



ANKENY CITY COUNCIL

Regular Meeting

Monday, May 16, 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:

1. Mayor's Proclamation -Emergency Medical Services Week
2. Mayor's Proclamation -Juneteenth Day

A. PUBLIC FORUM: none

B. APPROVAL OF AGENDA:

1. Approval of the May 16, 2022 Agenda:

Action# B1-1. Consider motion to approve and accept the May 16, 2022 agenda, with/without amendment.

C. PUBLIC HEARING(S):

1. PH 2022-45 Proposed amendment to the Future Land Use Map, Figure 12.10 of The Ankeny Plan 2040 Comprehensive Plan.

Action# C1-1. Consider motion to close Public Hearing 2022-45.

2. PH 2022-46 Proposed amendment to the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, by rezoning certain real estate owned by Hardship Land LLC, from the current R-1, One-Family Residence District, to R-3 Multiple-Family Residence District restricted to 10 units per acre.

Action# C2-1. Consider motion to close Public Hearing 2022-46.

3. PH 2022-47 Proposed amendment to the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, by rezoning certain real estate owned by Hardship Land LLC, from the current R-1, One-Family Residence District, to R-3 Multiple Family Residence District restricted to single family.

Action# C3-1. Consider motion to close Public Hearing 2022-47.

4. PH 2022-48 Proposed Diamond Hills Greenway - Stream Repairs

Action# C4-1. Consider motion to close Public Hearing 2022-48.

5. PH 2022-49 Proposed Amendment of Current Budget for Fiscal Year Ending June 30, 2022

Action# C5-1. Consider motion to close Public Hearing 2022-49.

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 2, 2022, as published, subject to correction, as recommended by the City Clerk.
- CA - 2** Approval of official council actions of the special meeting of April 28, 2022, as published, subject to correction, as recommended by the City Clerk.
- CA - 3** Receive and file minutes of the Ankeny Economic Development Council from

December 17, 2021.

- CA - 4** Receive and file minutes of the Plan and Zoning Commission meeting of April 19, 2022.
- CA - 5** Receive and file minutes of the Zoning Board of Adjustment meeting of April 5, 2022.
- CA - 6** Receive and file minutes of the Human Rights Commission meeting of April 28, 2022
- CA - 7** Receive and file minutes of the Ankeny Cultural Arts Board meeting of March 28th, 2022.
- CA - 8** Receive and file minutes of the Civil Service Commission meeting of February 7, 2022.

- **Licenses and Permits**

- CA - 9** Consider motion to approve the issuance of liquor license(s) and/or beer / wine permit(s) in the City of Ankeny.
- CA - 10** Consider motion to approve the issuance of a fireworks permit within the City of Ankeny to J & M Displays, to be held following the Sips & Songs event, July 1, 2022 at Promenade Park.

- **Finance/Budget**

- CA - 11** Consider motion to receive and file Financial Reports for April 2022.
- CA - 12** Consider motion to receive and file Building Permit Report for April 2022.
- CA - 13** Consider motion to receive and file Utility Billing Report for April 2022.
- CA - 14** Consider motion to approve Change Order #1 increasing the contract amount by \$83,780.00 to Gingerich Well & Pump Service, LLC, for construction services on the Well No. 7/ASR No. 3 - Bid Package 1 - Well Construction project.
- CA - 15** Consider motion to approve Change Order #1 increasing the contract amount by \$49,575.79 to OnTrack Construction, LLC, for construction services on the NW 36th Street and NW Weigel Drive Water Main (Construction) project.
- CA - 16** Consider motion to approve Amendment No. 1 to the Professional Services Agreement increasing the contract amount by \$12,300.00 with Short Elliot Hendrickson (SEH) Inc., for construction services on the N. Ankeny Blvd. Water Main Project.
- CA - 17** Consider motion to approve Change Order #1 increasing the contract amount by \$17,209.25 to Sternquist Construction, for construction services on the SE Crosswinds Drive RISE - Phase 2 project.
- CA - 18** Consider motion to approve Payment #1 in the amount of \$51,424.45 to Absolute Concrete Construction, Inc., for construction services on the NW 36th Street Widening - NW Ash Drive to N Ankeny Boulevard project.
- CA - 19** Consider motion to approve Payment #25 in the amount of \$13,408.89 to Civil Design Advantage for engineering services on the NW 18th Street Extension - NW Weigel Drive to NW Spruce Drive project.
- CA - 20** Consider motion to approve Payment #9 in the amount of \$303,997.02 to Cramer & Associates, Inc., for construction services on the High Trestle Trail Ext Magazine Rd to Oralabor Rd project.
- CA - 21** Consider motion to approve Payment #13 in the amount of \$18,385.15 to FOX

