



ANKENY CITY COUNCIL

Regular Meeting

Monday, June 5, 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 June 5, 2023 Agenda

Action# B1-1. Consider motion to approve and accept the June 5, 2023 agenda, with/without amendment.

C. PUBLIC HEARING(S):

1. PH 2023-35 Proposed vacation of a portion of City owned right-of-way described as Lot B, Crosswinds Business Park Plat 1, containing 1.90 acres (+/-).

Action# C1-1. Consider motion to close Public Hearing 2023-35.

2. PH 2023-36 Proposed 80/20 Voluntary Urbanized Annexation of certain territory owned by Hope K Farms, LLC and Clayton Mitchell Living Trust, located adjacent to the southeast quadrant of the City of Ankeny.

Action# C2-1. Consider motion to close Public Hearing 2023-36.

3. PH 2023-37 Proposed Delaware Ground Storage Reservoir Rehabilitation Project

Action# C3-1. Consider motion to close Public Hearing 2023-37.

4. PH 2023-38 Proposed Creekside Park Improvements

Action# C4-1. Consider motion to close Public Hearing 2023-38.

5. PH 2023-39 Proposed Amendment of Current Budget for Fiscal Year Ending June 30, 2023

Action# C5-1. Consider motion to close Public Hearing 2023-39.

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 15, 2023, as published, subject to correction, as recommended by the City Clerk. |
| CA - 2 | Receive and file minutes of the Civil Service Commission meeting of May 8, 2023. |
| CA - 3 | Receive and file minutes of the Human Rights Commission meeting of April 27, 2023. |
| CA - 4 | Receive and file minutes of the Library Board of Trustee meeting of April 20, 2023. |
| CA - 5 | Receive and file minutes of the Plan and Zoning Commission meeting of May 2, 2023. |

- **Licenses and Permits**

- CA - 6** Consider motion to approve the issuance of Cigarette/Tobacco/Nicotine/Vapor Permits for July 1, 2023 - June 30, 2024.
- CA - 7** Consider motion to approve the issuance of liquor licenses and / or beer / wine permits in the City of Ankeny.

• **Finance/Budget**

- CA - 8** Consider motion to approve Payment #3 in the amount of \$20,142.70 to Civil Design Advantage for engineering services on the NW 36th Street and NW Weigel Drive HMA Resurfacing project.
- CA - 9** Consider motion to approve Payment #13 in the amount of \$2,580.57 to Foth Infrastructure and Environment, LLC for engineering services on the North Four Mile Creek Trunk Sewer project.
- CA - 10** Consider motion to approve Payment #2 in the amount of \$71,489.33 to Foth Infrastructure and Environment, LLC for engineering services on the NW State Street Extension project.
- CA - 11** Consider motion to approve Payment #25 in the amount of \$8,492.15 to FOX Strand, for engineering services on the Ankeny ASR project.
- CA - 12** Consider motion to approve Payment #10 in the amount of \$13,860.00 to HDR Engineering, Inc., for engineering services on the NW Irvinedale Elevated Storage Tank project.
- CA - 13** Consider motion to approve Payment #2 in the amount of \$9,629.39 to HGS, LLC, for construction services on the Rock Creek Greenbelt - Native Vegetation project.
- CA - 14** Consider motion to approve Payment #18 in the amount of \$7,776.23 to HR Green, Inc., for construction administration and construction inspection services on the NE 36th Street Reconstruction Project - I-35 to NE Four Mile Drive.
- CA - 15** Consider motion to approve Payment #9 in the amount of \$1,300.50 to HR Green, Inc., for engineering services on the SW State Street Fiber Optic Relocation project.
- CA - 16** Consider motion to approve Payment #2 in the amount of \$4,784.50 to HR Green, Inc., for engineering services on the NW Irvinedale Drive & NW 18th Street Intersection Improvements project.
- CA - 17** Consider motion to approve Payment #11 in the amount of \$4,112.50 to JEO Consulting Group, Inc., for engineering services on the SE 3rd Street Improvements - Phase 2 project.
- CA - 18** Consider motion to approve Payment #21 in the amount of \$3,133.75 to JEO Consulting Group, Inc. for engineering services on the SE 3rd Street Utility Improvements Phase 1 project.
- CA - 19** Consider motion to approve Payment #2 in the amount of \$30,194.39 to JEO Consulting Group, Inc., for engineering services on the Transportation Master Plan project.
- CA - 20** Consider motion to approve Payment #9 in the amount of \$1,207.50 to Kirkham Michael and Associates, for engineering services on the Westwinds Storm Sewer Extension Project - SW Westwinds Drive.
- CA - 21** Consider motion to approve Payment #4 in the amount of \$14,875.00 to MSA Professional Services, Inc., for engineering services on the Uptown Parking Improvements project.

