



ANKENY CITY COUNCIL

Regular Meeting

**Tuesday, July 5, 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=OEFocWZGS0NYUmtnVHNxcWZFAk9Pd09>

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 5, 2022 Agenda:

Action# B1-1. Consider motion to approve and accept the July 5, 2022 agenda, with/without amendment.

C. PUBLIC HEARING(S):

1. PH 2022-55 A proposed amendment to the Zoning Regulations, Chapter 192 of the Municipal Code of the City of Ankeny, Iowa, by rezoning certain property owned by Moeckly Family Farm, LLC, from the current R-1, One-Family Residence District, to PUD, Planned Unit Development.

Action# C1-1. Consider motion to close Public Hearing 2022-55.

2. PH 2022-56 \$896,000 Master Services and Purchasing Agreement (General Fund)

Action# C2-1. Consider motion to close Public Hearing 2022-56.

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 June 20, 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 7, 2022.
- CA - 3** Receive and file minutes of the Park Board meeting of March 28, 2022.
- CA - 4** Receive and file minutes of the Library Board of Trustee meeting of May 19, 2022.

- **Licenses and Permits**

- CA - 5** Consider motion to approve the issuance of liquor license(s) and/or beer / wine permit(s) in the City of Ankeny.
- CA - 6** Consider motion to approve a new cigarette permit for ABC Smoke, 1325 SW Oralabor Rd, Ankeny, IA from 07/05/2022 through 06/30/2023.

- **Finance/Budget**

- CA - 7** Consider motion to approve Amendment #1 to the Professional Services Agreement increasing the contract amount by \$16,500 with HR Green, Inc. for engineering services on the Oralabor Gateway Trail-SW State Street Grade Separated Crossing and SW Oralabor Road and SW State Street Safety Improvements project.
- CA - 8** Consider motion to approve Change Order #13 increasing the contract amount by \$10,688.94 to Graphite Construction Group for additional construction services on the Ankeny Senior Community Center project.
- CA - 9** Consider motion to approve Change Order #6 increasing the contract amount by

\$49,080.00 to Sternquist Construction, for construction services on the NW 18th Street Extension - NW Weigel Drive to NW Spruce Drive project.

- CA - 10** Consider motion to approve Payment #2 in the amount of \$5,766.50 to Absolute Concrete Construction Inc. for construction services on the NE 36th Street Reconstruction Project - I-35 to NE Four Mile Drive.
- CA - 11** Consider motion to approve Payment #3 in the amount of \$371,450.00 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 #13 in the amount of \$12,187.20 to JEO Consulting Group, Inc. for engineering services on the SE 3rd Street Utility Improvements Phase 1 project.
- CA - 13** Consider motion to approve Payment #11 in the amount of \$4,646.25 to JEO Consulting Group, Inc., for engineering services on the SE Delaware Avenue HMA Widening project.
- CA - 14** Consider motion to approve Payment #3 in the amount of \$19,691.45 to RDG Planning & Design for engineering services on the Fourmile Creek and Tributary to Fourmile Creek Restoration project.
- CA - 15** Consider motion to approve Payment #3 in the amount of \$850.75 to Short Elliott Hendrickson Inc., for engineering services on the N Ankeny Blvd Water Main project.
- CA - 16** Consider motion to approve Payment #6 in the amount of \$3,102.25 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements - Phase 2 project.
- CA - 17** Consider motion to approve Payment #23 in the amount of \$20,377.48 to Snyder & Associates, Inc., for engineering services on the High Trestle Trail Ext Magazine Rd to Oralabor Rd project.
- CA - 18** Consider motion to approve Payment #11 in the amount of \$89,753.67 to Snyder & Associates, Inc., for engineering services on the NE Delaware Ave Recon - NE 5th St to NE 18th St project.
- CA - 19** Consider motion to approve Payment #16 in the amount of \$25,728.81 to Snyder & Associates, Inc., for engineering services on the HTT Transmission Main and Drainage Improvements project.
- CA - 20** Consider motion to approve Payment #19 in the amount of \$18,312.45 to Snyder & Associates, Inc., for engineering services on the NW 36th St Widening - NW Ash Dr to N Ankeny Blvd project.
- CA - 21** Consider motion to approve Payment #15 in the amount of \$11,944.38 to Snyder & Associates, Inc., for engineering services on the NW 36th St and NW State St Interim Improvements project.
- CA - 22** Consider motion to approve Payment #30 in the amount of \$11,590.84 to Snyder & Associates, Inc., for engineering services on the SE Crosswinds Drive - RISE project.
- CA - 23** Consider motion to approve Payment #4 in the amount of \$9,495.75 to Snyder & Associates, Inc., for engineering services on the Cherry Glen Ballfield Development project.
- CA - 24** Consider motion to approve Payment #12 in the amount of \$247,648.85 to Sternquist Construction, for construction services on the NW 18th Street Extension - NW Weigel Drive to NW Spruce Drive project.

