



ANKENY CITY COUNCIL

Regular Meeting

**Monday, August 1, 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:	Bobbi Bentz, Mayor pro tem
ROLL CALL:	Michelle Yuska, City Clerk
PLEDGE OF ALLEGIANCE:	Bobbi Bentz, Mayor pro tem

CEREMONY: none

A. PUBLIC FORUM: none

B. APPROVAL OF AGENDA:

1. Approval of the August 1, 2022 Agenda

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

C. PUBLIC HEARING(S):

1. PH 2022-57 Proposed Oralabor Gateway Trail-SW State Street Grade Separated Crossing and SW Oralabor Road and SW State Street Safety Improvements Project
Public Hearing to Authorize the Acquisition of Property and Property Interests

Action# C1-1. Consider motion to close Public Hearing 2022-57.

2. PH 2022-58 Proposed 2022 Prairie Ridge Aquatic Center - Resurfacing Project

Action# C2-1. Consider motion to close Public Hearing 2022-58.

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 July 18, 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 6, 2022.

CA - 3 Receive and file minutes of the Library Board of Trustee meeting of June 16, 2022.

- **Licenses and Permits**

CA - 4 Consider motion to approve cigarette/tobacco permit(s) in the City of Ankeny.

CA - 5 Consider motion to approve the issuance of liquor license(s) and/or beer / wine permit(s) in the City of Ankeny.

- **Finance/Budget**

CA - 6 Consider motion to approve Change Order #1 increasing the contract amount by \$16,489.00 to Absolute Concrete Construction, Inc., for construction services on the NE 36th Street Reconstruction - I-35 to NE Four Mile Drive project.

CA - 7 Consider motion to approve Change Order #2 increasing the contract amount by \$33,596.33 to Gingerich Well & Pump Service, LLC, for construction services on the Well No. 7/ASR No. 3 - Bid Package 1 - Well Construction project.

CA - 8 Consider motion to approve Payment #4 in the amount of \$298,620.34 to Absolute Concrete Construction, Inc. for construction services on the NE 36th Street Reconstruction - I-35 to NE Four Mile Drive.

CA - 9 Consider motion to approve Payment #27 in the amount of \$20,030.31 to Civil Design Advantage for engineering services on the NW 18th Street Extension - NW Weigel Drive to NW Spruce Drive project.

- CA - 10** Consider motion to approve Payment #25 in the amount of \$82,812.47 to Foth Infrastructure and Environment, LLC for engineering services on the West First Street Widening and Improvements - Phase 1 project.
- CA - 11** Consider motion to approve Payment #4 in the amount of \$1,464,706.93 to Gingerich Well & Pump Service, LLC, for construction services on the Well No. 7/ASR No. 3 - Bid Package 1 - Well Construction project.
- CA - 12** Consider motion to approve Payment #11 in the amount of \$90,425.37 to HR Green, Inc. for engineering services on the NE 36th Street Reconstruction Project, I-35 to NE Four Mile Drive.
- CA - 13** Consider motion to approve Payment #5 in the amount of \$9,254.05 to HR Green, Inc., for engineering services on the Otter Creek Trunk Sewer - Phase 3 project.
- CA - 14** Consider motion to approve Payment #1 in the amount of \$6,090.00 to JEO Consulting Group, Inc., for engineering services on the SE 3rd Street Improvements - Phase 2 project.
- CA - 15** Consider motion to approve Payment #14 in the amount of \$19,825.00 to JEO Consulting Group, Inc. for engineering services on the SE 3rd Street Utility Improvements Phase 1 project.
- CA - 16** Consider motion to approve Payment #12 in the amount of \$1,880.00 to JEO Consulting Group, Inc., for engineering services on the SE Delaware Avenue HMA Widening project.
- CA - 17** Consider motion to approve Payment #4 in the amount of \$38,526.75 to RDG Planning & Design for engineering services on the Fourmile Creek and Tributary to Fourmile Creek Restoration project.
- CA - 18** Consider motion to approve Payment #5 in the amount of \$1,962.25 to Snyder & Associates, Inc., for engineering services on the Cherry Glen Ballfield Development project.
- CA - 19** Consider motion to approve Payment #24 in the amount of \$18,475.70 to Snyder & Associates, Inc., for engineering services on the High Trestle Trail Ext Magazine Rd to Oralabor Rd project.
- CA - 20** Consider motion to approve Payment #17 in the amount of \$18,544.85 to Snyder & Associates, Inc., for engineering services on the HTT Transmission Main and Drainage Improvements project.
- CA - 21** Consider motion to approve Payment #12 in the amount of \$80,936.65 to Snyder & Associates, Inc., for engineering services on the NE Delaware Ave Recon - NE 5th St to NE 18th St project.
- CA - 22** Consider motion to approve Payment #20 in the amount of \$14,414.63 to Snyder & Associates, Inc., for engineering services on the NW 36th St Widening - NW Ash Dr to N Ankeny Blvd project.
- CA - 23** Consider motion to approve Payment #16 in the amount of \$17,676.79 to Snyder & Associates, Inc., for engineering services on the NW 36th St and NW State St Interim Improvements project.
- CA - 24** Consider motion to approve Payment #21 in the amount of \$2,154.38 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements - Phase 1 project.
- CA - 25** Consider motion to approve Payment #31 in the amount of \$18,236.45 to Snyder & Associates, Inc., for engineering services on the SE Crosswinds Drive - RISE project.