Strand, for engineering services on the Ankeny ASR project.

- CA - 22** Consider motion to approve Payment #2 in the amount of \$207,671.63 to Gus Construction, for construction services on the NE Four Mile Drive RCB Culvert for Deer Creek project.
- CA - 23** Consider motion to approve Payment #21 in the amount of \$11,344.36 to McClure Engineering Company, for engineering services on the Irvinedale Drive Water Main Improvements - Phase 3 project.
- CA - 24** Consider motion to approve Payment #2 in the amount of \$70,068.80 to McClure Engineering Company, for engineering services on the NW 18th Street Reconstruction - NW Ash Dr. to N Ankeny Blvd. (Design) project.
- CA - 25** Consider motion to approve Payment #2 in the amount of \$572,730.56 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 #10 in the amount of \$92,984.18 to Reilly Construction Company Inc., for construction services on the West First Street Widening and Improvements - Phase 1 project.
- CA - 27** Consider motion to approve Payment #2 in the amount of \$8,763.75 to Rognes Corporation, for construction services on the Otter Creek Sanitary Sewer Improvements - Phase 3 project.
- CA - 28** Consider motion to approve Payment #23 in the amount of \$4,974.40 to Shive Hattery for design\development services on the Ankeny Senior Community Center.
- CA - 29** Consider motion to approve Payment #1 in the amount of \$163,487.93 to Sternquist Construction, for construction services on the SE Crosswinds Drive RISE - Phase 2 project.
- CA - 30** Consider motion to approve the May 16, 2022 Accounts Payable. (Finance Committee: J. Ruddy, Chp, T. Shafer, K. Whiting)
- CA - 31** Consider motion to adopt **RESOLUTION** naming depositories for the City of Ankeny.
- CA - 32** Consider motion to adopt **RESOLUTION** authorizing the acceptance of a proposal from Superior Recreation Products to purchase bleacher canopies for the Prairie Ridge Sports Complex.
- CA - 33** Consider motion to adopt **RESOLUTION** authorizing the acceptance of a proposal from NB Golf Cars, LLC to replace the golf cart fleet at the the Otter Creek Golf Course.

- **Personnel Items**

- CA - 34** Consider motion to accept the Civil Service Commission certified lists for appointments to:
Police Officer - Police Department
Firefighter/EMT/Paramedic - Fire Department
Environmental Civil Engineer I - Public Works Department
Recreation Supervisor-Aquatics - Parks and Recreation
Associate Planner - Community Development
, subject to passing any further departmental requirements.

- **Community Development Items**

- CA - 35** Consider motion to adopt **RESOLUTION** providing for the notice and hearing of the City Council of the City of Ankeny, Iowa, to consider the voluntary urbanized

annexation of certain territory owned by ATI Ankeny Industrial, LLC, Tyler Investment Company, Inc., Polk County Aviation Authority, and Lloyd D. Linn. (date of hrg: 6/20/22 @ 5:30 p.m.)

