



ANKENY CITY COUNCIL

Regular Meeting

Monday, July 18, 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=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 July 18, 2022 Agenda

Action# B1-1. Consider motion to approve and accept the July 18, 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 July 5, 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 June 21, 2022.

CA - 3 Receive and file minutes of the Civil Service Commission meeting of June 13, 2022.

- **Licenses and Permits**

CA - 4 Consider motion to approve cigarette/tobacco/nicotine/vapor 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 receive and file Financial Reports for June 2022.

CA - 7 Consider motion to receive and file Building Permit Report for June 2022.

CA - 8 Consider motion to receive and file Utility Billing Report for June 2022.

CA - 9 Consider motion to approve Change Order #2 increasing the contract amount by \$2,242.20 to Absolute Concrete Construction, Inc., for construction services on the SE 3rd Street Utility Improvements-Phase 1 project.

CA - 10 Consider motion to approve Change Order #1 increasing the contract amount by \$5,960.00 to Con-struct Inc., for construction services on the NW 36th Street and NW State Street Interim Improvements project.

CA - 11 Consider motion to approve Change Order #1 increasing the contract amount by \$0 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 #1 increasing the contract amount by \$13,914.10 to OMG Midwest, Inc., DBA Des Moines Asphalt & Paving, for construction services on the 2022 Asphalt Street Resurfacing Program - SW Ordinance Rd project.

CA - 13 Consider motion to approve Change Order #2 increasing the contract amount by \$23,221.00 to Sternquist Construction, for construction services on the SE Crosswinds Drive RISE - Phase 2 project.

- CA - 14** Consider motion to approve Payment #3 in the amount of \$110,721.55 to Absolute Concrete Construction Inc. for construction services on the NE 36th Street Reconstruction Project - I-35 to NE Four Mile Drive.
- CA - 15** Consider motion to approve Payment #3 in the amount of \$475,828.78 to Absolute Concrete Construction, Inc., for construction services on the NW 36th Street Widening - NW Ash Drive to N Ankeny Boulevard project.
- CA - 16** Consider motion to approve Payment #1 in the amount of \$61,750.00 to Absolute Concrete, for construction services on the 2022 PCC Reconstruction Program - NW 5th Street project.
- CA - 17** Consider motion to approve Payment #2 in the amount of \$116,299.10 to Absolute Concrete Construction, Inc. for construction services on the SE 3rd Street Utility Improvements - Phase 1 project.
- CA - 18** Consider motion to approve Payment #1 in the amount of \$331,630.56 to Construct, Inc., for construction services on the NW 36th Street and NW State Street Interim Improvements project.
- CA - 19** Consider motion to approve Payment #2 in the amount of \$289,346.49 to Construct, Inc., for construction services on the 2022 PCC Reconstruction Program - SE Peachtree Drive project.
- CA - 20** Consider motion to approve Payment #11 in the amount of \$628,008.88 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 #15 in the amount of \$41,877.85 to FOX Strand, for engineering services on the Ankeny ASR project.
- CA - 22** Consider motion to approve Payment #4 in the amount of \$140,032.53 to Gus Construction, for construction services on the NE Four Mile Drive RCB Culvert for Deer Creek project.
- CA - 23** Consider motion to approve Payment #1 in the amount of \$23,100.00 to HDR Engineering, Inc., for engineering services on the NW Irvinedale Elevated Storage Tank project.
- CA - 24** Consider motion to approve Payment #14 in the amount of \$4,300.01 to HR Green, Inc., for engineering services on the S Ankeny Blvd and Magazine Rd Safety Improvements project.
- CA - 25** Consider motion to approve Payment #1 in the amount of \$305,054.65 to Iowa Civil Contracting, Inc., for construction services on the 2022 PCC Street Patching Program project.
- CA - 26** Consider motion to approve Payment #22 in the amount of \$7,442.98 to Kirkham Michael & Associates, Inc., for engineering services on the NE Four Mile Drive RCB Culvert for Deer Creek project.
- CA - 27** Consider motion to approve Payment #4 in the amount of \$25,675.21 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 #16 in the amount of \$17,809.00 to MSA Professional Services, Inc., for engineering services on the NW 36th Street and NW Weigel Drive Water Main project.
- CA - 29** Consider motion to approve Payment #1 in the amount of \$275,989.56 to OMG Midwest, Inc., DBA Des Moines Asphalt & Paving, for construction services on the 2022 Asphalt Street Resurfacing Program - SW Ordinance Rd project.

- CA - 30** Consider motion to approve Payment #4 in the amount of \$6,854.25 to On Track Construction, LLC, for construction services on the NW 36th Street and NW Weigel Drive Water Main (Construction) project.
- CA - 31** Consider motion to approve Payment #12 in the amount of \$143,375.15 to Reilly Construction Company Inc., for construction services on the West First Street Widening and Improvements - Phase 1 project.
- CA - 32** Consider motion to approve Payment #1 in the amount of \$12,153.96 to Shekar Engineering , PLC, for construction services on the 2022 Pedestrian Ramp Improvements Program project.
- CA - 33** Consider motion to approve Payment #1 in the amount of \$34,746.67 to Shekar Engineering , PLC, for construction services on the 2022 Pedestrian Ramp Improvements Program-Briarwood project.
- CA - 34** Consider motion to approve Payment #9 in the amount of \$144,996.60 to Spring Lake Construction LLC, for construction services on the NW Northlawn Area Utility Improvements - Phase 1 project.
- CA - 35** Consider motion to approve Payment #3 in the amount of \$406,527.55 to Sternquist Construction, for construction services on the SE Crosswinds Drive RISE - Phase 2 project.
- CA - 36** Consider motion to approve the July 18, 2022 Accounts Payable. (Finance Committee: J. Ruddy, Chp, T. Shafer, K. Whiting)
- CA - 37** Consider motion to approve an amendment to the City Council action of May 17, 2021, to purchase a new ambulance for the Fire Department.

