



ANKENY CITY COUNCIL

Regular Meeting

Monday, June 6, 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 June 6, 2022 Agenda:

Action# B1-1. Consider motion to approve and accept the June 6, 2022 agenda, with/without amendment.

C. PUBLIC HEARING(S):

1. PH 2022-50 Proposed 28E Agreement renewing an Annexation Agreement Boundary with the City of Polk City, Iowa

Action# C1-1. Consider motion to close Public Hearing 2022-50.

2. PH 2022-51 Proposed voluntary urbanized annexation of certain territory located adjacent to the northeast quadrant of Ankeny requested by Hope Kimberley, LLC.

Action# C2-1. Consider motion to close Public Hearing 2022-51.

3. PH 2022-52 Proposed Bellagio Park Improvements

Action# C3-1. Consider motion to close Public Hearing 2022-52.

4. PH 2022-53 Proposed Rock Creek Greenway Trail Improvements

Action# C4-1. Consider motion to close Public Hearing 2022-53.

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 May 16, 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 3, 2022.

CA - 3 Receive and file minutes of the Library Board of Trustee meeting of April 21, 2022.

- **Licenses and Permits**

CA - 4 Consider motion to approve the issuance of Cigarette/Tobacco/Nicotine/Vapor Permits for July 1, 2022 - June 30, 2023.

CA - 5 Consider motion to approve the issuance of liquor license(s) and/or beer / wine permit(s) in the City of Ankeny.

- **Finance/Budget**

CA - 6 Consider motion to approve Amendment No. 3 to the Professional Services Agreement increasing the contract amount by \$368,900.00 with HR Green, Inc. for Construction Phase Services on the NE 36th Street Reconstruction Project - Interstate 35 to NE Four Mile Drive.

- CA - 7** Consider motion to approve Amendment No. 2 to the Professional Services Agreement increasing the contract amount by \$2,395.00 with HR Green, Inc. for additional construction engineering services for the S Ankeny Boulevard & Magazine Road Safety Improvements due to additional working days utilized by the prime contractor beyond the number allowed by contract.
- CA - 8** Consider motion to approve Change Order #5 decreasing the contract amount by \$600.00 to Sternquist Construction, for construction services on the NW 18th Street Extension - NW Weigel Drive to NW Spruce Drive project.
- CA - 9** Consider motion to approve Payment #1 in the amount of \$45,670.77 to Absolute Concrete Construction, Inc. for construction services on the NE 36th Street Reconstruction Project, I-35 to NE Four Mile Drive.
- CA - 10** Consider motion to approve Payment #4 in the amount of \$2,850.00 to Con-Struct, Inc., for construction services on the Wastewater Plant Partial Demolition project.
- CA - 11** Consider motion to approve Payment #2 in the amount of \$10,883.60 to Foth Infrastructure and Environment, LLC for engineering services on the North Four Mile Creek Trunk Sewer project.
- CA - 12** Consider motion to approve Payment #24 in the amount of \$35,283.97 to Foth Infrastructure and Environment, LLC for engineering services on the West First Street Widening and Improvements - Phase 1 project.
- CA - 13** Consider motion to approve Payment #2 in the amount of \$474,840.40 to Gingerich Well & Pump Service, LLC, for construction services on the Well No. 7/ASR No. 3 - Bid Package 1 - Well Construction project.
- CA - 14** Consider motion to approve Payment #19 in the amount of \$202,712.95 to Graphite Construction Group, Inc. for construction services on the Ankeny Senior Community Center.
- CA - 15** Consider motion to approve Payment #10 in the amount of \$24,295.65 to HR Green, Inc. for engineering services on the NE 36th Street Reconstruction Project, I-35 to NE Four Mile Drive.
- CA - 16** Consider motion to approve Payment #2 in the amount of \$69,475.00 to HR Green, Inc., for engineering services on the Oralabor Gateway Trail-SW State Street Underpass and SW Oralabor Road and SW State Street Safety Improvements project.
- CA - 17** Consider motion to approve Payment #12 in the amount of \$2,417.50 to JEO Consulting Group, Inc., for engineering services on the SE 3rd Street Improvements - Phase 1 project.
- CA - 18** Consider motion to approve Payment #10 in the amount of \$5,796.25 to JEO Consulting Group, Inc., for engineering services on the SE Delaware Avenue HMA Widening project.
- CA - 19** Consider motion to approve Payment #6 in the amount of \$18,496.57 to Kirkham Michael and Associates, for engineering services on the Westwinds Storm Sewer Extension Project - SW Westwinds Drive.
- CA - 20** Consider motion to approve Payment #15 in the amount of \$32,040.00 to MSA Professional Services, Inc., for engineering services on the NW 36th Street and NW Weigel Drive Water Main project.
- CA - 21** Consider motion to approve Payment #2 in the amount of \$2,790.77 to RDG Planning & Design, Inc., for engineering services on the Fourmile Creek and Tributary to Fourmile Creek Restoration project.
- CA - 22** Consider motion to approve Payment #24 in the amount of \$2,347.80 to Shive