CA - 26 Consider motion to approve Payment #13 in the amount of \$611,155.19 to Sternquist Construction, for construction services on the NW 18th Street Extension - NW Weigel Drive to NW Spruce Drive project.

CA - 27 Consider motion to approve the August 1, 2022 Accounts Payable. (Finance Committee: T. Shafer, Chp, K. Whiting, B. Bentz)

- **Personnel Items - none**

- **Community Development Items**

CA - 28 Consider motion to adopt **RESOLUTION** accepting final plat, deed to street and platted easements for Vintage Business Park at Prairie Trail Plat 12.

CA - 29 Consider motion to adopt **RESOLUTION** accepting final plat, warranty deed to streets, subdivision bonds for seeding and erosion control, platted easements, and park land dedication agreement for The Crossings at Deer Creek Plat 7.

- **Engineering Items**

CA - 30 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. (1033 NE Lake View Drive - Godron)

CA - 31 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. (Outlot X of Plat 5 - Tuscany Pointe Owners Association, Inc.)

CA - 32 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. (East of NE Delaware Avenue and South of Fourmile Creek - DRA Properties, LC)

CA - 33 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. (North of NE 18th Street and 200 feet East of NE Delaware Avenue - DRA Properties, LC)

CA - 34 Consider motion to adopt **RESOLUTION** authorizing the execution of an Agreement for Traffic Safety Improvement Program (TSIP) Funding between the Iowa Department of Transportation (Iowa DOT) and the City of Ankeny, Iowa, for the sharing of project costs for the proposed NE Delaware Avenue Reconstruction - NE 5th Street to 700 feet North of NE 18th Street project.

CA - 35 Consider motion to adopt a **RESOLUTION** accepting and approving documents for the acquisition of temporary construction easement for the North Ankeny Blvd. Water Main project in Ankeny, Iowa. (3625 N. Ankeny Blvd. - Central Iowa Hospital Corporation)

CA - 36 Consider motion to adopt a **RESOLUTION** accepting a purchase agreement and approving documents for the acquisition of street right-of-way for the NE Delaware Avenue Reconstruction - NE 5th Street to 700 feet North of NE 18th Street project in Ankeny, Iowa. (North of NE 18th Street and 200 feet East of NE Delaware Avenue - DRA Properties, LC)

CA - 37 Consider motion to adopt **RESOLUTION** accepting maintenance bond for water

main, sanitary sewer and storm sewer in The Crossings at Deer Creek Plat 7.

- CA - 38** Consider motion to adopt **RESOLUTION** accepting maintenance bond for paving in The Crossings at Deer Creek Plat 7.
- CA - 39** 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. (1080 NE 18th Street - Fuller)
- CA - 40** 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. (1305 NE Delaware Avenue - Willey)
- CA - 41** Consider motion to adopt **RESOLUTION** authorizing the mayor to sign a development agreement with Bill Kimberley, LC concerning the construction of the Kimberley Estates Plat 2 Sanitary Trunk Sewer Extension in the City of Ankeny, Iowa.
- CA - 42** Consider motion to adopt **RESOLUTION** approving plans and specifications and accepting contracts, performance and maintenance bonds for the construction of sanitary trunk sewer in the Kimberley Estates Plat 2 Trunk Sewer Extension Project.

