

MINUTES OF THE ANKENY CITY COUNCIL

Monday, August 15, 2022 5:30 PM

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 PM. Council Members Bobbi Bentz, Joe Ruddy, Todd Shafer, and Kelly Whiting were in attendance. Council Members Jeff Perry joined the meeting electronically. City Manager David Jones and City Attorney Amy Beattie were also present. Mayor Holm led in the Pledge of Allegiance.

CEREMONY

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

PUBLIC FORUM

1. Mike Wiser, Ankeny School Foundation spoke about the Foundation and invited all to participate in the upcoming HAWKJAG 5k.
2. Gene Russell, All City Management Services thanked the Mayor, Council Members, and City Staff for their work on the school crosswalk safety program.
3. Mark Felderman, Faith Baptist Bible College requested consideration for the College's request during homecoming.

APPROVAL OF AGENDA

1. Council Member Whiting moved, Shafer seconded, to approve and accept the August 15, 2022 agenda as presented. Ayes: 5.

REPORTS OF ADVISORY BOARDS AND COMMISSION

1. Mike Wiser, President of the Library Board of Trustees, gave an update to the Council regarding happenings at the Ankeny Kirkendall Public Library.

APPROVAL OF CONSENT AGENDA

Minutes

1. Official council actions of the regular meeting of August 1, 2022, as published.
2. Receive and file minutes of the Plan and Zoning Commission meeting of July 19, 2022.
3. Receive and file minutes of the Civil Service Commission meeting of July 11, 2022.

Licenses and Permits

4. Issuance of liquor licenses and/or beer/wine permits in the City of Ankeny.
5. Issuance of cigarette/tobacco/nicotine/vapor permit in the City of Ankeny.
6. Issuance of a special permit to Eric Weichers for bow hunting deer effective 10/1/2022 - 1/10/2023 on private property within the city limits.

Finance/Budget

7. Receive and file Financial Reports for July 2022.
8. Receive and file Building Permit Report for July 2022.
9. Receive and file Utility Billing Report for July 2022.

10. 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.
11. 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.
12. 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.
13. 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.
14. 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.
15. 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.
16. 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.
17. 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.
18. Payment #3 in the amount of \$137,604.88 to Con-Struct, Inc., for construction services on the 2022 PCC Reconstruction Program - SE Peachtree Drive project.
19. Payment #2 in the amount of \$235,868.66 to Con-Struct, Inc., for construction services on the NW 36th Street and NW State Street Interim Improvements project.
20. 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.
21. 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.
22. Payment #2 in the amount of \$23,100.00 to HDR Engineering, Inc., for engineering services on the NW Irvinedale Elevated Storage Tank project.
23. 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.
24. 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.
25. 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.
26. 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.
27. 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.
28. 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.
29. Payment #1 in the amount of \$54,497.99 to OnTrack Construction LLC for construction services on the Diamond Hills Greenway Stream Repairs project.
30. Payment #25 in the amount of \$6,197.31 to Shive Hattery for development services on the Ankeny Senior Community Center.
31. 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.
32. Payment #4 in the amount of \$273,791.48 to Sternquist Construction, for construction services on the SE Crosswinds Drive RISE – Phase 2 project.
33. August 15, 2022 Accounts Payable by Fund: General 456,665; Road Use Tax 14,130; Seizure 1,037; Library Foundation 15,168; Solid Waste 171,849; Water 716,117; Sewer 532,660; Storm Water 3,566; Golf Course 28,394; Enterprise Project 312,968; Revolving

28,331; Risk Management 50,439; Health Insurance 24; Capital Projects Funds 2,030,620; Payroll Totals 1,429,854; Transfers/ACH (191,258); Agenda Payments approved separately (2,219,964); Grand Total \$ 3,380,600.

34. **RESOLUTION 2022-386** approving Senior Bond Issuance Certificate of Des Moines Metropolitan Wastewater Reclamation Authority Participating Community.

Personnel

35. Civil Service Commission certified list for appointment to Accountant - Finance Department, subject to passing any further departmental requirements.
36. 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

37. **RESOLUTION 2022-387** 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.
38. **RESOLUTION 2022-388** 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.
39. **RESOLUTION 2022-389** approving plans and specifications, contracts, and performance and maintenance bonds for the construction of subgrade in Kimberley Estates Plat 2.
40. **RESOLUTION 2022-390** approving plans and specifications, contracts, and performance and maintenance bonds for the construction of street paving in Kimberley Estates Plat 2.
41. **RESOLUTION 2022-391** 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.
42. **RESOLUTION 2022-392** 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.
43. 7AZU Development Plat 2 Preliminary Plat, subject to applicable Polk County subdivision requirements in lieu of City of Ankeny subdivision regulations.

Engineering

44. **RESOLUTION 2022-393** 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)
45. **RESOLUTION 2022-394** 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)
46. **RESOLUTION 2022-395** 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)

47. **RESOLUTION 2022-396** authorizing the execution of an agreement with Iowa Department of Transportation for use of Local Agency Roads for Incident Management Temporary Detour Routes.
48. **RESOLUTION 2022-397** accepting public improvements in The Crossings at Deer Creek Plat 14 for utilities.
49. **RESOLUTION 2022-398** accepting public improvements in The Crossings at Deer Creek Plat 14, for paving.

Approval of Consent Agenda Items

1. Council Member Shafer moved, second by Ruddy, to approve the recommendations for Consent Agenda Items CA-1 through CA-49. Ayes: Shafer, Ruddy, Bentz, Perry, Whiting.

NEW BUSINESS

1. NW 18th Street Reconstruction - NW Ash Drive to N Ankeny Blvd Council Member Bentz moved, Whiting seconded, to adopt **RESOLUTION 2022-399** 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.). Ayes: Bentz, Whiting, Perry, Ruddy, Shafer.
2. NW 18th Street Reconstruction - NW Ash Drive to N Ankeny Blvd Council Member Ruddy moved, Whiting seconded, 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. Ayes: Ruddy, Whiting, Bentz, Perry, Shafer.
3. Faith Baptist Bible College – Homecoming Council Member Whiting moved, Bentz seconded, to approve the request by Faith Baptist College to suspend enforcement of certain provisions of Chapter 44 and Chapter 41.09 on October 8, 2022. Ayes: Whiting, Bentz. Nays: Perry, Ruddy, Shafer. Council Member Whiting moved, Bentz seconded, to approve suspending enforcement of certain provisions of Chapter 44 and Chapter 41.09 providing: 1) completion of notification to neighbors within 250' and 2) one time only at the conclusion of the National Anthem, approximately 1:00 p.m. Ayes: Whiting, Bentz, Perry, Ruddy, Shafer.

ADJOURNMENT

1. Meeting was adjourned at 6:15 PM.

Michelle Yuska, City Clerk

Mark Holm, Mayor

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