MINUTES OF THE ANKENY CITY COUNCIL
Tuesday, July 5, 2022 5:30 PM
Ankeny Kirkendall Library - City Council Chambers
Mark Holm, Mayor
Bobbi Bentz, Mayor Pro tem
Council Members: Jeff Perry, Joe Ruddy, Todd Shafer, Kelly Whiting

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

PUBLIC FORUM

1. Jon Shelton, 2705 NW 10th Ct, Ankeny spoke in support of proposed Ordinance 2115, Throwing and Shooting.

APPROVAL OF AGENDA

1. Council Member Ruddy moved, Shafer seconded, to approve and accept the July 5, 2022 agenda as presented. Ayes: 5.

PUBLIC HEARINGS

1. PH 2022-55. Mayor Holm announced this is the time and place for a public hearing on the matter of the proposed Ordinance 2117 amending the zoning regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, by rezoning certain real estate owned by Moeckly Family Farm, LLC FROM: its current R-1, One-Family Residence District, TO: PUD, Planned Unit Development Layman's Description – approximately 34.51 acres (+/-) located northeast of the intersection at NW 18th Street and NW Weigel Drive. Notice of this hearing was published in the Des Moines Register on the 24th day of June, 2022 and notices were mailed to affected property owners as required by law.

   Eric Jensen, Director of Community Development, reported that the applicant, J. Larson Homes, LLC, requests to rezone property from R-1, One-Family Residence District to PUD, Planned Unit Development. The area subject to the proposed rezoning consists of one parcel totaling 34.51 acres (+/-), and is located northeast of the intersection at NW 18th Street and NW Weigel Drive. The proposed rezoning generally aligns with The Ankeny Plan 2040 Comprehensive Plan, *Figure 12.10, Future Land Use Map,* which indicates this property as Medium Density Residential (MDR).

   Mayor Holm then asked for any public comment regarding the proposed rezoning. Brent Culp of J. Larson Homes spoke about the development. Council Member Whiting moved, Bentz seconded, to close public hearing 2022-55. Ayes: 5.

2. PH 2022-56. Mayor Holm announced this is the time and place for a public hearing on the matter of $896,000 Master Services and Purchasing Agreement (General Fund). Notice of this hearing was published in the Des Moines Register on the 24th day of June, 2022.

   Jennifer Sease, Administrative Services Director, and Darius Potts, Police Chief, reported that the Master Services and Purchasing Agreement is necessary to move forward with the replacement of the current body worn cameras, vehicle mounted cameras and web accessible digital evidence management system. Because the costs of the equipment and software are being paid annually over a five-year period and that the Master Services and Purchasing Agreement is non-cancellable it is required to be treated similar to indebtedness, which requires

a public hearing.

Mayor Holm then asked for any public comment regarding the proposed Master Services and Purchasing Agreement. Hearing no comments, Council Member Whiting moved, Bentz seconded, to close public hearing 2022-56. Ayes: 5.

APPROVAL OF CONSENT AGENDA

Minutes

1. Official council actions of the regular meeting of June 20, 2022, as published.
2. Receive and file minutes of the Plan and Zoning Commission meeting of June 7, 2022.
3. Receive and file minutes of the Park Board meeting of March 28, 2022.
4. Receive and file minutes of the Library Board of Trustee meeting of May 19, 2022.

Licenses and Permits

5. Issuance of liquor license(s) and/or beer/wine permit(s) in the City of Ankeny.
6. Issuance of cigarette/tobacco/nicotine/vapor permit(s) in the City of Ankeny.

Finance/Budget

7. 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.
8. 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.
9. 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.
10. 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.
11. 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.
12. 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.
13. 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.
14. 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.
15. Payment #3 in the amount of $850.75 to Short Elliott Hendrickson Inc., for engineering services on the N Ankeny Blvd Water Main project.
16. 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.
17. 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.
18. 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.

19. 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.
20. 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.
21. 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.
22. Payment #30 in the amount of $11,590.84 to Snyder & Associates, Inc., for engineering services on the SE Crosswinds Drive – RISE project.
23. Payment #4 in the amount of $9,495.75 to Snyder & Associates, Inc., for engineering services on the Cherry Glen Ballfield Development project.
24. 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.
25. July 5, 2022 Accounts Payable by Fund: General 371,175; Hotel Motel Tax 478; Road Use Tax 264,069; Tax Increment Financing 1,886,612; Debt Service 4,100; Library Foundation 1,097; Water 21,032; Water Sinking 2,250; Sewer 12,114; Storm Water 4,020; Golf Course 30,879; Enterprise Project 432,186; Revolving 34,089; Risk Management 504,283; Health Insurance 1,822; BAN/Bond Activity 33,089; Capital Projects Funds 471,888; Payroll Totals 2,011,973; Transfers/ACH (177,770); Agenda Payments approved separately (887,553); Grand Total $ 5,021,833.
26. **RESOLUTION 2022-323** authorizing the purchase of fiber optic cable for installation with 2023 capital improvement projects.
27. **RESOLUTION 2022-324** authorizing the purchase of a mower for the Parks & Recreation Department (replace existing unit #653).
28. Receive and file the Adopted Annual Budget Document for Fiscal Year 2023.
29. Award of the pest control agreement to Ridd-X Pest Control and authorize the Mayor to sign the Letter of Agreement.

