stream Repairs project.
- CA - 30** Consider motion to approve Payment #25 in the amount of \$6,197.31 to Shive Hattery for development services on the Ankeny Senior Community Center.
- CA - 31** Consider motion to approve Payment #10 in the amount of \$353,055.15 to Spring Lake Construction LLC, for construction services on the NW Northlawn Area Utility Improvements - Phase 1 project.
- CA - 32** Consider motion to approve Payment #4 in the amount of \$273,791.48 to Sternquist Construction, for construction services on the SE Crosswinds Drive RISE - Phase 2 project.
- CA - 33** Consider motion to approve the August 15, 2022 Accounts Payable. (Finance Committee: K. Whiting, Chp, B. Bentz, J. Perry)
- CA - 34** Consider motion to adopt **RESOLUTION** approving Senior Bond Issuance Certificate of Des Moines Metropolitan Wastewater Reclamation Authority Participating Community.

- **Personnel Items**

- CA - 35** Consider motion to accept the Civil Service Commission certified list for appointment to Accountant - Finance Department, subject to passing any further departmental requirements.
- CA - 36** Consider motion to approve the contract for independent contractor/professional services agreement with the Center for Public Safety Management, LLC for the International City/County Management Association (ICMA).

- **Community Development Items**

- CA - 37** Consider motion to adopt **RESOLUTION** accepting final plat, warranty deed to streets, performance and maintenance bonds for public improvements, platted easements, and park land dedication agreement for Kimberley Estates Plat 2.
- CA - 38** Consider motion to adopt **RESOLUTION** approving plans and specifications, contracts, and performance and maintenance bonds for the construction of sanitary sewer, storm sewer, and water main in Kimberley Estates Plat 2.
- CA - 39** Consider motion to adopt **RESOLUTION** approving plans and specifications, contracts, and performance and maintenance bonds for the construction of subgrade in Kimberley Estates Plat 2.
- CA - 40** Consider motion to adopt **RESOLUTION** approving plans and specifications, contracts, and performance and maintenance bonds for the construction of street paving in Kimberley Estates Plat 2.
- CA - 41** Consider motion to adopt **RESOLUTION** authorizing the Mayor to sign a development, easement and maintenance agreement, located on a part of Lots 6, 7, 8, and 9 in Arthur Place, an official plat in the City of Ankeny, Polk County, Iowa and associated with 716 SW 3rd Street.
- CA - 42** Consider motion to adopt **RESOLUTION** accepting a Storm Water Management Facility Maintenance Covenant and Permanent Easement Agreement, located on Lot 1, Housby Ankeny Plat 1 and associated with the development of 8700 SE Convenience Blvd, Housby Ankeny site plan.

- CA - 43** Consider motion to approve the 7AZU Development Plat 2 Preliminary Plat, subject to applicable Polk County subdivision requirements in lieu of City of Ankeny subdivision regulations.

- **Engineering Items**

- CA - 44** 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 NE Delaware Avenue Reconstruction - NE 5th Street to 700 feet North of NE 18th Street project in Ankeny, Iowa. (Lot 13 of Plat 1 - Fountain View Estates Homeowners Association)

- CA - 45** 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. (1046 NE Fountain View Drive - Knox)

- CA - 46** Consider motion to adopt a **RESOLUTION** accepting a purchase agreement and approving documents for the acquisition of permanent storm sewer and drainage 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. (Outlot B of Plat 4 - Fountain View Estates Homeowners Association)

- CA - 47** Consider motion to adopt a **RESOLUTION** authorizing the execution of an agreement with Iowa Department of Transportation for use of Local Agency Roads for Incident Management Temporary Detour Routes.

- CA - 48** Consider motion to adopt **RESOLUTION** accepting public improvements in The Crossings at Deer Creek Plat 14 for utilities.

- CA - 49** Consider motion to adopt **RESOLUTION** accepting public improvements in The Crossings at Deer Creek Plat 14, for paving.

- **Capital Improvement Projects - none**

- **Administrative Items - none**

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-49

Action# E1-1. Consider motion to approve the recommendations for Consent Agenda Items CA-1 through CA-49

F. SUPPLEMENTAL AND REMOVED CONSENT AGENDA ITEMS: none

G. RECESS - Mark Holm, Mayor

H. LEGISLATIVE BUSINESS:

- **Approval of Ordinances: - none**

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. NW 18th Street Reconstruction - NW Ash Drive to N Ankeny Boulevard
Notice of Intent to Commence a Public Improvement Project and to Acquire Property Interests

Action# J1-1.

Consider motion to adopt RESOLUTION fixing a date for hearing on intent to commence a public improvement and to acquire property interests for the NW 18th Street Reconstruction - NW Ash Drive to N Ankeny Boulevard project. (date of hrg: 9/19/22 at 5:30 P.M.).

2. NW 18th Street Reconstruction - NW Ash Drive to N Ankeny Boulevard Professional Services Agreement with JCG Land Services, Inc.

Action# J2-1. Consider motion to approve the Professional Services Agreement with JCG Land Services, Inc. for the property acquisition services on the NW 18th Street Reconstruction - NW Ash Drive to N Ankeny Boulevard project in an amount not to exceed \$49,215.00 and authorize the Mayor to execute said agreement.

3. Faith Baptist College—Request to suspend: 1). enforcement of decibel levels in the City's Noise Control ordinance; and 2). discharging weapons in the Public Health and Safety Code of the Ankeny Municipal Code.

Action# J3-1.

Consider motion to approve or deny the request by Faith Baptist College to suspend enforcement of certain provisions of Chapter 44 and Chapter 41.09.

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 - 9/6/22 @ 5:30 p.m.***
- ***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.***

L. ADJOURNMENT

1. Adjournment