ANKENY CITY COUNCIL

Regular Meeting

Monday, May 15, 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

---

All City Council meetings are open to the public. Assistive Listening Devices (ALD) are available for persons with impaired hearing. To request information in an alternative format or request an accommodation to participate in a City Council meeting, contact the Office of the City Clerk at 965-6405.
Anyone seeking assistance in communicating with the City should contact Relay Iowa at 1-800-735-2942 (TDY), or 1-800-735-2943 (Voice).

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 May 15, 2023 Agenda

Action# B1-1. Consider motion to approve and accept the May 15, 2023 agenda, with/without amendment.

C. PUBLIC HEARING(S):

1. Postponed PH — Proposed Delaware Ground Storage Reservoir Rehabilitation Project

Action# C1-1. No action. This Public Hearing is cancelled and rescheduled for June 5, 2023.

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 1, 2023, as published, subject to correction, as recommended by the City Clerk.

CA - 2 Receive and file minutes of the Human Rights Commission meeting of March 23, 2023.

CA - 3 Receive and file minutes of the Civil Service Commission meeting of April 11, 2023.

CA - 4 Receive and file minutes of the Plan and Zoning Commission meeting of April 18, 2023.

CA - 5 Receive and file minutes of the Zoning Board of Adjustment meeting of April 18, 2023.

- **Licenses and Permits**

CA - 6 Consider motion to approve the issuance of liquor licenses and / or beer / wine permits in the City of Ankeny.

- **Finance/Budget**

CA - 7 Consider motion to receive and file Financial Reports for April 2023.

CA - 8 Consider motion to receive and file Building Permit Report for April 2023.

CA - 9 Consider motion to receive and file Utility Billing Report for April 2023.

CA - 10 Consider motion to approve Change Order #5 increasing the contract amount by $3,300.00 to Absolute Concrete Construction, Inc., for construction services on the NE 36th Street Reconstruction - I-35 to NE Four Mile Drive project.

CA - 11 Consider motion to approve Change Order #5 increasing the contract amount by $9,657.00 to Absolute Concrete Construction, Inc., for construction services on the NW 36th Street Widening - NW Ash Drive to N Ankeny Boulevard project.

CA - 12 Consider motion to approve Change Order #1 increasing the contract amount by

$4,400.00 to Elder Corporation, for construction services on the NE Delaware Avenue Reconstruction - NE 5th Street to Fourmile Creek project.

CA - 13 Consider motion to approve Change Order #1 increasing the contract amount by $550.00 to Elder Corporation, for construction services on the NW 18th Street Reconstruction - NW Ash Dr. to N Ankeny Blvd. project.

CA - 14 Consider motion to approve Change Order #1 increasing the contract amount by $7,639.00 to Shekar Engineering, P.L.C, for construction services on the 2023 Pedestrian Ramp Improvements Program - Fountain View project.

CA - 15 Consider motion to approve Amendment #2 to the Professional Services Agreement increasing the contract amount by $457,313.00 with HR Green, Inc. for additional design and construction engineering services on the Oralabor Gateway Trail-SW State Street Underpass and SW Oralabor Road and SW State Street Safety Improvements project.

CA - 16 Consider motion to approve Payment #10 in the amount of $148,136.73 to Absolute Concrete Construction, Inc., for construction services on the NE 36th Street Reconstruction Project - I-35 to NE Four Mile Drive.

CA - 17 Consider motion to approve Payment #11 in the amount of $112,265.11 to Absolute Concrete Construction, Inc., for construction services on the NW 36th Street Widening - NW Ash Drive to N Ankeny Boulevard project.

CA - 18 Consider motion to approve Payment #10 in the amount of $62,624.73 to Absolute Concrete Construction, Inc. for construction services on the SE 3rd Street Utility Improvements - Phase 1 project.

CA - 19 Consider motion to approve Payment #1 in the amount of $8,449.06 to Alliance Construction Group LLC, for construction services on the 2023 PCC Reconstruction Program - SE Creekview Drive project.

CA - 20 Consider motion to approve Payment #2 in the amount of $8,156.00 to Bolton & Menk, Inc., for engineering services on the NW Prairie Ridge Dr/Ash Drive/9th Street Concept Study project.

CA - 21 Consider motion to approve Payment #2 in the amount of $3,703.70 to Civil Design Advantage for engineering services on the NW 36th Street and NW Weigel Drive HMA Resurfacing project.

CA - 22 Consider motion to approve Payment #2 in the amount of $347,978.24 to Elder Corporation, for construction services on the NE Delaware Avenue Reconstruction - NE 5th Street to Fourmile Creek project.

CA - 23 Consider motion to approve Payment #2 in the amount of $294,819.59 to Elder Corporation, for construction services on the NW 18th Street Reconstruction - NW Ash Dr. to N Ankeny Blvd. project.

