

MINUTES OF THE ANKENY CITY COUNCIL

Monday, July 3, 2023 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

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

PUBLIC FORUM

1. Dan Taube, 516 SW Southlawn Dr, Ankeny, spoke in support of UTV use in Ankeny streets.
2. Chris Perkins, 709 SE 3rd St, Ankeny, spoke about parking on SE 3rd Street.

APPROVAL OF AGENDA

1. Council Member Ruddy moved, Shafer seconded, to approve and accept the July 3, 2023 agenda as presented. Ayes: 4.

PUBLIC HEARING

1. PH 2023-42. Mayor Holm announced this is the time and place for a public hearing on the matter of the adoption of plans, specifications, form of contract and estimate of cost for construction of certain public improvements described in general as construction of the SE Oralabor Road & Convenience Boulevard/Creekview Drive Traffic Signal Replacement. Notice of this hearing was published in the Des Moines Register on the 16th day of June, 2023.

Mark Mueller, Public Works Director, reported that the project includes the replacement of the existing traffic signal at the intersection of SE Oralabor Road and Convenience Boulevard / Creekview Drive as well as sidewalk modifications, curb modifications, and full depth PCC patches near the intersection. The original traffic signal was constructed in 1993, has reached the end of its functional service life, and cannot provide adequate service for current and future users of the intersection.

Mayor Holm then asked for any public comment regarding the proposed project. Hearing none, Council Member Bentz moved, Ruddy seconded, to close public hearing 2023-42. Ayes: 4.

2. PH 2023-43. Mayor Holm announced this is the time and place for a public hearing on the matter of the adoption of plans, specifications, form of contract and estimate of cost for construction of certain public improvements described in general as construction of the Uptown Parking Improvements. Notice of this hearing was published in the Des Moines Register on the 16th day of June, 2023.

Mark Mueller, Public Works Director, reported that improvements include the paving and striping of additional parking stalls along SW 3rd Street from approximately 220' east of SW Walnut Street to 55' west of SW Pleasant Street and along SW Cherry Street from SW 3rd Street to 125' feet south of SW 4th Street.

Mayor Holm then asked for any public comment regarding the proposed project. Hearing none, Council Member Bentz moved, Ruddy seconded, to close public hearing 2023-43.

Ayes: 4.

3. PH 2023-44. Mayor Holm announced this is the time and place for a public hearing on the matter of the adoption of plans, specifications, form of contract and estimate of cost for construction of certain public improvements described in general as construction of The Westwinds, Plat 9, Storm Sewer Extension project. Notice of this hearing was published in the Des Moines Register on the 16th day of June, 2023.

Mark Mueller, Public Works Director, reported that the project includes extension of an existing storm sewer pipe between 2012 SW Westwinds Drive and 2016 SW Westwinds Drive. The improvements include extension of the pipe to the nearby channel and restoration of areas impacted by the work, including but not limited to seeding and pavement replacement.

Mayor Holm then asked for any public comment regarding the proposed project. Hearing none, Council Member Ruddy moved, Bentz seconded, to close public hearing 2023-44. Ayes: 4.

APPROVAL OF CONSENT AGENDA

Minutes

1. Official council actions of the regular meeting of June 19, 2023, as published.
2. Official council actions of the special meeting of June 13, 2023, as published.
3. Receive and file minutes of the Library Board of Trustee meeting of May 18, 2023.
4. Receive and file minutes of the Plan and Zoning Commission meeting of June 6, 2023.
5. Receive and file minutes of the Zoning Board of Adjustment meeting of May 2, 2023.
6. Receive and file minutes of the Human Rights Commission meeting of May 25, 2023.
7. Receive and file minutes of the Parks Board meeting of April 24, 2023.

Licenses and Permits

8. 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).
9. Issuance of liquor licenses and beer/wine permits in the City of Ankeny.
10. Issuance of cigarette/tobacco permits in the City of Ankeny.

Finance/Budget

11. 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.
12. 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.
13. 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.
14. 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.
15. Payment #3, \$4,170.50 to Bolton & Menk, Inc., for engineering services on the NW Prairie Ridge Dr/Ash Drive/9th St Concept Study project.
16. Payment #15, \$38,781.11 to Cramer & Associates, Inc., for construction services on the High Trestle Trail Ext Magazine Rd to Oralabor Rd project.

