MINUTES OF THE ANKENY CITY COUNCIL
Monday, July 15, 2024 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

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

PUBLIC FORUM

1. David Carney, 2613 NW 30th Lane, spoke about city code of ordinances for subdivision regulations and street design standards.
2. Asa Hutton, 827 NE 5th St, Ankeny, addressed Council about increased traffic in his neighborhood due to construction.

APPROVAL OF AGENDA

1. Council Member Shafer moved, Perry seconded, to approve and accept the July 15, 2024 agenda without amendment. Ayes: 5.

PUBLIC HEARING

1. PH 2024-43. Mayor Holm announced this is the time and place for a public hearing on the matter of granting a permanent electric easement to the MidAmerican Energy Company to provide electric service for the Rally Complex in Ankeny, Iowa. The notice of hearing was published in the Des Moines Register on the 28th day of June, 2024.

   Nick Lenox, Parks and Recreation Director, reported that current construction of the Rally Complex Development Project includes the need for electrical service to provide power for site amenities. MidAmerican Energy will supply the necessary service line to the facility but will need to obtain a Permanent Electric Easement from the City to establish the electric service throughout the site. Since the land is owned by the City of Ankeny and this easement area will be given to MidAmerican Energy, a public hearing is required to allow residents to bring their questions or concerns to our attention. The notice of hearing was published in the Des Moines Register on June 28, 2024.

   Mayor Holm then asked for any public comment regarding the proposed easement. Hearing no comments, Council Member Bentz moved, Perry seconded, to close public hearing 2024-43. Ayes: 5.

2. PH 2024-44. Mayor Holm announced this is the time and place for a public hearing on the matter of approving a second amendment to interim tower lease agreement by and between the City of Ankeny and T-Mobile Central, LLC. The notice of hearing on this item was published in the Des Moines Register on the 5th day of July, 2024.

   Mike Schrock, Assistant City Manager, reported that T-Mobile is requesting permission to install a new backup generator at the 202 NW Ash Drive property (Ash Water Tower) to service the existing telecom infrastructure on site. T-Mobile has also offered to screen the new generator with a privacy fence that will match the existing fence. Due to the proposed improvements, an amendment to the existing agreement with T-Mobile is necessary. A public

hearing on this amendment to the lease agreement between the parties is required under Section 364.7 of the Iowa Code.

Mayor Holm then asked for any public comment regarding the proposed amendment. Hearing no comments, Council Member Shafer moved, Bentz seconded, to close public hearing 2024-44. Ayes: 5.

APPROVAL OF CONSENT AGENDA

Minutes

1. Official council actions of the regular meeting of July 1, 2024, as published.
2. Receive and file minutes of the Human Rights Commission meeting of April 25, 2024.
3. Receive and file minutes of the Plan and Zoning Commission meeting of June 18, 2024.
4. Receive and file minutes of the Zoning Board of Adjustment meeting of April 16, 2024.
5. Receive and file minutes of the Zoning Board of Adjustment meeting of June 18, 2024.

Licenses and Permits

6. Issuance of cigarette/tobacco/nicotine/vapor permit in the City of Ankeny.
7. Issuance of liquor licenses and beer/wine permits in the City of Ankeny.

Finance/Budget

8. Receive and file Financial Reports for June 2024.
9. Receive and file Building Permit Report for June 2024.
10. Receive and file Utility Billing Report for June 2024.
11. 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.
12. 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.
13. 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.
14. 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.
15. 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.
16. 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.
17. 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.
18. 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.
19. 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.
20. 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.
21. Payment #2 in the amount of $306,638.64 to Gus Construction, for construction services on the NE 62nd St. Box Culvert project.
22. 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.

23. Payment #1 in the amount of $66,358.45 to Howrey Construction Inc., for construction services on the 2024 Sidewalk Gaps & Replacements Improvements Project.
24. Payment #3 in the amount of $722,121.60 to HPC, LLC for construction services associated with the Ankeny Fire Station No. 4 project.
25. 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.
26. 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.
27. 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.
28. 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.
29. 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.
30. 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.
31. 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.
32. 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.
33. Payment #3 in the amount of $123,325.26 to Rognes Corporation, for construction services on the SE 3rd Street Improvements – Phase 2 project.
34. Payment #6 in the amount of $42,112.00 to Romtec Companies for construction services on the Rally Complex Restroom project.
35. 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.
36. 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.
37. Payment #3 in the amount of $42,746.20 to TK Concrete, Inc., for construction services on the 2024 PCC Street Patching project.
38. Payment #1 in the amount of $20,961.75 to Vice Construction, for construction services on the 2024 Pedestrian Ramp Improvements Program - Northbrook project.
39. July 15, 2024 Accounts Payable by fund: General $387,097; Hotel/Motel Tax $5,000; Road Use Tax $64,554; Police/Fire Pension $6,497; Library Foundation $1,154; Solid Waste $126,967; Water $770,306; Sewer $1,345,984; Storm Water $7,151; Golf Course $41,411; Enterprise Project $1,990,708; Revolving $27,369; Risk Management $101,588; Health Insurance $421; Capital Projects $3,079,741; Payroll Totals $1,653,998; Transfers/ACH ($211,579); Agenda Payments Approved Separately ($5,057,304); Grand Total $4,341,063.