- **Personnel Items**

- CA - 38** Consider motion to accept the Civil Service Commission certified lists for appointment to: Equipment Operator - Public Works; Budget Analyst - City Manager's Office; Lead Fleet Technician - Public Works; subject to passing any further departmental requirements.

- **Community Development Items**

- CA - 39** Consider motion to adopt **RESOLUTION** accepting the First Amendment to Storm Water Management Facility Maintenance Covenant and Permanent Easement Agreement associated with the development of Villas at Prairie Trail Plat 4 and the Nelson Senior Living site plan at 2855 SW Vintage Parkway.
- CA - 40** Consider motion to approve the Pheasant Trail Plat 1 Preliminary Plat.

- **Engineering Items**

- CA - 41** Consider motion to adopt **RESOLUTION** authorizing the execution of a Federal-Aid Swap Agreement for Surface Transportation Block Grant (STBG) 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 - 42** 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. (1025 NE Fountain View Court - Brendeland)
- CA - 43** Consider motion to adopt **RESOLUTION** accepting maintenance bond for paving in Hidden Creek Multi-Use 2020 Roadway Improvements.

- CA - 44** Consider motion to adopt **RESOLUTION** accepting a proposal from Greentech of Iowa in the amount of \$64,050.00 for the construction of the 2022 City-Wide Permanent Surface Restoration project.
- CA - 45** Consider motion to adopt a **RESOLUTION** releasing original bonds approved under resolution No. 2017-207, and accepting new contract, performance and maintenance bonds for the Construction of sanitary sewer main improvements for the Ankeny Market Village project.

- **Capital Improvement Projects**

- CA - 46** **Otter Creek Sanitary Sewer Improvements - Phase 3:** Consider motion to approve: a) Certificate of Completion; b) **RESOLUTION** accepting the public improvements with Rognes Corporation in the amount of \$474,322.00; c) Change Order #2 for (\$19,495.00); d) Final Payment #3 in the amount of \$871.62 / Release of Retainage in the amount of \$23,716.10.

- **Administrative Items - none**
- **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 - Mark Holm, Mayor

H. LEGISLATIVE BUSINESS:

- **Boards/Commissions Appointments:**

1. Library Board of Trustees- Miranda Piepho, 3422 NE Briar Creek Dr, Ankeny, Iowa - term effective 7/18/2022 - 6/30/2026

Action# H1-1. Consider motion to accept Mayor's appointment of Miranda Piepho to the Library Board of Trustees, effective 07/18/2022 through 06/30/2026.

- **Approval of Ordinances:**

1. Ord 2115 An Ordinance amending the Code of Ordinances of the City of Ankeny, Iowa, by amending Section 41.10 throwing and shooting and adding a new Section 41.11 bow and arrow target shooting.

Action# H1-1. Consider motion to accept third consideration of ORDINANCE 2115, sending it on its final passage and publication as required by law.

2. Ord 2116 An Ordinance amending Chapter 152, Sidewalk Regulations, of the Municipal Code of the City of Ankeny, Iowa

Action# H2-1. Consider motion to accept third consideration of ORDINANCE 2116, sending it on its final passage and publication as required by law.

3. Ord 2117 An Ordinance amending the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, to rezone certain property owned by Moeckly

Family Farm, LLC, from the current R-1, One-Family Residence District, to PUD, Planned Unit Development (PH 2022-55)

Action# H3-1. Consider motion to accept second consideration of ORDINANCE 2117.

Action# H3-2. Consider motion to accept request to suspend the rule that all ordinances must be considered on three different days and accept third consideration of ORDINANCE 2117, sending it on its final passage and publication as required by law.

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Proposed Uptown Parking Improvements
Professional Services Agreement with MSA Professional Services, Inc.

Action# J1-1. Consider a motion to approve the Professional Services Agreement with MSA Professional Services, Inc., for the design engineering and bidding phase services on the Uptown Parking Improvements in an amount not to exceed \$41,710.00 and the Mayor to execute said agreement.

2. SW State Street Reconstruction - Southbound Lanes
Professional Services Agreement with McClure Engineering Company

Action# J2-1. Consider motion to approve the Professional Services Agreement with McClure Engineering Company for design engineering services on the SW State Street Reconstruction - Southbound Lanes project in an amount not to exceed \$102,600.00 and authorize the Mayor to execute said Agreement.

3. Ankeny Youth Triathlon - Temporary Street Closure - July 23, 2022

Action# J3-1. Consider motion to adopt RESOLUTION authorizing temporary street closings for the purpose of the Ankeny Youth Triathlon.

4. Purchase Agreement for 2.5 acres of real property

Action# J4-1.

Action: Consider motion to authorize entering into the attached Purchase Agreement with TJL Investments LLC and DNF LLC.

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:**
 - ***Public Hearing - Notice of Intent - 8/1/22 @ 5:30 p.m.***
 - ***Public Hearing - 2022 Prairie Ridge Aquatic Center - Resurfacing - 8/1/22 @ 5:30 p.m.***
 - ***Regular Council Meeting - 8/15/22 @ 5:30 p.m.***
 - ***Regular Council Meeting - 9/6/22 @ 5:30 p.m.***

L. ADJOURNMENT

1. Adjournment