17. Payment #3, \$48,422.90 to Foth Infrastructure and Environment, LLC for engineering services on the NW State Street Extension project.
18. Payment #14, \$4,737.17 to Foth Infrastructure and Environment, LLC for engineering services on the North Four Mile Creek Trunk Sewer project.
19. Payment #26, \$13,381.15 to FOX Strand, for engineering services on the Ankeny ASR project.
20. Payment #2, \$15,355.75 to FOX Strand, for engineering services on the NE 36th St & NE 38th St Water Main Loop project.
21. Payment #2, \$939,424.71 to Granite Excavating for construction services on the S Ankeny Blvd Transmission Blvd project.
22. Payment #11, \$4,620.00 to HDR Engineering, Inc., for engineering services on the NW Irvindale Elevated Storage Tank project.
23. Payment #3, \$10,944.67 to HGS, LLC, for construction services on the Rock Creek Greenbelt - Native Vegetation project.
24. Payment #10, \$897.00 to HR Green, Inc., for engineering services on the SW State Street Fiber Optic Relocation project.
25. Payment #3, \$38,156.25 to JEO Consulting Group, Inc., for engineering services on the Transportation Master Plan project.
26. Payment #1, \$3,400.00 to Kirkham Michael & Associates, Inc., for engineering services on the NE 62nd St Box Culvert Design project.
27. Payment #5, \$8,260.00 to MSA Professional Services, Inc., for engineering services on the Uptown Parking Improvements project.
28. Payment #31, \$818.71 to Shive Hattery for construction administration services associated with the Ankeny Senior Community Center project.
29. Payment #11, \$9,158.72 to Short Elliott Hendrickson Inc., for engineering services on the S Ankeny Blvd Transmission Main project.
30. Payment #1, \$5,378.00 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements - Phase 3 project.
31. Payment #2, \$25,064.30 to Snyder & Associates, for engineering services on the S Ankeny Blvd Improvements SE Peterson Dr to 1st St project.
32. Payment #12, \$3,333.03 to Snyder & Associates, Inc., for engineering services on the Cherry Glen Ballfield Development project.
33. Payment #15, \$2,408.38 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements - Phase 2 project.
34. Payment #23, \$32,070.31 to Snyder & Associates, Inc., for engineering services on the NE Delaware Ave Recon - NE 5th St to NE 18th St project.
35. Payment #28, \$18,611.96 to Snyder & Associates, Inc., for engineering services on the HTT Transmission Main and Drainage Improvements project.
36. Payment #29, \$1,230.50 to Snyder & Associates, Inc., for engineering services on the High Trestle Trail Ext Magazine Rd to Oralabor Rd project.
37. Payment #29, \$12,975.65 to Snyder & Associates, Inc., for engineering services on the N Ankeny Blvd Landscape Improvements project.
38. Payment #31, \$15,401.80 to Snyder & Associates, Inc., for engineering services on the NW 36th St Widening - NW Ash Dr to N Ankeny Blvd project.
39. Payment #42, \$3,015.36 to Snyder & Associates, Inc., for engineering services on the SE Crosswinds Dr – RISE project.
40. Payment #7, \$2,107,126.84 to Synergy Contracting, LLC, for construction services on the HTT Water Transmission Main & Drainage Improvements project.
41. Payment #9, \$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.
42. Jul 3, 2023 Accounts Payable by fund: General 373,815; Hotel Motel Tax 16,593; Police Gift 14; Road Use Tax 131,447; Tax Increment Financing 2,451,001; Debt Service 4,200; Library Foundation 5,289; Solid Waste 98,595; Water 27,759; Water Sinking 1,750; Sewer 10,689; Storm Water 5,230; Golf Course 31,041; Enterprise Project 3,322,388; Revolving 4,477; Risk

Management 537,426; Health Insurance 6,194; Special Assessments 76,887; BAN/Bond Activity 300; Capital Projects 260,361; Payroll Totals 2,173,239; Transfers/ACH (197,695); Agenda Payments approved separately (3,558,285); Grand Total \$5,782,715.

