

MINUTES OF THE ANKENY CITY COUNCIL

Monday, August 7, 2023 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 Stearns

Mayor Mark Holm called the meeting to order at 5:30 p.m. Council Members Bobbi Bentz, Jeff Perry, Joe Ruddy, Todd Shafer, and Kelly Stearns were in attendance. City Manager David Jones and City Attorney Amy Beattie were also present. Mayor Holm led in the Pledge of Allegiance.

PUBLIC FORUM

1. Dennis Sarenpa, 1201 NE Trilein Dr, and Kurt Bachman, 1102 NE Trilein Dr, expressed concerns with speeding on Trilein Drive.

APPROVAL OF AGENDA

1. Council Member Bentz moved, Shafer seconded, to approve and accept the August 7, 2023 agenda as presented. Ayes: 5.

APPROVAL OF CONSENT AGENDA

Minutes

1. Official council actions of the regular meeting of July 17, 2023, as published.
2. Receive and file minutes of the Plan and Zoning Commission meeting of July 5, 2023.
3. Receive and file minutes of the Zoning Board of Adjustment meeting of June 20, 2023.

Licenses and Permits

4. Issuance of cigarette/tobacco/nicotine/vapor permits in the City of Ankeny.
5. Issuance of liquor licenses and beer/wine permits in the City of Ankeny.

Finance/Budget

6. Change Order #4 increasing the contract amount by \$12,755.00 to Absolute Concrete Construction, Inc., for construction services on the SE 3rd Street Utility Improvements-Phase 1 project.
7. Amendment No. 4 to the Professional Services Agreement increasing the contract amount by \$16,990.00 with JEO Consulting Group for construction engineering services on the SE 3rd Street Utility Improvements - Phase 1 project.
8. Amendment No. 3 to the Professional Services Agreement increasing the contract amount by \$8,715.00 with JEO Consulting Group, Inc. for additional construction engineering services on the SE Delaware Avenue HMA Widening project.
9. Amendment No. 2 to the Professional Services Agreement increasing the contract amount by \$45,890.00 with Kirkham Michael & Associates for construction engineering services on the Westwinds Storm Sewer Extension Project - SW Westwinds Drive.
10. Amendment No. 2 to the Professional Services Agreement increasing the contract amount by \$9,600.00 with MSA Professional Services for limited construction engineering services associated with the first phase of the Uptown Parking Improvements project.
11. Amendment No. 1 to the Professional Services Agreement increasing the contract amount by \$2,500.00 with Nilles Associates, Inc, for engineering services on the Midway Park Development project.

12. Amendment No. 1 to the Professional Services Agreement increasing the contract amount by \$19,700.00 with Nilles Associates, Inc, for engineering services on the Rally Complex project.
13. Amendment No. 1 to the Professional Services Agreement increasing the contract amount by \$74,500.00 with Snyder & Associates, Inc. for construction engineering services associated with the SE Oralabor Road & Convenience Boulevard/Creekview Drive Traffic Signal Replacement Project.
14. Payment #4, \$5,047.00 to Bolton & Menk, Inc., for engineering services on the NW Prairie Ridge Dr/Ash Drive/9th Street Concept Study project.
15. Payment #15, \$2,963.58 to Foth Infrastructure and Environment, LLC for engineering services on the North Four Mile Creek Trunk Sewer project.
16. Payment #4, \$21,666.10 to Foth Infrastructure and Environment, LLC for engineering services on the NW State Street Extension project.
17. Payment #27, \$7,324.25 to FOX Strand, for engineering services on the Ankeny ASR project.
18. Payment #3, \$12,363.50 to FOX Strand, for engineering services on the NE 36th Street & NE 38th Street Water Main Loop project.
19. Payment #4, \$27,194.51 to HGS, LLC, for construction services on the Rock Creek Greenbelt - Native Vegetation project.
20. Payment #4, \$15,007.00 to HR Green, Inc., for engineering services on the NW Irvinedale Drive & NW 18th Street Intersection Improvements project.
21. Payment #8, \$2,217.00 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.
22. Payment #1, \$175,243.01 to Iowa Signal, Inc., for construction services on the SW State Street Fiber Optic Relocation project.
23. Payment #1, \$53,430.14 to JC Construction, for construction services on the School Walkability Improvements project.
24. Payment #23, \$1,797.50 to JEO Consulting Group, Inc. for engineering services on the SE 3rd Street Utility Improvements Phase 1 project.
25. Payment #20, \$9,897.50 to JEO Consulting Group, Inc., for engineering services on the SE Delaware Avenue HMA Widening project.
26. Payment #4, \$14,535.90 to JEO Consulting Group, Inc., for engineering services on the Transportation Master Plan project.
27. Payment #10, \$4,207.50 to Kirkham Michael and Associates, for engineering services on the Westwinds Storm Sewer Extension Project - SW Westwinds Drive.
28. Payment #6, \$2,240.00 to MSA Professional Services, Inc., for engineering services on the Uptown Parking Improvements project.
29. Payment #1, \$18,970.00 to Nilles Associates, Inc. for engineering services on the Midway Park project.
30. Payment #2, \$33,528.50 to Nilles Associates, Inc. for engineering services on the Rally Complex project.
31. Payment #4, \$40,385.00 to Nilles Associates, Inc., for engineering services on the NE Crestmoor Sanitary Sewer Replacement project.
32. Payment #2, \$30,000.00 to Romtech Companies for construction services on the restroom facility at the Midway Park.
33. Payment #32, \$258.50 to Shive Hattery for construction administration services associated with the Ankeny Senior Community Center project.
34. Payment #12, \$32,533.25 to Short Elliott Hendrickson Inc., for engineering services on the S Ankeny Blvd Transmission Main project.
35. Payment #30, \$6,805.75 to Snyder & Associates, Inc., for engineering services on the High Trestle Trail Ext Magazine Rd to Oralabor Rd project.
36. Payment #29, \$20,447.16 to Snyder & Associates, Inc., for engineering services on the HTT Transmission Main and Drainage Improvements project.
37. Payment #30, \$21,087.08 to Snyder & Associates, Inc., for engineering services on the N Ankeny Blvd Landscape Improvements project.