- CA - 25** Consider motion to approve the July 5, 2022 Accounts Payable. (Finance Committee: J. Perry , Chp, J. Ruddy, T. Shafer)
- CA - 26** Consider motion to adopt a **RESOLUTION** authorizing the purchase of fiber optic cable for installation with 2023 capital improvement projects.
- CA - 27** Consider motion to adopt **RESOLUTION** authorizing the purchase of a mower for the Parks & Recreation Department (replace existing unit #653).
- CA - 28** Consider motion to receive and file the Adopted Annual Budget Document for Fiscal Year 2023.
- CA - 29** Consider motion to approve the award of the pest control agreement to Ridd-X Pest Control and authorize the Mayor to sign the Letter of Agreement.

- **Personnel Items - none**

- **Community Development Items**

- CA - 30** Consider motion to adopt **RESOLUTION** accepting final plat, performance and maintenance bonds for public improvements, platted easements, cost share request for water main upsizing, restrictive covenants, park site dedication agreement, water and sanitary sewer connection fees, and sidewalk fee for Courtyards at Harvest Ridge Plat 4.
- CA - 31** Consider a motion to adopt **RESOLUTION** approving plans and specifications, contracts, and performance and maintenance bonds for the construction of water main and sanitary sewer in the Courtyards at Harvest Ridge Plat 4.
- CA - 32** Consider motion to adopt **RESOLUTION** accepting final plat, minimum protection elevations, warranty deed for streets, and platted easements for Trestle Ridge Estates Plat 6.

- **Engineering Items**

- CA - 33** Consider motion to approve an agreement for electric primary extension to serve a traffic signal at NW 36th Street & State Street - MidAmerican Energy Company
- CA - 34** Consider motion to adopt **RESOLUTION** accepting maintenance bond for water main, sanitary sewer and storm sewer in Trestle Ridge Estates Plat 6.
- CA - 35** Consider motion to adopt **RESOLUTION** accepting maintenance bond for sanitary sewer in Trestle Ridge Estates Plat 6 Trunk Sewer Extension.
- CA - 36** Consider motion to adopt **RESOLUTION** accepting maintenance bond for paving in Trestle Ridge Estates Plat 6.
- CA - 37** Consider motion to adopt a **RESOLUTION** accepting a purchase agreement and approving documents for the removal of two trees for the NE Delaware Avenue Reconstruction - NE 5th Street to 700 feet North of NE 18th Street project in Ankeny, Iowa. (505 NE Lowell Drive - Reimers)
- CA - 38** Consider motion to adopt a **RESOLUTION** accepting a purchase agreement and approving documents for the removal of four trees for the NE Delaware Avenue Reconstruction - NE 5th Street to 700 feet North of NE 18th Street project in Ankeny, Iowa. (509 NE Lowell Drive - King)
- 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. (1038 NE Aspen Circle - Bendezu)
- 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. (1034 NE Aspen Circle - Sippel)

- CA - 41** 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. (Windsor Village Townhomes Association - Outlot X)
- 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. (Windsor Village Townhomes Association - Outlot Y)
- CA - 43** 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. (1021 NE Fountain View Court - Stokka)
- CA - 44** Consider motion to adopt **RESOLUTION** accepting a proposal from Iowa Signal, Inc., in the amount of \$56,080.00 for the construction of Flashing Beacon and RRFB (Rectangular Rapid Flashing Beacon) Installation.
- CA - 45** Consider motion to adopt **RESOLUTION** accepting roadway improvements and related public improvements at SW Snyder Boulevard and SW Oralabor Road Intersection.
- CA - 46** Consider motion to adopt **RESOLUTION** accepting traffic signal improvements and termination of associated development agreement for SW Snyder Boulevard and SW Oralabor Road Intersection Improvements.