Hattery for design\development services on the Ankeny Senior Community Center.

- CA - 23** Consider motion to approve Payment #2 in the amount of \$1,430.35 to Short Elliott Hendrickson Inc., for engineering services on the N Ankeny Blvd Water Main project.
- CA - 24** Consider motion to approve Payment #3 in the amount of \$6,974.75 to Snyder & Associates, Inc., for engineering services on the Cherry Glen Ballfield Development project.
- CA - 25** Consider motion to approve Payment #22 in the amount of \$19,841.08 to Snyder & Associates, Inc., for engineering services on the High Trestle Trail Ext Magazine Rd to Oralabor Rd project.
- CA - 26** Consider motion to approve Payment #15 in the amount of \$29,637.85 to Snyder & Associates, Inc., for engineering services on the HTT Transmission Main and Drainage Improvements project.
- CA - 27** Consider motion to approve Payment #18 in the amount of \$2,233.50 to Snyder & Associates, Inc., for engineering services on the N Ankeny Blvd Landscape Improvements project.
- CA - 28** Consider motion to approve Payment #10 in the amount of \$104,345.95 to Snyder & Associates, Inc., for engineering services on the NE Delaware Ave Recon - NE 5th St to NE 18th St project.
- CA - 29** Consider motion to approve Payment #20 in the amount of \$690.75 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements - Phase 1 project.
- CA - 30** Consider motion to approve Payment #18 in the amount of \$19,235.94 to Snyder & Associates, Inc., for engineering services on the NW 36th St Widening - NW Ash Dr to N Ankeny Blvd project.
- CA - 31** Consider motion to approve Payment #14 in the amount of \$5,248.19 to Snyder & Associates, Inc., for engineering services on the NW 36th St and NW State St Interim Improvements project.
- CA - 32** Consider motion to approve Payment #5 in the amount of \$1,344.25 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements - Phase 2 project.
- CA - 33** Consider motion to approve Payment #29 in the amount of \$17,701.29 to Snyder & Associates, Inc., for engineering services on the SE Crosswinds Drive - RISE project.
- CA - 34** Consider motion to approve Payment #11 in the amount of \$33,853.25 to Sternquist Construction, for construction services on the NW 18th Street Extension - NW Weigel Drive to NW Spruce Drive project.
- CA - 35** Consider motion to approve the June 6, 2022 Accounts Payable. (Finance Committee: T. Shafer, Chp, B. Bentz, J. Perry)

- **Personnel Items - none**

- **Community Development Items**

- CA - 36** Consider motion to adopt **RESOLUTION** accepting a Storm Water Management Facility Maintenance Covenant and Permanent Easement Agreement, located on Lot 3, Northpointe Village Center Plat 2 and associated with the development of the site plan at 2405 North Ankeny Blvd.
- CA - 37** Consider motion to grant preliminary approval of First Street Commons Plat 2; and

authorize cost-participation request for 16-inch water main upsizing along E 1st Street in the amount estimated to be \$5,375.00.

- CA - 38** Consider motion to adopt **RESOLUTION** waiving approval of the final plat for The Greens at Woodland Hills Plat 6.

