



ANKENY CITY COUNCIL

Regular Meeting

Monday, June 20, 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=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 June 20, 2022 Agenda:

Action# B1-1. Consider motion to approve and accept the June 20, 2022 agenda, with/without amendment.

C. PUBLIC HEARING(S):

1. PH 2022-54 Request for voluntary urbanized annexation of certain territory owned by ATI Industrial, LLC, Tyler Investment Company, Inc., Polk County Aviation Authority, and Lloyd D. Linn.

Action# C1-1. Consider motion to close Public Hearing 2022-54.

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 6, 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 May 17, 2022.
- CA - 3** Receive and file minutes of the Zoning Board of Adjustment meeting of May 3, 2022.
- CA - 4** Receive and file minutes of the Civil Service Commission meeting of May 9, 2022.
- CA - 5** Receive and file minutes of the Human Rights Commission meeting of May 26, 2022

- **Licenses and Permits**

- CA - 6** Consider motion to approve the issuance of liquor license(s) and/or beer / wine permit(s) in the City of Ankeny.

- **Finance/Budget**

- CA - 7** Consider motion to receive and file Financial Reports for May 2022.
- CA - 8** Consider motion to receive and file Building Permit Report for May 2022.
- CA - 9** Consider motion to receive and file Utility Report for May 2022.
- CA - 10** Consider motion to approve Amendment No. 1 to the Professional Services Agreement increasing the contract amount by \$24,100.00 with Nilles Associates, Inc. for construction engineering services on the Diamond Hills Greenway Stream Repairs project.
- CA - 11** Consider motion to approve Change Order No. 2, increasing the contract amount by \$6,900.00 to RedBud LLC for native vegetation maintenance as part of the 2022 Native Vegetation Maintenance project.
- CA - 12** Consider motion to approve Payment #2 in the amount of \$120,489.26 to Absolute Concrete Construction, Inc., for construction services on the NW 36th Street

Widening - NW Ash Drive to N Ankeny Boulevard project.

- CA - 13** Consider motion to approve Payment #1 in the amount of \$9,285.30 to Absolute Concrete Construction, Inc. for construction services on the SE 3rd Street Utility Improvements - Phase 1 project.
- CA - 14** Consider motion to approve Payment #26 in the amount of \$19,169.55 to Civil Design Advantage for engineering services on the NW 18th Street Extension - NW Weigel Drive to NW Spruce Drive project.
- CA - 15** Consider motion to approve Payment #1 in the amount of \$226,223.74 to Construct, Inc., for construction services on the 2022 PCC Reconstruction Program - SE Peachtree Drive project.
- CA - 16** Consider motion to approve Payment #10 in the amount of \$741,859.00 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 \$19,350.00 to Foth Infrastructure and Environment, LLC for engineering services on the North Four Mile Creek Trunk Sewer project.
- CA - 18** Consider motion to approve Payment #14 in the amount of \$38,250.50 to FOX Strand, for engineering services on the Ankeny ASR project.
- CA - 19** Consider motion to approve Payment #20 in the amount of \$37,981.62 to Graphite Construction Group, Inc. for construction services on the Ankeny Senior Community Center.
- CA - 20** Consider motion to approve Payment #3 in the amount of \$479,341.55 to Gus Construction, for construction services on the NE Four Mile Drive RCB Culvert for Deer Creek project.
- CA - 21** Consider motion to approve Payment #1 in the amount of \$38,663.17 (for invoice #1) to Hydro-Klean, LLC for construction services on the 2022 CIPP Lining project.
- CA - 22** Consider motion to approve Payment #21 in the amount of \$36,645.47 to Kirkham Michael & Associates, Inc., for engineering services on the NE Four Mile Drive RCB Culvert project.
- CA - 23** Consider motion to approve Payment #3 in the amount of \$12,000.00 to McClure Engineering Company, for engineering services on the NW 18th Street Reconstruction - NW Ash Dr. to N Ankeny Blvd. (Design) project.
- CA - 24** Consider motion to approve Payment #1 in the amount of \$37,477.50 to Nilles Associates, Inc., for engineering services on the Diamond Hills Greenway Stream Repairs project.
- CA - 25** Consider motion to approve Payment #3 in the amount of \$43,531.37 to On Track Construction, LLC, for construction services on the NW 36th Street and NW Weigel Drive Water Main (Construction) project.
- CA - 26** Consider motion to approve Payment #2 in the amount of \$3,605.25 to RedBud Landscaping, LLC for construction services on the 2022 Native Vegetation Maintenance Project.
- CA - 27** Consider motion to approve Payment #11 in the amount of \$108,114.16 to Reilly Construction Company Inc., for construction services on the West First Street Widening and Improvements - Phase 1 project.
- CA - 28** Consider motion to approve Payment #2 in the amount of \$336,560.06 to Sternquist Construction, for construction services on the SE Crosswinds Drive RISE - Phase

2 project.