- **Capital Improvement Projects**

- CA - 43** **SE 8th Street Reconstruction - Phase 2 Project**: Consider motion to approve: a) Final Change Order #2 increasing the contract amount by \$499.00; b) Certificate of Completion; c) **RESOLUTION** accepting the public improvement with Absolute Concrete Construction in the amount of \$794,139.90; and d) Final Payment #6 in the amount of \$0.00; and Retainage Payment in the amount of \$24,423.04.
- CA - 44** Consider a motion to adopt **RESOLUTION** accepting the Corporate Surety Bond for the Rock Creek Greenway Trail Improvements, in exchange for the deposit of funds previously approved in accordance with Iowa Code Section 573.4

- **Administrative Items**

- CA - 45** Consider motion to adopt:
- RESOLUTION** authorizing public hearing on the 2022 Tobacco Compliance Check for Casey's, 1024 E 1st St. – January 24, 2022 – first violation (date of hrg: 9/6/22 @ 5:30 p.m.)
- RESOLUTION** authorizing public hearing on the 2022 Tobacco Compliance Check for Casey's, 1024 E 1st St, Ankeny – April 27, 2022 – second violation (date of hrg: 9/6/22 @ 5:30 p.m.)
- RESOLUTION** authorizing public hearing on the 2022 Tobacco Compliance Check for Central Iowa Vapors, 207 NE Delaware Ave, #2, Ankeny – January 24, 2022 – first violation (date of hrg: 9/6/22 @ 5:30 p.m.)
- RESOLUTION** authorizing public hearing on the 2022 Tobacco Compliance Check for Grubb's Pubb, 1165 SW Ordinance Rd, Ankeny – January 16, 2022 – first violation (date of hrg: 9/6/22 @ 5:30 p.m.)
- RESOLUTION** authorizing public hearing on the 2022 Tobacco Compliance

Check for Hy-Vee #2, 1710 SW Oralabor Rd, Ankeny – February 11, 2022 – first violation (date of hrg: 9/6/22 @ 5:30 p.m.)

RESOLUTION authorizing public hearing on the 2022 Tobacco Compliance Check for Kum & Go, 1910 SW White Birch Cir, Ankeny – January 24, 2022 – first violation (date of hrg: 9/6/22 @ 5:30 p.m.)

RESOLUTION authorizing public hearing on the 2022 Tobacco Compliance Check for Kum & Go, 1910 SW White Birch Cir, Ankeny – April 27, 2022 – second violation (date of hrg: 9/6/22 @ 5:30 p.m.)

RESOLUTION authorizing public hearing on the 2022 Tobacco Compliance Check for Leaf Brothers Cigar, 1924 SW 3rd St, Ankeny – February 11, 2022 – first violation (date of hrg: 9/6/22 @ 5:30 p.m.)

CA - 46 Consider motion authorizing the City of Ankeny to enter into a contract with All Community Events, Inc. for the Jack O' Lantern World special event.

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-46

Action# E1-1. Consider motion to approve the recommendations for Consent Agenda Items CA-1 through CA-46

F. SUPPLEMENTAL AND REMOVED CONSENT AGENDA ITEMS: none

G. RECESS - Bobbi Bentz, Mayor pro tem

H. LEGISLATIVE BUSINESS:

- **Approval of Ordinances: - none**

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Proposed SW Oralabor Road & SW State Street - Oralabor Gateway Trail (PH 2022-57)

Action# J1-1. Consider motion to adopt RESOLUTION approving and authorizing the acquisition of property and property interests for the Oralabor Gateway Trail - SW State Street Grade Separated Crossing and SW Oralabor Road and SW State Street Safety Improvements project.

2. Proposed 2022 Prairie Ridge Aquatic Center - Resurfacing (PH 2022-58)

Action# J2-1. Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$225,000.00; 2) receive and file report of bids received July 26, 2022; 3) adopt RESOLUTION making award of construction contract with Splash Pool & Spa in the amount of \$292,200.00; and 4) adopt RESOLUTION approving contract and bonds with Splash Pool & Spa in the amount of \$292,200.00.

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 - 8/15/22 @ 5:30 p.m.***
- ***Public Hearing - 2022 Tobacco Compliance Checks - 9/6/22 @ 5:30 p.m.***
- ***Regular Council Meeting - 9/19/22 @ 5:30 p.m.***

L. ADJOURNMENT

1. Adjournment