



ANKENY CITY COUNCIL

Regular Meeting

Monday, July 17, 2023

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 Stearns

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 17, 2023 Agenda

Action# B1-1. Consider motion to approve and accept the July 17, 2023 agenda, with or 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 3, 2023, 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 20, 2023.
- CA - 3** Receive and file minutes of the Civil Service Commission meeting of June 12, 2023.

- **Licenses and Permits**

- CA - 4** Consider motion to approve the issuance of liquor licenses and/or beer/wine permits in the City of Ankeny.
- CA - 5** Consider motion to approve cigarette permits in the City of Ankeny.

- **Finance/Budget**

- CA - 6** Consider motion to receive and file Financial Reports for June 2023.
- CA - 7** Consider motion to receive and file Building Permit Report for June 2023.
- CA - 8** Consider motion to receive and file Utility Billing Report for June 2023.
- CA - 9** Consider motion to approve Change Order #1 increasing the contract amount by \$2,200.00 to Alliance Construction Group, LLC, for construction services on the 2023 PCC Reconstruction Program - SE Creekview Drive.
- CA - 10** Consider motion to approve Change Order #1 increasing the contract amount by \$2,420.00 to All-Star Concrete LLC, for construction services on the N Ankeny Boulevard and 18th Street Intersection Improvements project.
- CA - 11** Consider motion to approve Change Order #2 increasing the contract amount by \$8,856.00 to Elder Corporation, for construction services on the NE Delaware Avenue Reconstruction - NE 5th Street to Fourmile Creek project.
- CA - 12** Consider motion to approve Change Order #1 increasing the contract amount by \$2,400.00 to OMG Midwest DBA Des Moines Asphalt and Paving, for construction services on the 2023 Asphalt Street Resurfacing Program - SW Ordinance Road project.
- CA - 13** Consider motion to approve Amendment No. 3 to the Professional Services Agreement increasing the contract amount by \$11,500.00 with Snyder & Associates, Inc. for additional construction engineering services on the High Trestle

Trail Extension - SE Magazine Road to SE Oralabor Road project.

- CA - 14** Consider motion to approve Payment #1 in the amount of \$207,524.65 to Absolute Concrete Construction, Inc. for construction services on the NE Crestmoor Sanitary Sewer Replacement project.
- CA - 15** Consider motion to approve Payment #1 in the amount of \$340,429.59 to Absolute Concrete Construction, Inc. for construction services on the Oralabor Gateway Trail - SW State Street Underpass and SW Oralabor Road and SW State Street Intersection Improvements project.
- CA - 16** Consider motion to approve Payment #12 in the amount of \$181,322.13 to Absolute Concrete Construction, Inc. for construction services on the SE 3rd Street Utility Improvements - Phase 1 project.
- CA - 17** Consider motion to approve Payment #13 in the amount of \$271,619.25 to Absolute Concrete Construction, Inc., for construction services on the NW 36th Street Widening - NW Ash Drive to N Ankeny Boulevard project.
- CA - 18** Consider motion to approve Payment #2 in the amount of \$211,812.10 to Alliance Construction Group, LLC, for construction services on the 2023 PCC Reconstruction Program - SE Creekview Drive project.
- CA - 19** Consider motion to approve Payment #1 in the amount of \$149,235.88 to Alliance Construction Group, LLC, for construction services on the SW State Street Reconstruction Project - Southbound Lanes.
- CA - 20** Consider motion to approve Payment #1 in the amount of \$273,583.85 to All-Star Concreate, LLC, for construction services on the 2023 PCC Reconstruction Program - SE 8th St project.
- CA - 21** Consider motion to approve Payment #1 in the amount of \$135,988.48 to All-Star Concreate, LLC, for construction services on the N Ankeny Boulevard and 18th Street Intersection Improvements project.
- CA - 22** Consider motion to approve Payment #5 in the amount of \$2,717.25 to Civil Design Advantage for engineering services on the NW 36th Street and NW Weigel Drive HMA Resurfacing project.
- CA - 23** Consider motion to approve Payment #2 in the amount of \$25,623.00 to Civil Design Advantage, for engineering services on the Otter Creek Trunk Sewer Extension - Phase 4 project.
- CA - 24** Consider motion to approve Payment #1 in the amount of \$78,358.14 to Concrete Connection, LLC, for construction services on the 2023 Pedestrian Ramp Improvements Program - Barclay project.
- CA - 25** Consider motion to approve Payment #4 in the amount of \$738,396.76 to Elder Corporation, for construction services on the NW 18th Street Reconstruction - NW Ash Dr. to N Ankeny Blvd. project.
- CA - 26** Consider motion to approve Payment #4 in the amount of \$453,219.51 to Elder Corporation, for construction services on the NE Delaware Avenue Reconstruction - NE 5th Street to Fourmile Creek project.
- CA - 27** Consider motion to approve Payment #3 in the amount of \$18,645.50 to HR Green, Inc., for engineering services on the NW Irvinedale Drive & NW 18th Street Intersection Improvements project.
- CA - 28** Consider motion to approve Payment #22 in the amount of \$2,348.75 to JEO Consulting Group, Inc. for engineering services on the SE 3rd Street Utility Improvements Phase 1 project.