CA - 29 Consider motion to approve the June 20, 2022 Accounts Payable. (Finance Committee: B. Bentz, Chp, J. Perry, J. Ruddy)

CA - 30 Consider motion to adopt **RESOLUTION** naming depositories for the City of Ankeny.

- **Personnel Items**

CA - 31 Consider motion to accept the Civil Service Commission certified lists for appointment to: Utilities Operator Assistant in the Municipal Utilities Department; Permits Technician in the Community Development Department; Engineering Technician II in the Municipal Utilities Department; Park Maintenance Technician II in the Parks and Recreation Department; and Groundskeeper II in the Parks and Recreation Department; subject to passing any further departmental requirements.

- **Community Development Items**

CA - 32 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 Grove Landing Plat 5.

CA - 33 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 Grove Landing Plat 5.

CA - 34 Consider motion to adopt **RESOLUTION** approving plans and specifications, contracts, and performance and maintenance bonds for the construction of street paving in Grove Landing Plat 5.

CA - 35 Consider motion to adopt **RESOLUTION** providing for the notice and hearing of the City Council of the City of Ankeny, Iowa, to rezone certain property owned by Moeckly Family Farm, LLC, located northeast of the intersection at NW 18th Street and NW Weigel Drive. (date of hrg: 7/5/22 @ 5:30 p.m.)

CA - 36 Consider motion to adopt **RESOLUTION** accepting final plat, letter of credit for erosion control, performance and maintenance bonds for paving and underground improvements, platted easements and warranty deed to streets, for Grove Landing Plat 6.

CA - 37 Consider motion to adopt **RESOLUTION** approving plans and specifications and accepting contracts, performance and maintenance bonds for the construction of water main, sanitary sewer, and storm sewer in Grove Landing Plat 6.

CA - 38 Consider motion to adopt **RESOLUTION** approving plans and specifications and accepting contracts, performance and maintenance bonds for the construction of street paving in Grove Landing Plat 6.

CA - 39 Consider motion to adopt **RESOLUTION** accepting Public Ingress/Egress Easements, located on a part of Lot 2, Aspen Ridge Commercial Plat 1; Parcel 2021-71 and 2021-72.

- **Engineering Items**

CA - 40 Consider motion to adopt a **RESOLUTION** accepting and approving documents for the acquisition of permanent water main easement for the North Ankeny Blvd. Water Main project in Ankeny, Iowa. (3625 N. Ankeny Blvd. - Central Iowa Hospital Corporation)

- **Capital Improvement Projects**

CA - 41 **Ankeny Parks Maintenance Facility Phase 1:** Consider motion to approve: a) The Architect's Certificate of Completion; b) **RESOLUTION** accepting the public improvement with All Star Concrete, LLC in the amount of \$774,938; and c) Retainage Payment #9 in the amount of \$4,000 which will be released 30 days after project acceptance.

CA - 42 **Wastewater Plant Partial Demolition:** Consider motion to approve: a) Certificate of Completion; b) **RESOLUTION** accepting the public improvements with Con-Struct, Inc. in the amount of \$361,359.50; c) Change Order #3 for (\$6,700); d) Final Payment #5 in the amount of \$0.00 / Release of Retainage in the amount of \$11,702.98.

- **Administrative Items**

CA - 43 Consider a motion to enter into an agreement with the Iowa Civil Rights Commission (ICRC) from July 1, 2022- June 30, 2023 for the reimbursement of city staff time in processing discrimination claims referred to the ICRC

CA - 44 Consider motion to approve the renewal of the general insurance policy with Iowa Communities Assurance Pool (ICAP) for the policy year July 16, 2022 through July 15, 2023, with a premium amount of \$442,827.

CA - 45 Consider motion to approve the renewal of the crime and cyber policy with Travelers Casualty and Surety Company for the policy year July 16, 2022 through July 15, 2023, with a premium amount of \$60,750.

CA - 46 Consider motion to approve the renewal of the workers' compensation policy with Iowa Municipalities Workers' Compensation Association (IMWCA) for the policy year July 1, 2022 through June 30, 2023, with a premium amount of \$388,786.

CA - 47 Consider motion to adopt **RESOLUTION** authorizing the execution of one certain 28E Agreement by and between the City of Ankeny, Iowa, and Central Iowa Law Enforcement Agencies for Traffic Enforcement.

