



ANKENY CITY COUNCIL

Regular Meeting

Monday, July 15, 2024

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

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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 15, 2024 Agenda

Action# B1-1. Consider motion to approve and accept the July 15, 2024 agenda, with or without amendment.

C. PUBLIC HEARING(S):

1. PH 2024-43 Proposed Permanent Electrical Easement - Rally Complex

Action# C1-1. Consider motion to close Public Hearing 2024-43.

2. PH 2024-44 Proposed Second Amendment to the Interim Tower Lease Agreement with T-Mobile

Action# C2-1. Consider motion to close Public Hearing 2024-44.

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 1, 2024, as published, subject to correction, as recommended by the City Clerk.
- CA - 2** Receive and file minutes of the Human Rights Commission meeting of April 25, 2024.
- CA - 3** Receive and file minutes of the Plan and Zoning Commission meeting of June 18, 2024.
- CA - 4** Receive and file minutes of the Zoning Board of Adjustment meeting of April 16, 2024.
- CA - 5** Receive and file minutes of the Zoning Board of Adjustment meeting of June 18, 2024.

- **Licenses and Permits**

- CA - 6** Consider motion to approve the issuance of Cigarette/Tobacco/Nicotine/Vapor Permits for July 15, 2024 - June 30, 2025.
- CA - 7** Consider motion to approve the issuance of liquor licenses and beer/wine permits in the City of Ankeny.

- **Finance/Budget**

- CA - 8** Consider motion to receive and file Financial Reports for June 2024.
- CA - 9** Consider motion to receive and file Building Permit Report for June 2024.
- CA - 10** Consider motion to receive and file Utility Billing Report for June 2024.
- CA - 11** Consider motion to approve Amendment No. 2 to the Professional Services Agreement increasing the contract amount by \$9,000.00 with Snyder & Associates,

Inc. for construction engineering services associated with the SE Oralabor Road & Convenience Boulevard/Creekview Drive Traffic Signal Replacement Project.

- CA - 12** Consider motion to approve Change Order #1 increasing the contract amount by \$11,000.00 to Sternquist Construction, for construction services on the 2024 PCC Reconstruction Program - NW Westwood Street project.
- CA - 13** Consider motion to approve Payment #4 in the amount of \$141,578.03 to Absolute Concrete Construction, for construction services on the NW Northlawn Area Utility Improvements - Phase 3 project.
- CA - 14** Consider motion to approve Payment #8 in the amount of \$452.50 to Bolton & Menk, Inc., for engineering services on the SE Corporate Woods Drive & Crosswinds Drive Traffic Signalization project.
- CA - 15** Consider motion to approve Payment #4 in the amount of \$593,070.75 to CB&I Storage Tank Solutions LLC, for construction services on the NW Irvinedale Drive - Elevated Water Storage Tank project.
- CA - 16** Consider motion to approve Payment #15 in the amount of \$2,701.60 to Civil Design Advantage for engineering services on the NW 36th Street and NW Weigel Drive HMA Resurfacing project.
- CA - 17** Consider motion to approve Payment #4 in the amount of \$24,686.66 to Civil Design Advantage, LLC, for engineering services on the Westlawn Place Area Utility Improvements - Conceptual Design project.
- CA - 18** Consider motion to approve Payment #1 in the amount of \$132,502.82 to Concrete Technologies, Inc., for construction services on the 2024 PCC Reconstruction Program - NW Ash Drive project.
- CA - 19** Consider motion to approve Payment #12 in the amount of \$414,151.97 to Elder Corporation, for construction services on the NE Delaware Avenue Reconstruction - NE 5th Street to Fourmile Creek project.
- CA - 20** Consider motion to approve Payment #13 in the amount of \$40,459.40 to Foth Infrastructure and Environment, LLC for engineering services on the NW State Street Extension project.
- CA - 21** Consider motion to approve Payment #2 in the amount of \$306,638.64 to Gus Construction, for construction services on the NE 62nd St. Box Culvert project.
- CA - 22** Consider motion to approve Payment #2 in the amount of \$85,176.35 to HR Green, Inc., for engineering services on the NW Irvinedale Drive & NW 18th Street Intersection Improvements project.
- CA - 23** Consider motion to approve Payment #1 in the amount of \$66,358.45 to Howrey Construction Inc., for construction services on the 2024 Sidewalk Gaps & Replacements Improvements Project.
- CA - 24** Consider motion to approve Payment #3 in the amount of \$722,121.60 to HPC, LLC for construction services associated with the Ankeny Fire Station No. 4 project.
- CA - 25** Consider motion to approve Payment #12 in the amount of \$1,800.00 to ISG (I&S Group) for design and construction work on the High Trestle Trail Park Phase 1 project.
- CA - 26** Consider motion to approve Payment #3 in the amount of \$106,212.59 to Jasper Construction Services, Inc., for construction services on the SE Delaware Avenue and SE 54th Street Traffic Signal project.
- CA - 27** Consider motion to approve Payment #2 in the amount of \$117,136.90 to Manatt's

Inc., for construction services on the SW Magazine Road & SW State Street Improvements - West Leg project.