- CA - 22** Consider motion to approve Payment #2 in the amount of \$181,440.80 to Musco Sports Lighting dba Iowa Sports Turf for construction services on the Cherry Glen Ballfield Development project.
- CA - 23** Consider motion to approve Payment #3 in the amount of \$10,840.00 to Nilles Associates, Inc., for engineering services on the NE Crestmoor Sanitary Sewer Replacement project.
- CA - 24** Consider motion to approve Payment #13 in the amount of \$18,638.75 to RDG Planning & Design for engineering services on the Fourmile Creek and Tributary to Fourmile Creek Restoration project.
- CA - 25** Consider motion to approve Payment #30 in the amount of \$499.50 to Shive Hattery for construction administration services associated with the Ankeny Senior Community Center project.
- CA - 26** Consider motion to approve Payment #10 in the amount of \$12,090.52 to Short Elliott Hendrickson Inc., for engineering services on the S Ankeny Blvd Transmission Main project.
- CA - 27** Consider motion to approve Payment #28 in the amount of \$8,689.21 to Snyder & Associates, Inc., for engineering services on the N Ankeny Blvd Landscape Improvements project.
- CA - 28** Consider motion to approve Payment #29 & Final in the amount of \$2,911.41 to Snyder & Associates, Inc., for engineering services on the SE Delaware Ave and SE 8th St Widening and Traffic Signalization project.
- CA - 29** Consider motion to approve Payment #11 in the amount of \$2,568.05 to Snyder & Associates, Inc., for engineering services on the Cherry Glen Ballfield Development Project.
- CA - 30** Consider motion to approve Payment #4 in the amount of \$22,335.65 to Snyder & Associates, for engineering services on the SE Delaware Ave and SE 54th St Traffic Signal project.
- CA - 31** Consider motion to approve Payment #30 in the amount of \$20,769.13 to Snyder & Associates, Inc., for engineering services on the NW 36th St Widening - NW Ash Dr to N Ankeny Blvd project.
- CA - 32** Consider motion to approve Payment #22 in the amount of \$30,346.26 to Snyder & Associates, Inc., for engineering services on the NE Delaware Ave Recon - NE 5th St to NE 18th St project.
- CA - 33** Consider motion to approve Payment #14 in the amount of \$2,399.48 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements - Phase 2 project.
- CA - 34** Consider motion to approve Payment #1 in the amount of \$24,744.83 to Snyder & Associates, for engineering services on the S Ankeny Blvd Improvements SE Peterson Dr to 1st St project.
- CA - 35** Consider motion to approve Payment #41 in the amount of \$4,229.54 to Snyder & Associates, Inc., for engineering services on the SE Crosswinds Drive - RISE project.
- CA - 36** Consider motion to approve Payment #27 in the amount of \$26,947.70 to Snyder & Associates, Inc., for engineering services on the HTT Transmission Main and Drainage Improvements project.
- CA - 37** Consider motion to approve Payment #2 in the amount of \$123,080.96 to Splash Pool & Spa Builders, LLC, for construction services on the 2022 Prairie Ridge

Aquatic Center - Resurfacing Project.

