



ANKENY CITY COUNCIL

Regular Meeting

Monday, July 3, 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

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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 3, 2023 Agenda

Action# B1-1. Consider motion to approve and accept the July 3, 2023 agenda, with/without amendment.

C. PUBLIC HEARING(S):

1. PH 2023-42 Proposed SE Oralabor Road & Convenience Blvd/ Creekview Drive Traffic Signal Replacement

Action# C1-1. Consider motion to close Public Hearing 2023-42.

2. PH 2023-43 Proposed Uptown Parking Improvements

Action# C2-1. Consider motion to close Public Hearing 2023-43.

3. PH 2023-44 Proposed The Westwinds, Plat 9, Storm Sewer Extension Project

Action# C3-1. Consider motion to close Public Hearing 2023-44.

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 June 19, 2023, as published, subject to correction, as recommended by the City Clerk.
- CA - 2** Approval of official council actions of the special meeting of June 13, 2023, as published, subject to correction, as recommended by the City Clerk.
- CA - 3** Receive and file minutes of the Library Board of Trustee meeting of May 18, 2023.
- CA - 4** Receive and file minutes of the Plan and Zoning Commission meeting of June 6, 2023.
- CA - 5** Receive and file minutes of the Zoning Board of Adjustment meeting of May 2, 2023.
- CA - 6** Receive and file minutes of the Human Rights Commission meeting of May 25, 2023.
- CA - 7** Receive and file minutes of the Parks Board meeting of April 24, 2023.

- **Licenses and Permits**

- CA - 8** Consider motion to approve the issuance of a special permit to Derek Watson for the purpose of bow hunting of deer for the hunting season effective October 1, 2023 on private property within the city limits pursuant to Municipal Code Section 41.11(3).
- CA - 9** Consider motion to approve the issuance of liquor licenses and / or beer / wine

permits in the City of Ankeny.

CA - 10 Consider motion to approve cigarette/tobacco permits in the City of Ankeny.

- **Finance/Budget**

CA - 11 Consider motion to approve Amendment No. 1 to the Professional Services Agreement increasing the contract amount by \$42,850.00 with Dixon Engineering, for construction services on the Delaware Ground Storage Reservoir Rehabilitation Project.

CA - 12 Consider motion to approve Amendment No. 3 to the Professional Services Agreement increasing the contract amount by \$27,200.00 with Fox Engineering, for construction services on the ASR #3 project.

CA - 13 Consider motion to approve Change Order #3 decreasing the contract amount by \$29,493.26 to Cramer & Associates, Inc., for construction services on the High Trestle Trail Extension - SE Magazine to SE Oralabor Road project.

CA - 14 Consider motion to approve Change Order #1 increasing the contract amount by \$3,738.70 to HGS, LLC, for an additional area on the Rock Creek Greenbelt - Native Vegetation project.

CA - 15 Consider motion to approve Payment #3 in the amount of \$4,170.50 to Bolton & Menk, Inc., for engineering services on the NW Prairie Ridge Dr/Ash Drive/9th Street Concept Study project.

CA - 16 Consider motion to approve Payment #15 in the amount of \$38,781.11 to Cramer & Associates, Inc., for construction services on the High Trestle Trail Ext Magazine Rd to Oralabor Rd project.

CA - 17 Consider motion to approve Payment #3 in the amount of \$48,422.90 to Foth Infrastructure and Environment, LLC for engineering services on the NW State Street Extension project.

CA - 18 Consider motion to approve Payment #14 in the amount of \$4,737.17 to Foth Infrastructure and Environment, LLC for engineering services on the North Four Mile Creek Trunk Sewer project.

CA - 19 Consider motion to approve Payment #26 in the amount of \$13,381.15 to FOX Strand, for engineering services on the Ankeny ASR project.

CA - 20 Consider motion to approve Payment #2 in the amount of \$15,355.75 to FOX Strand, for engineering services on the NE 36th Street & NE 38th Street Water Main Loop project.

CA - 21 Consider motion to approve Payment #2 in the amount of \$939,424.71 to Granite Excavating for construction services on the S. Ankeny Blvd Transmission Blvd project.

CA - 22 Consider motion to approve Payment #11 in the amount of \$4,620.00 to HDR Engineering, Inc., for engineering services on the NW Irvinedale Elevated Storage Tank project.

CA - 23 Consider motion to approve Payment #3 in the amount of \$10,944.67 to HGS, LLC, for construction services on the Rock Creek Greenbelt - Native Vegetation project.

CA - 24 Consider motion to approve Payment #10 in the amount of \$897.00 to HR Green, Inc., for engineering services on the SW State Street Fiber Optic Relocation project.