38. Payment #24, \$35,473.32 to Snyder & Associates, Inc., for engineering services on the NE Delaware Ave Recon - NE 5th St to NE 18th St project.
39. Payment #16, \$3,024.38 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements - Phase 2 project.
40. Payment #2, \$25,783.30 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements - Phase 3 project.
41. Payment #3, \$58,569.75 to Snyder & Associates, for engineering services on the S Ankeny Blvd Improvements SE Peterson Dr to 1st St project.
42. Payment #43, \$2,324.12 to Snyder & Associates, Inc., for engineering services on the SE Crosswinds Drive – RISE project.
43. Payment #8, \$716,604.58 to Synergy Contracting, LLC, for construction services on the HTT Water Transmission Main & Drainage Improvements project.
44. Payment #4, \$16,723.20 to SVPA Architects Inc. for design services associated with the Ankeny Fire Station No. 4 project.
45. Payment #10, \$16,150.00 to W RH, Inc., for construction services on the Well No. 7/ASR No. 3 - Bid Package 2 – Well Pump and Control Building project.
46. August 7, 2023 Accounts Payable by fund: General 535,504; Hotel Motel Tax 4,058; Road Use Tax 182,107; Seizure 12,491; Library Foundation 1,037; Water 949,394; Sewer 598,397; Storm Water 25,956; Golf Course 64,695; Enterprise Project 980,194; Revolving 58,774; Risk Management 76,777; Health Insurance (21); Special Assessments 80,236; BAN/Bond Activity 23,707; Capital Projects 595,172; Payroll Totals 1,554,918; Transfers/ACH (202,275); Agenda Payments approved separately (1,529,778); Grand Total \$4,011,343.
47. Payment to the Ankeny Community School District in an amount not to exceed \$310,000.00 for engineering and construction services on the Prairie Ridge Sports Complex - East 8 Tennis Court Renovations project.
48. **RESOLUTION 2023-305** accepting a proposal from Concrete Connection, LLC in the amount of \$95,000.00 for the Midway Park Phase 2 Improvements project.

Personnel

49. A temporary side-by-side position in the fire department which will temporarily increase the authorized FTE count by one.

Community Development

50. Heritage Commercial at Prairie Trail Neighborhood Plan.
51. **RESOLUTION 2023-306** waiving approval of The Reserve at Rock Creek Final Plat.
52. Preliminary approval of Kimberley Crossing Plat 3 Final Plat.
53. Pine Lake Estates Plat 1 Preliminary Plat, and the acceptance of the public streets named NE Pine Lake Circle and NE Pondview Court.
54. **RESOLUTION 2023-307** 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.

Engineering

55. **RESOLUTION 2023-308** authorizing the Mayor to sign a development agreement with M-H Property Enterprises, L.L.C., concerning the construction of a traffic signal at the intersection of SE Delaware Avenue and SE 54th Street in the City of Ankeny, Iowa.
56. **RESOLUTION 2023-309** accepting a permanent sanitary sewer easement for the extension of sanitary sewer across the SPAL-USA, Inc. property to the Ankeny Regional Airport in Ankeny, Iowa.
57. **RESOLUTION 2023-310** accepting a purchase agreement and approving documents for the acquisition of permanent storm sewer and drainage easement and temporary construction

easement for the Westwinds Plat 9 Storm Sewer Extension project in Ankeny, Iowa. (2012 SW Westwinds Drive - Laudick & Flowers)

58. **RESOLUTION 2023-311** accepting a purchase agreement and approving documents for the acquisition of temporary construction easement for the Westwinds Plat 9 Storm Sewer Extension project in Ankeny, Iowa. (2104 SW Westwinds Drive - Christian and Christian)
59. **RESOLUTION 2023-312** accepting a purchase agreement and approving documents for the acquisition of permanent storm sewer and drainage easement and temporary construction easement for the Westwinds Plat 9 Storm Sewer Extension project in Ankeny, Iowa. (2016 SW Westwinds - Machan)
60. **RESOLUTION 2023-313** accepting a permanent sanitary sewer easement and temporary construction easements for the construction of the North Four Mile Creek Trunk Sewer Extension project in Ankeny, Iowa.