Community Development

40. **RESOLUTION 2024-292** 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.
41. **RESOLUTION 2024-293** accepting final plat, performance and maintenance bonds for public improvements, and platted easements for Manatt Estates.
42. **RESOLUTION 2024-294** approving plans and specifications, contracts, and performance and maintenance bonds for the construction of water main and sanitary sewer in Manatt Estates.
43. **RESOLUTION 2024-295** accepting final plat, warranty deed to streets, and platted easements for Kimberley Crossing Plat 3.
44. **RESOLUTION 2024-296** accepting final plat, warranty deed to streets, and platted easements for Kimberley Crossing Plat 4.

Engineering

45. **RESOLUTION 2024-297** 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.
46. **RESOLUTION 2024-298** accepting maintenance bond for utilities in Kimberley Crossing Plat 3.
47. **RESOLUTION 2024-299** accepting maintenance bond for paving in Kimberley Crossing Plat 3.
48. **RESOLUTION 2024-300** accepting maintenance bond for subgrade in Kimberley Crossing Plat 3.
49. **RESOLUTION 2024-301** accepting maintenance bond for utilities in Kimberley Crossing Plat 4.
50. **RESOLUTION 2024-302** accepting maintenance bond for paving in Kimberley Crossing Plat 4.
51. **RESOLUTION 2024-303** accepting maintenance bond for subgrade in Kimberley Crossing Plat 4.

Capital Improvement Projects

52. **2024 Asphalt Street Resurfacing Program - SW Ordnance Road:** a) Final Change Order #1 decreasing the contract amount by $31,793.05: b) Certificate of Completion; c) **RESOLUTION 2024-304** 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.
53. **SE Oralabor Road & Convenience Blvd/ Creekview Dr Traffic Signal Replacement**: a) Final Change Order #3 decreasing the contract amount by $24,182.08; b) Certificate of Completion; c) **RESOLUTION 2024-305** 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.
54. **RESOLUTION 2024-306** authorizing a revision to projects in Annual Traffic Signal Improvement Program for construction in 2024 within 2024- 2028 Capital Improvement Program (CIP).
55. **RESOLUTION 2024-307** 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.)
56. **RESOLUTION 2024-308** 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

57. **RESOLUTION 2024-309** 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.
58. Authorize 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.
59. 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.
60. **RESOLUTION 2024-310** authorizing the Ankeny Police Department to accept funding from Prairie Meadows for the 2024 Community Betterment Grant.

APPROVAL OF CONSENT AGENDA

1. Council Member Bentz moved, second by Perry, to approve the recommendations for Consent Agenda Items CA-1 through CA-60. Ayes: Bentz, Perry, Ruddy, Shafer, Stearns.

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. Council Member Perry moved, Bentz seconded, to accept second consideration of ORDINANCE 2175. Ayes: Perry, Bentz, Ruddy, Shafer, Stearns. Council Member Perry moved, Stearns seconded, 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. Ayes: Perry, Stearns, Bentz, Ruddy, Shafer.

NEW BUSINESS

1. Proposed Permanent Electrical Easement - Rally Complex (PH 2024-43) Council Member Bentz moved, Shafer seconded, to adopt **RESOLUTION 2024-311** granting permanent electrical easement to MidAmerican Energy Company to provide electrical service to the Rally Complex and for Mayor to execute said easement. Ayes: Bentz, Shafer, Perry, Ruddy, Stearns.
2. Proposed Second Amendment to the Interim Tower Lease Agreement with T-Mobile (PH 2024-44) Council Member Perry moved, Shafer seconded, to adopt 1) **RESOLUTION 2024-312** approving second amendment to interim tower lease agreement with T-Mobile Central, LLC. Ayes: Perry, Shafer, Bentz, Ruddy, Stearns.
3. Proposed SW Magazine Road & SW Cherry Street Concept Study Professional Services Agreement with JEO Consulting Group, Inc. Council Member Perry moved, Shafer seconded, 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. Ayes: Perry, Shafer, Bentz, Ruddy, Stearns.

ADJOURNMENT

1. Meeting was adjourned at 6:04 p.m.

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Michelle Yuska, City Clerk Mark E. Holm, Mayor

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