- CA - 36** Consider motion to adopt **RESOLUTION** accepting final plat, platted easements and subdivision bond for seeding and erosion control for Vintage Business Park at Prairie Trail Plat 11.
- CA - 37** 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, warranty deed for streets, parkland dedication agreement, sewer connection fee, authorizing cost-participation for upsizing public water mains and sidewalk oversizing and approving the private street names NE Mongoose Lane and NE Spear Lane, for Canyon Landing Townhomes Plat 1.
- CA - 38** 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 Canyon Landing Townhomes Plat 1.
- CA - 39** Consider motion to adopt **RESOLUTION** approving plans and specifications and accepting contracts, performance and maintenance bonds for the construction of street paving in Canyon Landing Townhomes Plat 1.
- CA - 40** Consider motion to adopt **RESOLUTION** accepting final plat, warranty deed to streets, letter of credit for seeding and erosion control, and platted easements for Keystone Church Plat 1.
- CA - 41** Consider motion to adopt **RESOLUTION** accepting a public trail easement located on a part of Tradition Plat 3.
- CA - 42** Consider motion to adopt **RESOLUTION** accepting final plat, letter of credit for erosion control, performance and maintenance bonds for paving and underground improvements, platted and offsite easements, warranty deed for streets, parkland dedication agreement, sewer connection fee, and authorizing cost-participation for extensions and upsizing of public sanitary sewer and public water mains, for Canyon Landing Duplexes Plat 1.
- CA - 43** 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 Canyon Landing Duplexes Plat 1.
- CA - 44** Consider motion to adopt **RESOLUTION** approving plans and specifications and accepting contracts, performance and maintenance bonds for the construction of street paving in Canyon Landing Duplexes Plat 1.
- CA - 45** Consider motion to adopt **RESOLUTION** accepting final plat, letter of credit for erosion control, performance and maintenance bonds for paving and underground improvements, platted and offsite easements, warranty deed for streets, parkland dedication agreement, and sewer connection fee, for Canyon Landing Plat 2.
- CA - 46** 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 Canyon Landing Plat 2.
- CA - 47** Consider motion to adopt **RESOLUTION** approving plans and specifications and accepting contracts, performance and maintenance bonds for the construction of street paving in Canyon Landing Plat 2.

- **Engineering Items**

- CA - 48** Consider motion to adopt **RESOLUTION** accepting a proposal from Electric Conduit Construction in the amount of \$74,688.94 for the construction of the SE

Quadrant Fiber Optic Upgrade.

- CA - 49** Consider motion to receive and file the Elementary School Walkability Study dated May 16, 2022 as completed by HR Green, Inc.
- CA - 50** Consider motion to adopt **RESOLUTION** accepting public improvements in Wilson Group Addition (Peterbilt) for paving.
- CA - 51** Consider motion to adopt **RESOLUTION** accepting public improvements in SE 72nd Street (Ruan Crosswinds Plat 1) for utilities.
- CA - 52** Consider motion to adopt **RESOLUTION** accepting public improvements in SE 72nd Street (Ruan Crosswinds Plat 1) for paving.
- CA - 53** Consider motion to adopt a **RESOLUTION** accepting a purchase agreement and approving documents for the acquisition of permanent storm sewer easement for the NW Northlawn Area Utility Improvements - Phase 2 project in Ankeny, Iowa. (401 NW Scott Street - Vande Vorde)
- CA - 54** Consider motion to adopt a **RESOLUTION** accepting a purchase agreement and approving documents for the acquisition of permanent storm sewer easement for the NW Northlawn Area Utility Improvements - Phase 2 project in Ankeny, Iowa. (405 NW Scott Street - Peters)
- CA - 55** Consider a motion to adopt a **RESOLUTION** updating the Policy on the Installation of School Speed Zones within Ankeny.
- CA - 56** Consider motion to adopt **RESOLUTION** accepting a proposal from Iowa Signal, Inc. in the amount of \$53,230.00 for the construction of the Northwest Elementary School Signal Replacement.