CA - 25 Consider motion to approve Payment #3 in the amount of \$38,156.25 to JEO

Consulting Group, Inc., for engineering services on the Transportation Master Plan project.

- CA - 26** Consider motion to approve Payment #1 in the amount of \$3,400.00 to Kirkham Michael & Associates, Inc., for engineering services on the NE 62nd St Box Culvert Design project.
- CA - 27** Consider motion to approve Payment #5 in the amount of \$8,260.00 to MSA Professional Services, Inc., for engineering services on the Uptown Parking Improvements project.
- CA - 28** Consider motion to approve Payment #31 in the amount of \$818.71 to Shive Hattery for construction administration services associated with the Ankeny Senior Community Center project.
- CA - 29** Consider motion to approve Payment #11 in the amount of \$9,158.72 to Short Elliott Hendrickson Inc., for engineering services on the S Ankeny Blvd Transmission Main project.
- CA - 30** Consider motion to approve Payment #1 in the amount of \$5,378.00 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements - Phase 3 project.
- CA - 31** Consider motion to approve Payment #2 in the amount of \$25,064.30 to Snyder & Associates, for engineering services on the S Ankeny Blvd Improvements SE Peterson Dr to 1st St project.
- CA - 32** Consider motion to approve Payment #12 in the amount of \$3,333.03 to Snyder & Associates, Inc., for engineering services on the Cherry Glen Ballfield Development project.
- CA - 33** Consider motion to approve Payment #15 in the amount of \$2,408.38 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements - Phase 2 project.
- CA - 34** Consider motion to approve Payment #23 in the amount of \$32,070.31 to Snyder & Associates, Inc., for engineering services on the NE Delaware Ave Recon - NE 5th St to NE 18th St project.
- CA - 35** Consider motion to approve Payment #28 in the amount of \$18,611.96 to Snyder & Associates, Inc., for engineering services on the HTT Transmission Main and Drainage Improvements project.
- CA - 36** Consider motion to approve Payment #29 in the amount of \$1,230.50 to Snyder & Associates, Inc., for engineering services on the High Trestle Trail Ext Magazine Rd to Oralabor Rd project.
- CA - 37** Consider motion to approve Payment #29 in the amount of \$12,975.65 to Snyder & Associates, Inc., for engineering services on the N Ankeny Blvd Landscape Improvements project.
- CA - 38** Consider motion to approve Payment #31 in the amount of \$15,401.80 to Snyder & Associates, Inc., for engineering services on the NW 36th St Widening - NW Ash Dr to N Ankeny Blvd project.
- CA - 39** Consider motion to approve Payment #42 in the amount of \$3,015.36 to Snyder & Associates, Inc., for engineering services on the SE Crosswinds Drive - RISE project.
- CA - 40** Consider motion to approve Payment #7 in the amount of \$2,107,126.84 to Synergy Contracting, LLC, for construction services on the HTT Water Transmission Main & Drainage Improvements project.

CA - 41 Consider motion to approve Payment #9 in the amount of \$191,140.00 to WRH, Inc., for construction services on the Well No. 7/ASR No. 3 - Bid Package 2 - Well Pump and Control Building project.

CA - 42 Consider motion to approve the July 3, 2023 Accounts Payable.

- **Personnel Items - none**
- **Community Development Items**

CA - 43 Consider motion to adopt **RESOLUTION** waiving approval of Ironwood Heights Final Plat.

CA - 44 Consider motion to adopt **RESOLUTION** accepting final plat for Piper Properties Plat 4.

CA - 45 Consider motion to adopt **RESOLUTION** accepting a Storm Water Management Facility Maintenance Covenant and Permanent Easement Agreement, located on Part of Lot 3 QRS Investments Plat 1, and associated with the development of 965 SE Corporate Wood Drive, Kum & Go Site Plan.

CA - 46 Consider motion to adopt **RESOLUTION** accepting a Public Utility Easement, located on Part of Lot 3 QRS Investments Plat 1, and associated with the development of 965 SE Corporate Wood Drive, Kum & Go Site Plan.

CA - 47 Consider motion to adopt **RESOLUTION** accepting a Public Gas Easement, located on Part of Lot 3 QRS Investments Plat 1, and associated with the development of 965 SE Corporate Wood Drive, Kum & Go Site Plan.

CA - 48 Consider motion to adopt **RESOLUTION** accepting final plat, warranty deed to streets, subdivision bonds for seeding and erosion control, performance and maintenance bonds for public improvements, and platted easements for Albaugh Four Mile Industrial Park.