Capital Improvement Projects

61. **SE Delaware Avenue HMA Widening**: a) Final Change Order #4 decreasing the contract amount by \$24,142.42; b) Certificate of Completion; c) **RESOLUTION 2023-314** accepting the public improvement with Grimes Asphalt and Paving Corporation in the amount of \$945,356.25; and d) Final Payment #6 in the amount of \$18,707.71; and Retainage Payment in the amount of \$47,267.81.
62. **High Trestle Extension - SE Magazine Road to SE Oralabor Road**: a) Certificate of Completion; b) **RESOLUTION 2023-315** accepting the public improvement with Cramer and Associates, Inc. in the amount of \$3,034,636.29; and c) Final Payment #16 in the amount of \$0.00; and Retainage Payment in the amount of \$30,000.00.
63. **RESOLUTION 2023-316** authorizing the execution of an amendment to an agreement between Polk County, Iowa, the City of Ankeny, Iowa, and Rich Eychaner for the Creekview Drive Stormwater Wetland project.
64. **RESOLUTION 2023-317** ordering construction on the 2023 Rally Complex Park Development project and fixing a date for hearing thereon and taking of bids therefor. (date of bid letting: 8/29/23 @ 10:30 A.M. / date of hrg: 9/5/23 @ 5:30 P.M.)
65. **RESOLUTION 2023-318** ordering construction on the NW Irvinedale Drive - Elevated Water Storage Tank project and fixing a date for hearing thereon and taking of bids therefor. (date of bid opening: 9/12/23 @ 10:30 A.M. / date of hrg: 9/18/23 @ 5:30 P.M.)

Administrative

66. Certification to the Treasurer of State the population of the DRA Properties NE annexed territory as determined by the last certified federal census of said territory.
67. **RESOLUTION 2023-319** authorizing the City of Ankeny to enter into a contract with the Iowa Economic Development Authority and SPAL-USA, Inc.
68. **RESOLUTION 2023-320** approving release of fire escrow at 803 NW 32nd Street.

Approval of Consent Agenda Items

1. Council Member Shafer moved, second by Stearns, to approve the recommendations for Consent Agenda Items CA-1 through CA-68. Ayes: Shafer, Stearns, Bentz, Perry, Ruddy.

LEGISLATIVE BUSINESS

Approval of Ordinances

1. **Ord 2147**. An Ordinance amending Chapter 63 Speed Regulations of the Municipal Code of the City of Ankeny, Iowa, by amending Section 63.05 Special Speed Zones. Council Member Stearns moved, Ruddy seconded, to accept third consideration of ORDINANCE 2147,

sending it on its final passage and publication as required by law. Ayes: Stearns, Ruddy, Bentz, Shafer, Perry.

2. **Ord 2148.** An Ordinance amending Chapter 69 Parking Regulations of the Municipal Code of the City of Ankeny, Iowa, by amending Section 69.04 Angle Parking, Section 69.10 No Parking on North and East Sides of Streets, and Section 69.11 No Parking on Both Sides. Council Member Stearns moved, Shafer seconded, to accept first consideration of ORDINANCE 2148. Ayes: Stearns, Shafer, Bentz, Perry, Ruddy.

NEW BUSINESS

1. Proposed Vintage Business Park North Lake & Saylor Creek Repairs - Professional Services Agreement with Nilles Associates, Inc. Council Member Stearns moved, Ruddy seconded, to approve the Professional Services Agreement with Nilles Associates, Inc. for design engineering services on the Vintage Business Park North Lake & Saylor Creek Repairs project in an amount not to exceed \$94,900.00 and authorize the Mayor to execute said Agreement. Ayes: Stearns, Ruddy, Bentz, Shafer, Perry.
2. Proposed Polk County Community Development Block Grant program through the U.S. - Department of Housing and Urban Development. Council Member Perry moved, Bentz seconded, to be included in Polk County's Community Development Block Grant program through the U.S. Department of Housing and Urban Development. Ayes: Perry. Nays: Bentz, Shafer, Ruddy, Stearns. Motion failed. Council Member Ruddy moved, Shafer seconded, to be excluded in Polk County's Community Development Block Grant program through the U.S. Department of Housing and Urban Development. Ayes: Bentz, Shafer, Ruddy, Stearns. Nays: Perry.

ADJOURNMENT

1. Meeting adjourned at 6:01 p.m.

Michelle Yuska, City Clerk

Mark Holm, Mayor

Published in the Des Moines Register on 8/18/23.