- CA - 28** Consider motion to approve Payment #1 in the amount of \$86,492.75 to MNM Concrete Specialist, for construction services on the 2024 Pedestrian Ramp Improvements Program - NE 18th Street project.
- CA - 29** Consider motion to approve Payment #1 in the amount of \$468,144.80 (for estimate No. 1) to Municipal Pipe Tool Company, LLC for construction services on the 2024 CIPP Lining project.
- CA - 30** Consider motion to approve Payment #1 in the amount of \$260,300.00 to O&J Coatings, Inc., for construction services on the Magazine Ground Storage Reservoir Rehabilitation project.
- CA - 31** Consider motion to approve Payment #10 in the amount of \$248,434.50 to On Track Construction, LLC for construction services on the NW Northlawn Area Utility Improvements - Phase 2.
- CA - 32** Consider motion to approve Payment #3 in the amount of \$267,401.25 to Rognes Corporation, for construction services on the North Four Mile Creek Trunk Sewer Phase 2 project.
- CA - 33** Consider motion to approve Payment #3 in the amount of \$123,325.26 to Rognes Corporation, for construction services on the SE 3rd Street Improvements - Phase 2 project.
- CA - 34** Consider motion to approve Payment #6 in the amount of \$42,112.00 to Romtec Companies for construction services on the Rally Complex Restroom project.
- CA - 35** Consider motion to approve Payment #1 in the amount of \$83,322.60 to Sterquist Construction, for construction services on the 2024 PCC Reconstruction Program - NW Westwood Street project.
- CA - 36** Consider motion to approve Payment #15 in the amount of \$1,903.14 to SVPA Architects Inc. for construction phase services associated with the Ankeny Fire Station No. 4 project.
- CA - 37** Consider motion to approve Payment #3 in the amount of \$42,746.20 to TK Concrete, Inc., for construction services on the 2024 PCC Street Patching project.
- CA - 38** Consider motion to approve Payment #1 in the amount of \$20,961.75 to Vice Construction, for construction services on the 2024 Pedestrian Ramp Improvements Program - Northbrook project.
- CA - 39** Consider motion to approve the July 15, 2024 Accounts Payable.

• **Community Development Items**

- CA - 40** Consider motion to adopt **RESOLUTION** receiving and filing application for the annexation of, and providing for the giving of notice for annexation of certain territory located adjacent to the northwest quadrant of Ankeny.
- CA - 41** Consider motion to adopt **RESOLUTION** accepting final plat, performance and maintenance bonds for public improvements, and platted easements for Manatt Estates.
- CA - 42** Consider motion to adopt **RESOLUTION** approving plans and specifications, contracts, and performance and maintenance bonds for the construction of water main and sanitary sewer in Manatt Estates.
- CA - 43** Consider motion to adopt **RESOLUTION** accepting final plat, warranty deed to streets, and platted easements for Kimberley Crossing Plat 3.

- CA - 44** Consider motion to adopt **RESOLUTION** accepting final plat, warranty deed to streets, and platted easements for Kimberley Crossing Plat 4.

- **Engineering Items**

- CA - 45** 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 West 1st Street Widening & Improvements - Phase 2 within the City Limits of Ankeny.
- CA - 46** Consider motion to adopt **RESOLUTION** accepting maintenance bond for utilities in Kimberley Crossing Plat 3.
- CA - 47** Consider motion to adopt **RESOLUTION** accepting maintenance bond for paving in Kimberley Crossing Plat 3.
- CA - 48** Consider motion to adopt **RESOLUTION** accepting maintenance bond for subgrade in Kimberley Crossing Plat 3.
- CA - 49** Consider motion to adopt **RESOLUTION** accepting maintenance bond for utilities in Kimberley Crossing Plat 4.
- CA - 50** Consider motion to adopt **RESOLUTION** accepting maintenance bond for paving in Kimberley Crossing Plat 4.
- CA - 51** Consider motion to adopt **RESOLUTION** accepting maintenance bond for subgrade in Kimberley Crossing Plat 4.