Community Development

30. **RESOLUTION 2022-325** 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.
31. **RESOLUTION 2022-326** 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.
32. **RESOLUTION 2022-327** accepting final plat, minimum protection elevations, warranty deed for streets, and platted easements for Trestle Ridge Estates Plat 6.

Engineering

33. Agreement for electric primary extension to serve a traffic signal at NW 36th Street & State Street - MidAmerican Energy Company
34. **RESOLUTION 2022-328** accepting maintenance bond for water main, sanitary sewer and storm sewer in Trestle Ridge Estates Plat 6.
35. **RESOLUTION 2022-329** accepting maintenance bond for sanitary sewer in Trestle Ridge Estates Plat 6 Trunk Sewer Extension.
36. **RESOLUTION 2022-330** accepting maintenance bond for paving in Trestle Ridge Estates Plat 6.

37. **RESOLUTION 2022-331** 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)
38. **RESOLUTION 2022-332** 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)
39. **RESOLUTION 2022-333** 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)
40. **RESOLUTION 2022-334** 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)
41. **RESOLUTION 2022-335** 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)
42. **RESOLUTION 2022-336** 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)
43. **RESOLUTION 2022-337** 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)
44. **RESOLUTION 2022-338** 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.
45. **RESOLUTION 2022-339** accepting roadway improvements and related public improvements at SW Snyder Boulevard and SW Oralabor Road Intersection.
46. **RESOLUTION 2022-340** accepting traffic signal improvements and termination of associated development agreement for SW Snyder Boulevard and SW Oralabor Road Intersection Improvements.

Capital Improvement Projects

47. **Ankeny City Hall Renovation**: a) The Architect's Certificate of Completion; b) **RESOLUTION 2022-341** 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

48. Amendment No. 2 to the Professional Services Agreement between the City of Ankeny and Whitman, Requardt & Associates, LLP (W RA) for an evaluation of transit services, investment, and expectations.
49. **RESOLUTION 2022-342** authorizing the City of Ankeny to enter into an amended contract with the Iowa Economic Development Authority and Kreg Enterprises, Inc.
50. Enter into a contract with CivicPlus for the City of Ankeny website.

51. **RESOLUTION 2022-343** 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. Council Member Bentz moved, second by Whiting, to approve the recommendations for Consent Agenda Items CA-1 through CA-51. Ayes: Bentz, Whiting, Perry, Ruddy, Shafer.

LEGISLATIVE BUSINESS

Boards/Commissions Appointments

1. Council Member Whiting moved, seconded by Ruddy to accept Mayor's appointment of Heather Stephenson to the Library Board of Trustees, effective July 5, 2022 – June 30, 2026. Ayes: Whiting, Ruddy, Bentz, Perry, Shafer.

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. Council Member Whiting moved, Bentz seconded, to accept second consideration of Ordinance 2115. Ayes: Whiting, Bentz, Perry, Ruddy, Shafer.
2. **Ord 2116.** An Ordinance amending Chapter 152, Sidewalk Regulations, of the Municipal Code of the City of Ankeny, Iowa. Council Member Bentz moved, Whiting seconded, to accept second consideration of Ordinance 2116. Ayes: Bentz, Whiting, Perry, Ruddy, Shafer.
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). Council Member Ruddy moved, Whiting seconded, to accept first consideration of Ordinance 2117. Ayes: Ruddy, Whiting, Bentz, Perry, Shafer.

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. Council Member Whiting moved, Ruddy seconded, to adopt **RESOLUTION 2022-344** 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.). Ayes: Whiting, Ruddy, Bentz, Perry, Shafer.
2. $896,000 Master Services and Purchasing Agreement (General Fund) (PH 2022-56) Initiate Proceedings Council Member Whiting moved, Perry seconded, to adopt **RESOLUTION 2022-345** 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. Ayes: Whiting, Perry, Bentz, Ruddy, Shafer.
3. $896,000 Master Services and Purchasing Agreement (General Fund) (PH 2022-56) Council Member Ruddy moved, Bentz seconded, to adopt **RESOLUTION 2022-346** 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. Ayes: Ruddy, Bentz, Perry, Shafer, Whiting.

4. Government Agency Agreement for Automated License Plate Readers Council Member Whiting moved, Shafer seconded, to adopt **RESOLUTION 2022-347** approving the Government Agency Agreement for Automated License Plate Reader Services. Ayes: Whiting, Shafer, Bentz, Perry Ruddy.
5. 2022 Prairie Ridge Aquatic Center - Resurfacing Project Initiate Proceedings Council Member Whiting moved, Bentz seconded, to adopt **RESOLUTION 2022-348** 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.) Ayes: Whiting, Bentz, Perry, Ruddy, Shafer.
6. SW State Street Fiber Optic Relocation Professional Services Agreement with HR Green, Inc. Council Member Bentz moved, Ruddy seconded, 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. Ayes: Bentz, Ruddy, Perry, Shafer, Whiting.

ADJOURNMENT

1. Moved by Bentz, second by Ruddy, to go into Executive Session at 6:04 PM, 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”. Ayes: Bentz, Ruddy, Perry, Shafer, Whiting.
2. At 6:44 PM council adjourned the regular meeting.

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Michelle Yuska, City Clerk Mark E. Holm, Mayor

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