CA - 49 Consider motion to adopt **RESOLUTION** approving plans and specifications, contracts, and performance and maintenance bonds for the construction of water main, sanitary sewer, and storm sewer in Albaugh Four Mile Industrial Park.

CA - 50 Consider motion to adopt **RESOLUTION** approving plans and specifications, contracts, and performance and maintenance bonds for the construction of street paving in Albaugh Four Mile Industrial Park.

CA - 51 Consider motion to adopt **RESOLUTION** approving plans and specifications, contracts, and performance and maintenance bonds for the construction of subgrade in Albaugh Four Mile Industrial Park.

- **Engineering Items**

CA - 52 Consider motion to adopt a **RESOLUTION** cancelling the original contracts and bonds and accepting new contracts and bonds for the Canyon Landing Plat 2 project.

CA - 53 Consider a motion to adopt a **RESOLUTION** accepting a proposal from Iowa Signal, Inc. in the amount of \$66,300.00 for construction of the Flashing Beacon and RRFB Installation for High Trestle Trail RRFB's and School Walkability Improvements.

- **Capital Improvement Projects - none**
- **Administrative Items**

CA - 54 Consider a motion authorizing the Mayor to execute a Release and Settlement

Agreement between Primoris Services Corporation, Q3 Contracting, Inc., and Hartford Fire Insurance Company.

- CA - 55** Consider motion to adopt **RESOLUTION** approving a 28E agreement for law enforcement services during RAGBRAI 2023 with the City of Desoto, Iowa.
- CA - 56** Consider motion to adopt **RESOLUTION** approving a 28E agreement for law enforcement services during RAGBRAI 2023 with Dallas County, Iowa.
- CA - 57** Consider motion to adopt **RESOLUTION** authorizing temporary street closings for the purpose of the Ankeny Youth Triathlon.
- CA - 58** Consider motion to adopt **RESOLUTION** approving the schedule of fees for meter costs for the City of Ankeny.

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-58.

Action# E1-1. Consider motion to approve the recommendations for Consent Agenda Items CA-1 through CA-58.

F. SUPPLEMENTAL AND REMOVED CONSENT AGENDA ITEMS: none

G. RECESS - Mark Holm, Mayor

H. LEGISLATIVE BUSINESS:

- **Approval of Ordinances:**

1. Ord 2146 An Ordinance amending Chapter 75 of the Code of Ordinances of the City of Ankeny, Iowa, by amending provisions pertaining to allow operation of Utility Terrain Vehicles (UTVs) within city limits and on city streets.

Action# H1-1. Consider motion to accept second consideration of ORDINANCE 2146.

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 2146, sending it on its final passage and publication as required by law.

2. 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# H2-1. Consider motion to accept first consideration of ORDINANCE 2147.

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Proposed SE Oralabor Road & Convenience Boulevard/Creekview Drive Traffic Signal Replacement (PH 2023-42)

Action# J1-1.

Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$759,000.00; 2) receive and file report of bids received June 27, 2023; 3) adopt RESOLUTION making award of construction contract with All Star Concrete, LLC in the amount of \$685,785.30; and 4) adopt RESOLUTION approving contract and bonds with All Star Concrete, LLC in the amount of \$685,785.30.

2. Proposed Uptown Parking Improvements (PH 2023-43)

Action# J2-1. Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$243,000.00; 2) receive and file report of bids received June 27, 2023; 3) adopt RESOLUTION making award of construction contract with Caliber Concrete, LLC in the amount of \$188,967.79; and 4) adopt RESOLUTION approving contract and bonds with Caliber Concrete, LLC in the amount of \$188,967.79.

3. Proposed The Westwinds, Plat 9, Storm Sewer Extension Project (PH 2023-44)

Action# J3-1. Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$157,672.00; 2) receive and file report of bids received June 27, 2023; and 3) adopt RESOLUTION making award of construction contract with J&K Contracting in the amount of \$156,598.50.

4. Request for Council Initiated Rezoning from R-1 to C-2
Hope Kimberley LLC

Action# J4-1. Consider motion to receive and file correspondence dated June 15, 2023 regarding a rezoning request for a 9.54-acre parcel located at the southwest corner of the NE 126th Avenue and NE Delaware Avenue intersection.

Action# J4-2. Consider motion to initiate a rezoning request for a 9.54-acre parcel located at the southwest corner of the NE 126th Avenue and NE Delaware Avenue intersection and refer to the Plan and Zoning Commission for review and recommendation.

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 - 7/17/23 @ 5:30 p.m.***
- ***Regular Council Meeting - 8/7/23 @ 5:30 p.m.***

L. ADJOURNMENT

1. Adjournment