Community Development

43. **RESOLUTION 2023-270** waiving approval of Ironwood Heights Final Plat.
44. **RESOLUTION 2023-271** accepting final plat for Piper Properties Plat 4.
45. **RESOLUTION 2023-272** 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 Dr, Kum & Go Site Plan.
46. **RESOLUTION 2023-273** 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.
47. **RESOLUTION 2023-274** 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.
48. **RESOLUTION 2023-275** 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.
49. **RESOLUTION 2023-276** 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.
50. **RESOLUTION 2023-277** approving plans and specifications, contracts, and performance and maintenance bonds for the construction of street paving in Albaugh Four Mile Industrial Park.
51. **RESOLUTION 2023-278** approving plans and specifications, contracts, and performance and maintenance bonds for the construction of subgrade in Albaugh Four Mile Industrial Park.

Engineering

52. **RESOLUTION 2023-279** cancelling the original contracts and bonds and accepting new contracts and bonds for the Canyon Landing Plat 2 project.
53. **RESOLUTION 2023-280** 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.

Administrative

54. Release and Settlement Agreement between Primoris Services Corporation, Q3 Contracting, Inc., and Hartford Fire Insurance Company.
55. **RESOLUTION 2023-281** approving a 28E agreement for law enforcement services during RAGBRAI 2023 with the City of Desoto, Iowa.
56. **RESOLUTION 2023-282** approving a 28E agreement for law enforcement services during RAGBRAI 2023 with Dallas County, Iowa.
57. **RESOLUTION 2023-283** authorizing temporary street closings for the purpose of the Ankeny Youth Triathlon.
58. **RESOLUTION 2023-284** approving the schedule of fees for meter costs for the City of Ankeny.

Approval of Consent Agenda Items

1. Council Member Ruddy moved, second by Bentz, to approve the recommendations for Consent Agenda Items CA-1 through CA-58. Ayes: Ruddy, Bentz, Perry, Shafer.

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. Council Member Bentz moved, Shafer seconded, to accept second consideration of ORDINANCE 2146. Ayes: Bentz, Shafer, Perry, Ruddy. Council Member Shafer moved, Ruddy seconded, 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. Ayes: Shafer, Ruddy, Bentz, Perry.
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. Council Member Bentz moved, Ruddy seconded, to accept first consideration of ORDINANCE 2147. Ayes: Bentz, Ruddy, Perry, Shafer.

NEW BUSINESS

1. Proposed SE Oralabor Road & Convenience Boulevard/Creekview Drive Traffic Signal Replacement (PH 2023-42) Council Member Ruddy moved, Bentz seconded, to adopt 1) **RESOLUTION 2023-285** 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 2023-286** making award of construction contract with All Star Concrete, LLC in the amount of \$685,785.30; and 4) adopt **RESOLUTION 2023-287** approving contract and bonds with All Star Concrete, LLC in the amount of \$685,785.30. Ayes: Ruddy, Bentz, Perry, Shafer.
2. Proposed Uptown Parking Improvements (PH 2023-43) Council Member Bentz moved, Ruddy seconded, to adopt 1) **RESOLUTION 2023-288** 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 2023-289** making award of construction contract with Caliber Concrete, LLC in the amount of \$188,967.79; and 4) adopt **RESOLUTION 2023-290** approving contract and bonds with Caliber Concrete, LLC in the amount of \$188,967.79. Ayes: Bentz, Ruddy, Perry, Shafer.
3. Proposed The Westwinds, Plat 9, Storm Sewer Extension Project (PH 2023-44) Council Member Ruddy moved, Bentz seconded, to adopt 1) **RESOLUTION 2023-291** 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 2023-292** making award of construction contract with J&K Contracting in the amount of \$156,598.50. Ayes: Ruddy, Bentz, Perry, Shafer.
4. Request for Council Initiated Rezoning from R-1 to C-2 - Hope Kimberley LLC Council Member Bentz moved, Ruddy seconded, 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. Ayes: Bentz, Ruddy, Perry, Shafer. Council Member Bentz moved, Ruddy seconded, 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. Ayes: Bentz, Ruddy, Perry, Shafer.

ADJOURNMENT

1. Meeting adjourned at 5:57 p.m.

Michelle Yuska, City Clerk

Mark Holm, Mayor

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