- CA - 29** Consider motion to approve Payment #15 in the amount of \$67,406.96 to McClure Engineering Company, for engineering services on the NW 18th Street Reconstruction - NW Ash Dr. to N Ankeny Blvd. project.
- CA - 30** Consider motion to approve Payment #11 in the amount of \$5,941.09 to McClure Engineering Company, for engineering services on the SW State Street Reconstruction - Southbound Lanes project.
- CA - 31** Consider motion to approve Payment #1 in the amount of \$236,399.69 to OMG Midwest DBA Des Moines Asphalt and Paving for construction services on the 2023 Asphalt Street Resurfacing Program - SW Ordinance Road project.
- CA - 32** Consider motion to approve Payment #3 in the amount of \$147,288.00 to On Track Construction, LLC for construction services on the NW Northlawn Area Utility Improvements - Phase 2.
- CA - 33** Consider motion to approve Payment #14 in the amount of \$3,727.75 to RDG Planning & Design for engineering services on the Fourmile Creek and Tributary to Fourmile Creek Restoration project.
- CA - 34** Consider motion to approve Payment #2 in the amount of \$33,405.88 to SVPA Architects Inc. for design services associated with the Ankeny Fire Station No. 4 project.
- CA - 35** Consider motion to approve Payment #3 in the amount of \$21,514.71 to SVPA Architects Inc. for design services associated with the Ankeny Fire Station No. 4 project.
- CA - 36** Consider motion to approve Payment #3 in the amount of \$241,559.83 to TK Concrete, Inc., for construction services on the 2023 PCC Street Patching Program project.
- CA - 37** Consider motion to approve the July 17, 2023 Accounts Payable.
- CA - 38** Consider motion to approve the generator maintenance services contract with Cummins Inc., of Des Moines, Iowa, and authorize the Mayor to sign Letter of Agreement.
- CA - 39** Consider motion to receive and file the Adopted Annual Budget Document for Fiscal Year 2024.

- **Personnel Items**

- CA - 40** Consider motion to accept the Civil Service Commission certified list for appointment to Equipment Operator, subject to passing any further departmental requirements.

- **Community Development Items**

- CA - 41** Consider motion to adopt **RESOLUTION** accepting a public ingress/egress easement located on a part of Lot 14, Ankeny Industrial Park, and associated with the plat of survey creating Parcels 2023-49 and 2023-50.
- CA - 42** Consider motion to approve the Hope Crest Preliminary Plat.
- CA - 43** Consider motion to adopt **RESOLUTION** accepting a public utility easement associated with the development of Lot 1, Delaware Landing Plat 1.
- CA - 44** Consider motion to adopt **RESOLUTION** accepting the final plat for Delaware Landing Plat 2.