- **Capital Improvement Projects - none**

- **Administrative Items**

- CA - 57** Consider motion to approve an amended grant agreement with Bravo Greater Des Moines for an additional \$25,000 of grant funding and a six month extension to complete the trailhead project along NW Irvinedale Drive and authorize the Mayor to execute said agreement.
- CA - 58** Consider motion to adopt **RESOLUTION** approving the application for industrial property tax exemption for recent investments made at 7500 SE Convenience Blvd., 5800 SE Delaware Ave., 3810 SE Delaware Ave. and 2741 SE PDI Place, Ankeny, Iowa.
- CA - 59** Consider motion to adopt **RESOLUTION** approving public art titled *Growing In All Directions* by artist Beatrice Coron on the DART bus shelter located on West First Street near the High Trestle Trail.

- **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:

- **Boards/Commissions Appointments:**

1. Polk County Aviation Authority (PCAA) Re-appointment (4 year term)
07/01/2022 through 06/30/26 - Todd Ashby, Ankeny, Iowa

Action# H1-1.

Consider motion to adopt RESOLUTION, re-appointing Todd Ashby to serve as a representative of the City of Ankeny on the Board of Directors of the Polk County Aviation Authority, effective July 1, 2022 – June 30, 2026.

- **Approval of Ordinances:**

1. Ord 2109 An Ordinance amending the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, to rezone certain property owned by TJL Investments, LLC from R-1, One-Family Residence District, to PUD, Planned Unit Development.

Action# H1-1. Consider motion to accept second consideration of ORDINANCE 2109.

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 2109, sending it on to its final passage and publication as required by law.

2. 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 (PH 2022-46)

Action# H2-1. Consider motion to accept first consideration of ORDINANCE 2110.

3. 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 (PH 2022-47)

Action# H3-1.

Consider motion to accept first consideration of ORDINANCE 2111.

4. 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# H4-1. Consider motion to accept first consideration of ORDINANCE 2112.

5. 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# H5-1. Consider motion to accept first consideration of ORDINANCE 2113.

6. 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# H6-1. Consider motion to accept first consideration of ORDINANCE 2114.

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Proposed High Trestle Trail Experience Park
Professional Services Agreement with ISG, Inc.

Action# J1-1. Consider motion to approve a Professional Services Agreement with ISG, Inc. for design, engineering, bidding and construction services for the High Trestle Trail Experience Park and authorize the Mayor to execute said Agreement.

2. Proposed amendment to the Future Land Use Map, Figure 12.10 of The Ankeny Plan 2040 Comprehensive Plan for the City of Ankeny, Iowa (PH 2022-45).

Action# J2-1. Consider motion to adopt RESOLUTION amending the Future Land Use Map, Figure 12.10 of The Ankeny Plan 2040 Comprehensive Plan.

3. Proposed Diamond Hills Greenway - Stream Repairs (PH 2022-48)

Action# J3-1. Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$227,025.00; 2) receive and file report of bids received May 10, 2022; 3) adopt RESOLUTION making award of construction contract with OnTrack Construction, LLC in the amount of \$298,000.00; and 4) adopt RESOLUTION approving contract and bonds with OnTrack Construction, LLC in the amount of \$298,000.00.

4. Proposed Amendment of Current Budget for Fiscal Year Ending June 30, 2022 (PH 2022-49)

Action# J4-1. Consider motion to adopt RESOLUTION amending the current budget for the fiscal year ending June 30, 2022.

5. Amended FY 2022 Fund Transfers

Action# J5-1. Consider motion to adopt RESOLUTION approving amendment to fiscal year 2022 fund transfers.

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 - 28E Agreement - Annexation Agmt Boundary - 6/6/22 @ 5:30 p.m.***
- ***Public Hearing - Annexation - Hope Kimberley LLC - 6/6/22 @ 5:30 p.m.***
- ***Public Hearing - Bellagio Park Improvements - 6/6/22 @ 5:30 p.m.***
- ***Public Hearing - Rock Creek Greenway Trail Improvements - 6/6/22 @ 5:30 p.m.***
- ***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.***

L. ADJOURNMENT

1. Adjournment

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