- **Capital Improvement Projects**

- CA - 52** **2024 Asphalt Street Resurfacing Program - SW Ordinance Road**: Consider motion to approve: a) Final Change Order #1 decreasing the contract amount by \$31,793.05; b) Certificate of Completion; c) **RESOLUTION** accepting the public improvements with OMG Midwest, Inc., DBA Des Moines Asphalt and Paving in the amount of \$308,576.30; and d) Final Payment #1 in the amount of \$293,147.48 and Release of Retainage in the amount of \$15,428.82.
- CA - 53** **SE Oralabor Road & Convenience Blvd/ Creekview Dr Traffic Signal Replacement**: Consider motion to approve: a) Final Change Order #3 decreasing the contract amount by \$24,182.08; b) Certificate of Completion; c) **RESOLUTION** accepting the public improvement with All Star Concrete, LLC in the amount of \$664,390.54; and d) Final Payment #5 in the amount of \$315,315.60; and Retainage Payment in the amount of \$33,219.53.
- CA - 54** Consider motion to adopt **RESOLUTION** authorizing a revision to projects in Annual Traffic Signal Improvement Program for construction in 2024 within 2024-2028 Capital Improvement Program (CIP).
- CA - 55** Consider motion to adopt **RESOLUTION** ordering construction on the Otter Creek Clubhouse Renovations project and fixing a date for hearing thereon and taking bids therefor. (date of bid opening: (8/13/24 @ 10:30 A.M. / date of hrg: 8/19/24 @ 5:30 P.M.)
- CA - 56** Consider motion to adopt **RESOLUTION** accepting a proposal from Alpha Landscapes, LLC in the amount of \$53,785.00 for the construction of the NE Delaware Avenue Reconstruction - NE 5th Street to 700' North of NE 18th Street: Landscaping Improvements project.

- **Administrative Items**

- CA - 57** Consider motion to adopt **RESOLUTION** authorizing the Certificate of Termination of Development Agreement between the City of Ankeny, Iowa and Grove Landing Development, LLC for the left turn lane on NW 18th Street at NW Driftwood Drive.
- CA - 58** Consider motion authorizing the Mayor to sign a letter of support for a fall 2024 grant application by Ankeny Community School District for the Iowa DNR's Trees for Kids grant program.
- CA - 59** Consider motion to approve the renewal of the general insurance policy with Iowa Communities Assurance Pool (ICAP) for the policy year July 16, 2024 through July 15, 2025, with a premium amount of \$746,439.00.
- CA - 60** Consider motion to adopt **RESOLUTION** authorizing the Ankeny Police Department to accept funding from Prairie Meadows for the 2024 Community Betterment Grant.

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-60

Action# E1-1. Consider motion to approve the recommendations for Consent Agenda Items CA-1 through CA-60.

F. SUPPLEMENTAL AND REMOVED CONSENT AGENDA ITEMS: none

G. RECESS - Mark Holm, Mayor

H. LEGISLATIVE BUSINESS:

- **Approval of Ordinances:**

1. Ord 2175 An Ordinance amending the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, by rezoning certain real estate owned by Hope K. Farms, LLC.

Action# H1-1. Consider motion to accept second consideration of ORDINANCE 2175.

Action# H1-2. 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 2175, sending it on its final passage and publication as required by law.

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Proposed Permanent Electrical Easement - Rally Complex (PH 2024-43)

Action# J1-1. Consider motion to adopt RESOLUTION granting permanent electrical easement to MidAmerican Energy Company to provide electrical service to the Rally Complex and for Mayor to execute said easement.

2. Proposed Second Amendment to the Interim Tower Lease Agreement with T-Mobile (PH 2024-44)

Action# J2-1. Consider motion to adopt RESOLUTION approving second amendment to interim tower lease agreement with T-Mobile Central, LLC.

3. Proposed SW Magazine Road & SW Cherry Street Concept Study

Action# J3-1. Consider motion to approve the Professional Services Agreement with JEO Consulting Group, Inc., for the traffic engineering services for the SW Magazine Road & SW Cherry Street Concept Study in an amount not to exceed \$49,580.00 and the Mayor to execute said agreement.

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:**

- ***Public Hearing - High Trestle Trail Experience Park - Phase 1 - 8/5/24 @ 5:30 p.m.***
- ***Public Hearing - Otter Creek Clubhouse Renovations - 8/19/24 @ 5:30 p.m.***
- ***Regular City Council Meeting - 9/3/24 @ 5:30 p.m.***

L. ADJOURNMENT

1. Adjournment