- Engineering Items - none
- Capital Improvement Projects

- CA - 39** **Ankeny Public Services Library Remodel:** Consider motion to approve: a) The Architect's Certificate of Completion; b) **RESOLUTION** accepting the public improvement with Edge Commercial, LLC in the amount of \$3,937,732; and c) Retainage Payment #11 in the amount of \$196,886.60 which will be released 30 days after project acceptance.

- CA - 40** **S Ankeny Boulevard & Magazine Road Safety Improvements:**
Consider motion to approve: a) Final Change Order #2, reducing the contract in the amount of \$9,320.37; b) Certificate of Completion; c) **RESOLUTION** accepting the public improvements with All Star Concrete, LLC in the amount of \$477,757.63; and d) Final Payment #4 in the amount of \$26,665.48 / Release of Retainage in the amount of \$23,887.88.

- Administrative Items

- CA - 41** Consider a motion to enter into an agreement for Crossing Guard Services for the 2022-2023 school year between the City of Ankeny, the Ankeny Community School District and All City Management Services, Inc.

- CA - 42** Consider motion to approve amended Agreement between the City of Ankeny and Group Creative Services for the design, construction, and installation of a public art project, restroom facility, and shelter at the Northwest Irvinedale Drive trailhead.

- Approval of Consent Agenda Items

1. Consent Agenda Items CA-1 through CA-42.

Action# E1-1. Consider motion to approve the recommendations for Consent Agenda Items CA-1 through CA-42.

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 second consideration of ORDINANCE 2110.

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 second consideration of ORDINANCE 2111.

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 second consideration of ORDINANCE 2112.

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 second consideration of ORDINANCE 2113.

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 second consideration of ORDINANCE 2114.

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Proposed Annexation Agreement Boundary Renewal (28E) - City of Polk City, Iowa (PH 2022-50)

Action# J1-1. Consider motion to adopt RESOLUTION authorizing the Mayor to sign a 28E Agreement renewing an Annexation Agreement Boundary with the City of Polk City, Iowa.

2. Proposed voluntary urbanized annexation of certain territory located adjacent to the northeast quadrant of Ankeny requested by Hope Kimberley LLC. (PH 2022-51)

Action# J2-1. Consider motion to receive and file the March 2, 2022 Consultation Meeting Report.

Action# J2-2. Consider motion to receive and file correspondence.

Action# J2-3. Consider motion to adopt RESOLUTION annexing certain territory located adjacent to the northeast quadrant of Ankeny requested by Hope Kimberley LLC.

3. Proposed Renewal of the Office Development Incentive Policy

Action# J3-1. Consider motion to adopt RESOLUTION approving an Office Development Incentive Policy in the City of Ankeny, Iowa.

4. Proposed Bellagio Park Improvements (PH 2022-52)

Action# J4-1. Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$288,175.00; 2) receive and file report of bids received May 31, 2022; 3) adopt RESOLUTION making award of construction contract with Howrey Construction in the amount of \$296,850.00; and 4) adopt RESOLUTION approving

contract and bonds with Howrey Construction in the amount of \$296,850.00.

5. Proposed Rock Creek Greenway Trail Improvements (PH 2022-53)

Action# J5-1. Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$125,294.00; 2) receive and file report of bids received May 31, 2022; 3) adopt RESOLUTION making award of construction contract with Brothers Cleaning Corporation in the amount of \$112,905.00.

6. Proposed NW Irvinedale Elevated Storage Tank Project
Professional Services Agreement with HDR Engineering, Inc.

Action# J6-1. Consider a motion to approve the Professional Services Agreement with HDR Engineering, Inc., for the design engineering and bidding phase services on the NW Irvinedale Elevated Storage Tank Project in an amount not to exceed \$462,000.00 and 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 - annexation - ATI Ankeny Industrial LLC, Tyler Investment Company, Inc, Polk County Aviation Authority and Lloyd Linn - 6/20/22 @ 5:30 p.m.***
- ***Regular Council Meeting - 7/5/22 @ 5:30 p.m.***
- ***Regular Council Meeting - 7/18/22 @ 5:30 p.m.***

L. ADJOURNMENT

1. Adjournment

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