- CA - 38** Consider motion to approve Payment #8 in the amount of \$564,653.33 to WRH, Inc., for construction services on the Well No. 7/ASR No. 3 - Bid Package 2 - Well Pump and Control Building project.
- CA - 39** Consider motion to approve the June 5, 2023 Accounts Payable.
- CA - 40** Consider motion to approve the purchase of one ambulance from North Central Ambulance Sales and Service of Lester Prairie, MN in the amount of \$327,772.
- CA - 41** Consider motion to approve letter of agreement for banking and custodial services with First National Bank for three years with an option to renew for one additional three-year period by mutual agreement of both parties.
- CA - 42** Consider motion to approve intergovernmental agreement for the funding and operation of a mobile ventilation unit by the cities of Ankeny, Altoona, Clive, Grimes/Johnston Metropolitan Fire Department, Urbandale, Waukee and West Des Moines.
- CA - 43** Consider motion to approve project agreement with Capital Landscaping for Uptown tree replacement and landscaping and authorize City Manager to execute project agreement.
- CA - 44** Consider motion to adopt **RESOLUTION** authorizing the purchase of dump bodies, plow components, and builds of three (3) single axle snow plow dump trucks for the Public Works Department (replace existing trucks #224 and #269; add new truck #219).
- CA - 45** Consider motion to adopt a **RESOLUTION** authorizing the purchase of combination traffic signal/ lighting pole assemblies from Millerbernd Manufacturing Company, in the amount of \$76,746.00, for contractor installation with the SE Oralabor Road & Convenience Blvd/ Creekview Drive Traffic Signal Replacement.
- CA - 46** Consider motion to adopt **RESOLUTION** authorizing the purchase of a turf painter from Turf Tank for the Parks & Recreation Department.
- CA - 47** Consider motion to adopt **RESOLUTION** authorizing the purchase of a compact utility tractor at Otter Creek Golf Course for the Parks & Recreation Department.

- **Personnel Items**

- CA - 48** Consider motion to accept the Civil Service Commission certified list for appointment to Firefighter EMT-Paramedic, subject to passing any further departmental requirements.

- **Community Development Items - none**

- **Engineering Items**

- CA - 49** Consider motion to adopt a **RESOLUTION** authorizing the execution of an agreement with the Iowa Department of Transportation for DOT-Initiated Detour of Primary Highways onto Local Roads for I-35 access at NE 126th Avenue due to the PCC Pavement and Grading project for I-35 from north of NE 36th Street to IA Hwy. 210.

- **Capital Improvement Projects**

- CA - 50** Consider motion to adopt **RESOLUTION** adopting and levying final schedule of assessments and providing for the payment thereof of the NW 18th Street Extension - NW Weigel Drive to NW Spruce Drive project.

- CA - 51** Consider motion to adopt **RESOLUTION** to authorize the execution of a Cooperative Public Service Agreement between Polk County, Iowa and the City of Ankeny, Iowa for the sharing of project costs for the NE 38th Street Asphalt Resurfacing Project.
- CA - 52** Consider motion to adopt **RESOLUTION** ordering construction of the SE Oralabor Road & Convenience Boulevard/ Creekview Drive Traffic Signal Replacement and fixing a date for public hearing thereon and taking of bids therefor. (date of bid opening: 6/27/23 @ 10:30 A.M. / date of hrg: 7/3/23 @ 5:30 P.M.)
- CA - 53** Consider motion to adopt **RESOLUTION** ordering construction of the Uptown Parking Improvements and fixing a date for public hearing thereon and taking of bids therefor. (date of bid opening: 6/27/23 @ 10:30 A.M. / date of hrg: 7/3/23 @ 5:30 P.M.)
- CA - 54** Consider motion to adopt **RESOLUTION** ordering construction on The Westwinds, Plat 9, Storm Sewer Extension Project and fixing a date for hearing thereon and taking of bids therefor. (date of bid opening: 06/27/23 @ 10:30 A.M. / date of hrg: 07/03/23 @ 5:30 P.M.)
- CA - 55** **Hawkeye Park Pond Improvements - Phase 3:** Consider motion to approve: a) Certificate of Completion; b) **RESOLUTION** accepting the public improvement with RW Excavating Solutions, LC, in the amount of \$323,805.00; c) Final Payment #3 in the amount of \$5,937.50; and Retainage Payment in the amount of \$16,190.25.

- **Administrative Items**

- CA - 56** Consider a motion to approve and authorize the Mayor to execute a Facilities Agreement between the City of Ankeny, Iowa and the Ankeny Community School District.
- CA - 57** Consider a motion to adopt **RESOLUTION** approving an agreement between the City of Ankeny and the Ankeny Area Chamber of Commerce.
- CA - 58** Consider motion to adopt **RESOLUTION** authorizing the setting of a hearing on the proposal to lease property at 1520 SW Ordance Road, Ankeny, Iowa, to the Ankeny Friends of the Arts, DBA, Ankeny Art Center. (date of hrg: 6/19/23 @ 5:30 p.m.)
- CA - 59** Consider a motion to adopt **RESOLUTION** setting a public hearing concerning amendments to the code of ordinances of the City of Ankeny, Iowa, by amending Chapter 75 – Provisions pertaining to operation of UTVs on City streets (date of hrg: 6/19/2023 @ 5:30 p.m.)