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-47

Action# E1-1. Consider motion to approve the recommendations for Consent Agenda Items CA-1 through CA-47

F. SUPPLEMENTAL AND REMOVED CONSENT AGENDA ITEMS: none

G. RECESS - Mark Holm, Mayor

H. LEGISLATIVE BUSINESS:

- **Approval of Ordinances:**

1. Ord 2110 An Ordinance amending the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, to rezone certain property owned by Hardship Land LLC from R-1, One-Family Residence District, to R-3 Multiple-Family Residence District restricted to 10 units per acre.

Action# H1-1. Consider motion to accept third consideration of ORDINANCE 2110, sending it on its final passage and publication as required by law.

2. Ord 2111 An Ordinance amending the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, to rezone certain property owned by Hardship

Land LLC from R-1, One-Family Residence District, to R-3 Multiple-Family Residence District restricted to single family.

Action# H2-1. Consider motion to accept third consideration of ORDINANCE 2111, sending it on its final passage and publication as required by law.

3. Ord 2112 An Ordinance amending Chapter 69 Parking Regulations of the Municipal Code of the City of Ankeny, Iowa, by amending Section 60.09 School Crossing Crosswalk, Section 69.10 No Parking on North and East Sides of Streets, Section 69.11 No Parking on Both Sides, and Section 69.16 No Passenger Loading or Unloading.

Action# H3-1. Consider motion to accept third consideration of ORDINANCE 2112, sending it on its final passage and publication as required by law.

4. Ord 2113 An Ordinance amending Chapter 65 Stop or Yield Required of the Municipal Code of the City of Ankeny, Iowa, by amending Section 65.02 School Districts.

Action# H4-1. Consider motion to accept third consideration of ORDINANCE 2113, sending it on its final passage and publication as required by law.

5. Ord 2114 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# H5-1. Consider motion to accept third consideration of ORDINANCE 2114, sending it on its final passage and publication as required by law.

6. 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# H6-1. Consider motion to accept first consideration of ORDINANCE 2115.

7. Ord 2116 An Ordinance amending Chapter 152, Sidewalk Regulations, of the Municipal Code of the City of Ankeny, Iowa

Action# H7-1. Consider a motion to accept first consideration of ORDINANCE 2116.

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Request for voluntary urbanized annexation of certain territory owned by ATI Industrial, LLC, Tyler Investment Company, Inc., Polk County Aviation Authority, and Lloyd D. Linn (PH 2022-54).

Action# J1-1. Consider motion to receive and file the April 21, 2022 Consultation Meeting Report.

Action# J1-2. Consider motion to adopt RESOLUTION annexing certain territory owned by ATI Industrial, LLC, Tyler Investment Company, Inc., Polk County Aviation Authority, and Lloyd D. Linn.

2. Proposed Agreement with Ankeny Chamber of Commerce
SummerFest 2022 Agreement

Action# J2-1. Consider a motion to adopt RESOLUTION approving an agreement between the City of Ankeny and the Ankeny Chamber of Commerce.

3. SE 3rd Street Utility Improvements - Phase 2 project
Professional Services Agreement with JEO Consulting Group, Inc.

Action# J3-1. Consider motion to approve the Professional Services Agreement with JEO Consulting Group, Inc. for design engineering services on the SE 3rd Street Utility Improvements - Phase 2 in an amount not to exceed \$106,780.00 and authorize the Mayor to execute said Agreement.

4. \$896,000 Master Services and Purchasing Agreement (General Fund)
Set Public Hearing

Action# J4-1.

Consider motion to adopt RESOLUTION fixing date for a public hearing on the proposition to authorize 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, and providing for publication of notice thereof. (date of hrg: 7/5/22 @ 5:30 p.m.)

5. Proposed Letter of Agreement - A Cut Above Lawn Care & Landscaping
2022 South Zone A Mowing Services

Action# J5-1. Consider a motion to adopt RESOLUTION, approving a Letter of Agreement between the City of Ankeny and A Cut Above Lawn Care & Landscaping, for 2022 South Zone A mowing services.

6. Proposed Letter of Agreement - Stretch Property Management
2022 South Zone B Mowing Services

Action# J6-1. Consider a motion to adopt RESOLUTION, approving a Letter of Agreement between the City of Ankeny and Stretch Property Management, for 2022 South Zone B mowing services.

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 - rezone Moeckly Family Farm, LLC - 7/5/22 @ 5:30 p.m.*
- *Public Hearing - \$896,000 Master Services & Purchasing Agmt - 7/5/22 @ 5:30 p.m.*
- *Regular Council Meeting - 7/18/22 @ 5:30 p.m.*
- *Regular Council Meeting - 8/1/22 @ 5:30 p.m.*

L. ADJOURNMENT

1. Adjournment

Council Action Planning Session will commence following adjournment of regular meeting.