- **Capital Improvement Projects**

- CA - 47** **Ankeny City Hall Renovation**: Consider motion to approve: a) The Architect's Certificate of Completion; b) **RESOLUTION** accepting the public improvement with Happe Commercial, LLC in the amount of \$574,862.65; and c) Payment #7 Final in the amount of \$6,593.11, and a release of retainage in the amount of \$28,413.47. Retainage will be released in accordance with the terms of the contract.

- **Administrative Items**

- CA - 48** Consider motion to approve proposed Amendment No. 2 to the Professional Services Agreement between the City of Ankeny and Whitman, Requardt & Associates, LLP (WRA) for an evaluation of transit services, investment, and expectations.
- CA - 49** Consider motion to adopt **RESOLUTION** authorizing the City of Ankeny to enter into an amended contract with the Iowa Economic Development Authority and Kreg Enterprises, Inc.
- CA - 50** Consider motion authorizing the City of Ankeny to enter into a contract with CivicPlus for the City of Ankeny website.
- CA - 51** Consider motion to adopt **RESOLUTION** approving construction contract and bond with Brothers Cleaning Corporation, in the amount of \$112,905.00 for the Rock Creek Greenway Trail Improvements project.

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-51

Action# E1-1. Consider motion to approve the recommendations for Consent Agenda Items CA-1 through CA-51

F. SUPPLEMENTAL AND REMOVED CONSENT AGENDA ITEMS: none

G. RECESS - Mark Holm, Mayor

H. LEGISLATIVE BUSINESS:

- **Boards/Commissions Appointments:**

1. Library Board of Trustees
- Heather Stephenson, 1910 SW 19th St, Ankeny, Iowa - term effective 7/5/2022 - 6/30/2026

Action# H1-1. Consider motion to accept Mayor's appointment of Heather Stephenson to the Library Board, effective 07/05/2022 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 second consideration of ORDINANCE 2115.

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 second consideration of ORDINANCE 2116.

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 first consideration of ORDINANCE 2117.

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Oralabor Gateway Trail-SW State Street Grade Separated Crossing and SW Oralabor Road and SW State Street Safety Improvements
Notice of Intent to Commence a Public Improvement Project and to Acquire Property Interests

Action# J1-1.

Consider motion to adopt RESOLUTION fixing a date for hearing on intent to commence a public improvement and to acquire property interests for the SW Oralabor Gateway Trail-SW State Street Grade Separated Crossing and SW Oralabor Road and SW State Street Safety Improvements project. (date of hrg: 8/1/22 at 5:30 P.M.).

2. \$896,000 Master Services and Purchasing Agreement (General Fund) (PH 2022-56)
Initiate Proceedings

Action# J2-1. Consider motion to adopt RESOLUTION instituting proceedings to take additional action for the authorization and issuance of a master services and purchasing agreement payable from the general fund in the principal amount of \$896,000 for personal property for use by the city.

3. \$896,000 Master Services and Purchasing Agreement (General Fund) (PH 2022-56)

Action# J3-1. Consider motion to adopt RESOLUTION authorizing action for a master services and purchasing agreement payable from the general fund in the principal amount of \$896,000 for personal property for use by the city.

4. Government Agency Agreement for Automated License Plate Readers

Action# J4-1. Consider motion to adopt RESOLUTION approving the Government Agency Agreement for Automated License Plate Reader Services.

5. Proposed 2022 Prairie Ridge Aquatic Center - Resurfacing Project
Initiate Proceedings

Action# J5-1. Consider motion to adopt RESOLUTION ordering construction on the 2022 Prairie Ridge Aquatic Center - Resurfacing Project; and fixing a date for hearing thereon and taking of bids therefor. (date of bid-letting: 7/26/22 @ 10:30 A.M. / date of hrg: 8/1/22 @ 5:30 P.M.)

6. Proposed SW State Street Fiber Optic Relocation
Professional Services Agreement with HR Green, Inc.

Action# J6-1. Consider motion to approve the Professional Services Agreement with HR Green, Inc. for the design engineering and bidding phase services on the SW State Street Fiber Optic Relocation in an amount not to exceed \$30,957.40 and authorize 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 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. Request for Executive Session

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 (j) “to discuss the purchase or sale of particular real estate only where the premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for that property or reduce the price the governmental body would receive for that property”.

2. Adjournment