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-59

Action# E1-1. Consider motion to approve the recommendations for Consent Agenda Items CA-1 through CA-59.

F. SUPPLEMENTAL AND REMOVED CONSENT AGENDA ITEMS: none

G. RECESS - Mark Holm, Mayor

H. LEGISLATIVE BUSINESS:

- **Approval of Ordinances:**

1. Ord 2144 An Ordinance vacating a portion of public right-of-way described as Lot B, Crosswinds Business Park Plat 1, containing 1.90 acres (+/-). (PH 2023-35)

Action# H1-1. Consider motion to accept first consideration of ORDINANCE 2144.

2. Ord 2145 An Ordinance amending Chapter 69 Parking Regulations of the Municipal Code of the City of Ankeny, Iowa, by amending Section 69.04 Angle Parking, Section 69.10 No Parking on North and East Sides of Streets, and Section 69.11 No Parking on Both Sides.

Action# H2-1. Consider motion to accept first consideration of ORDINANCE 2145.

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Proposed 80/20 Voluntary Urbanized Annexation of certain territory owned by Hope K Farms, LLC and Clayton Mitchell Living Trust, located adjacent to the southeast quadrant of the City of Ankeny. (PH 2023-36)

Action# J1-1. Consider motion to receive and file the April 10, 2023 Consultation Meeting Report.

Action# J1-2. Consider motion to adopt RESOLUTION annexing certain territory owned by Hope K Farms, LLC and Clayton Mitchell Living Trust, located adjacent to the southeast quadrant of the City of Ankeny.

2. Proposed Delaware Ground Storage Reservoir Rehabilitation (PH 2023-37)

Action# J2-1. Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$307,000.00; 2) receive and file report of bids received May 30, 2023; 3) adopt RESOLUTION making award of construction contract with TanksCo Inc. in the amount of \$241,500.00; and 4) adopt RESOLUTION approving contract and bonds with TanksCo Inc. in the amount of \$241,500.00.

3. Proposed 2023 Creekside Park Improvements (PH 2023-38)

Action# J3-1. Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$194,129.50; 2) receive and file report of bids received May 30, 2023; 3) adopt RESOLUTION making award of construction contract with Howrey Construction, Inc. in the amount of \$218,190.50; and 4) adopt RESOLUTION approving contract and bonds with Howrey Construction, Inc. in the amount of \$218,190.50.

4. Proposed Amendment of Current Budget for Fiscal Year Ending June 30, 2023 (PH 2023-39)

Action# J4-1. Consider motion to adopt RESOLUTION amending the current budget for fiscal year ending June 30, 2023.

5. Amended FY 2023 Fund Transfers

Action# J5-1. Consider motion to adopt RESOLUTION approving amendment to fiscal year 2023 fund transfers.

6. \$13,790,000 General Obligation Bonds, Series 2023B

Action# J6-1. Consider motion to adopt RESOLUTION appointing UMB Bank, N.A. of West Des Moines, Iowa, to serve as paying agent, bond registrar, and transfer agent, approving the paying agent and bond registrar and transfer agent agreement and authorizing the execution of the agreement.

Action# J6-2. Consider motion to adopt RESOLUTION authorizing and providing for the issuance of \$13,790,000 General Obligation Bonds, Series 2023B, and amending the levy of taxes to pay said bonds; approval of the tax exemption certificate and continuing disclosure certificate.

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:**

- ***Public Hearing - Lease property - Ankeny Friends of the Arts - 6/19/23 @ 5:30 p.m.***
- ***Public Hearing - UTV Ordinance - 6/19/23 @ 5:30 p.m.***
- ***Public Hearing - SE Oralabor Road & Convenience Blvd/Creekview Dr Traffic Signal Replacement - 7/3/23 @ 5:30 p.m.***
- ***Public Hearing - Uptown Parking Improvements - 7/3/23 @ 5:30 p.m.***
- ***Public Hearing - Westwinds, Plat 9, Storm Sewer Ext. Project - 7/3/23 @ 5:30 p.m.***

L. ADJOURNMENT

1. Adjournment

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