- **Engineering Items**

- CA - 45** Consider motion to adopt **RESOLUTION** setting a public hearing on the proposed adoption of an ordinance to establish a benefited district and connection fees for the Fourmile Sanitary Trunk Sewer Connection District 3. (date of hrg: 8/21/2023 @ 5:30 p.m.)
- CA - 46** Consider motion to adopt **RESOLUTION** authorizing the City of Ankeny, Iowa, to make an application to the Iowa Department of Transportation's (Iowa DOT) Traffic Safety Improvement Program (TSIP) for the partial funding of South Ankeny Boulevard Improvements - SE Peterson Drive to 1st Street within the City Limits of Ankeny.
- CA - 47** Consider motion to adopt a **RESOLUTION** cancelling the subdivision bond and accepting the contract and bonds for the Park Sight Office Park Plat 4 project.

- **Capital Improvement Projects**

- CA - 48** Consider motion to adopt **RESOLUTION** approving construction contract and bond with Tanks Co, Inc. in the amount of \$241,500.00 for the Delaware Ground Storage Reservoir Rehabilitation project.
- CA - 49** Consider motion to adopt **RESOLUTION** approving contract and bonds with J & K Contracting in the amount of \$156,598.50 for the Westwinds, Plat 9, Storm Sewer Extension Project.
- CA - 50** **SE Crosswinds Drive RISE - Phase 2:** Consider motion to approve: a) Final Change Order #4 decreasing the contract amount by \$82,280.91; b) Certificate of Completion; c) **RESOLUTION** accepting the public improvement with Sternquist Construction in the amount of \$2,378,029.51; and d) Final Payment #9 in the amount of \$36,373.98 / Release of Retainage in the amount of \$118,901.48.
- CA - 51** **2022 Bellagio Park Improvements Project:** Consider motion to approve: a) Final Change Order #2 increasing the contract amount by \$3,322.00; b) Certificate of Completion; c) **RESOLUTION** accepting the public improvement with Howrey Construction Inc., in the amount of \$309,287.30; and d) Final Payment #3 in the amount of \$11,610.90; and Retainage Payment in the amount of \$15,464.36.
- CA - 52** **2022 Cherry Glen Ballfield Development Project:** Consider motion to approve: a) Certificate of Completion; b) **RESOLUTION** accepting the public improvement with Musco Sports Lighting dba Iowa Sports Turf, in the amount of \$588,029.01; and c) Final Payment #3 in the amount of \$148,630.30; and Retainage Payment in the amount of \$29,401.45.
- CA - 53** Consider motion to adopt **RESOLUTION** adopting and amending the final schedule of assessments and providing for the payment thereof of the NW 18th Street Extension - NW Weigel Drive to NW Spruce Drive project.

- **Administrative Items**

- CA - 54** Consider a motion authorizing the Mayor to sign a Hold Harmless Agreement with the Ankeny Community School District for the use of their buildings during RAGBRAI.

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-54.

Action# E1-1. Consider motion to approve the recommendations for Consent Agenda Items CA-1 through CA-54.

F. SUPPLEMENTAL AND REMOVED CONSENT AGENDA ITEMS: none

G. RECESS - Mark Holm, Mayor

H. 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.

Action# H1-1. Consider motion to accept second consideration of ORDINANCE 2147.

I. OLD BUSINESS: none

J. NEW BUSINESS: none

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 Stearns

- **Future Council Agenda Items:**

- ***Regular Council Meeting - 8/7/21 @ 5:30 p.m.***
- ***Public Hearing - Fourmile Sanitary Trunk Sewer Connection District 3 - 8/21/23 @ 5:30 p.m.***

L. ADJOURNMENT

1. Request for Executive Session under Code Section 21.5.1 (i)

Following adjournment of the Executive Session, Council may take action on any matter discussed during the Executive Session.

Action# L1-1.

Consider motion to go into Executive Session, pursuant to the provisions of Iowa Code Section 21.5, subparagraph (i) "To evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session."

2. Adjournment