CA - 24 Consider motion to approve Payment #24 in the amount of $19,437.33 to FOX Strand, for engineering services on the Ankeny ASR project.

CA - 25 Consider motion to approve Payment #17 in the amount of $4,721.35 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 - 26 Consider motion to approve Payment #6 in the amount of $2,274.50 to HR Green, Inc., for engineering services on the Otter Creek Trunk Sewer - Phase 3 project.

CA - 27 Consider motion to approve Payment #13 in the amount of $32,390.44 to McClure Engineering Company, for engineering services on the NW 18th Street Reconstruction - NW Ash Dr. to N Ankeny Blvd. project.

CA - 28 Consider motion to approve Payment #9 in the amount of $835.00 to McClure Engineering Company, for engineering services on the SW State Street Reconstruction - Southbound Lanes project.

CA - 29 Consider motion to approve Payment #1 in the amount of $228,556.46 to Musco Sports Lighting dba Iowa Sports Turf for construction services on the Cherry Glen Ballfield Development project.

CA - 30 Consider motion to approve Payment #1 in the amount of $39,041.00 to Nilles Associates, Inc., for engineering services on the SW Prairie Trail Parkway Complex project.

CA - 31 Consider motion to approve Payment #1 in the amount of $145,789.37 to On Track Construction, LLC for construction services on the NW Northlawn Area Utility Improvements - Phase 2.

CA - 32 Consider motion to approve Payment #1 in the amount of $66,327.62 to Shekar Engineering, P.L.C, for construction services on the 2023 Pedestrian Ramp Improvements Program - Fountain View project.

CA - 33 Consider motion to approve Payment #6 in the amount of $601,414.67 to Synergy Contracting, LLC, for construction services on the HTT Water Transmission Main & Drainage Improvements project.

CA - 34 Consider motion to approve Payment #1 in the amount of $10,583.01 to SVPA Architects Inc. for design services associated with the Ankeny Fire Station No. 4 project.

CA - 35 Consider motion to approve Payment #1 in the amount of $174,548.25 to TK Concrete, Inc., for construction services on the 2023 PCC Street Patching Program project.

CA - 36 Consider motion to approve the May 15, 2023 Accounts Payable.

CA - 37 Consider motion to adopt **RESOLUTION** authorizing the purchase of three (3) truck chassis for Public Works Department single axle snow plow trucks (replace existing trucks #224 and #269; add new truck #219).

CA - 38 Consider motion to reset public hearing on an Amendment of Current City Budget for Fiscal Year July 1, 2022 - June 30, 2023 and direct City Clerk to publish notice of such hearing (date of hrg: 06/05/23 @ 5:30 p.m.).

- **Personnel Items**

CA - 39 Consider motion to accept the Civil Service Commission certified lists for appointment to: Utilities Supervisor-Water, Utilities Supervisor-Wastewater, Fleet Technician, and Division Chief of Training and Safety; subject to passing any further departmental requirements.

- **Community Development Items**

CA - 40 Consider motion to adopt **RESOLUTION** approving plans and specifications, contracts, and performance and maintenance bonds for the construction of a traffic signal at the intersection of SE Delaware Avenue and the private drive approximately 700' north of SE 54th Street.

CA - 41 Consider motion to adopt **RESOLUTION** accepting a public storm water management facility maintenance covenant and permanent easement agreement located on the property at 1302 N Ankeny Boulevard, and associated with the development of the Northview Stadium Phase 3 Site Plan.

CA - 42 Consider motion to adopt **RESOLUTION** providing for the notice and hearing of

the City Council of the City of Ankeny, Iowa, to consider a request to vacate a portion of public right-of-way described as Lot B, Crosswinds Business Park Plat 1, containing 1.90 acres (+/-) (date of hrg: 06/05/23 @ 5:30 p.m.).

- **Engineering Items**

CA - 43 Consider motion to adopt a **RESOLUTION** authorizing the execution of a Predesign Agreement For Primary Road Project between the Iowa Department of Transportation (DOT) and the City of Ankeny, Iowa for the sharing of responsibilities for the proposed South Ankeny Boulevard Improvements Project - SE Peterson Drive to 1st Street.

- **Capital Improvement Projects**

CA - 44 **2023 Sidewalk Gaps and Replacements Improvement Program**: Consider motion to approve: a) Final Change Order #1 decreasing the contract amount by $763.50; b) Certificate of Completion; c) **RESOLUTION** accepting the public improvement with Howrey Construction, Inc. in the amount of $108,117.50; and d) Final Payment #1 in the amount of $102,711.62; and Retainage Payment in the amount of $5,405.88.

CA - 45 **2023 PCC Pavement Preservation Program**: Consider motion to approve: a) Final Change Order #1 increasing the contract amount by $566.20; b) Certificate of Completion; c) **RESOLUTION** accepting the public improvement with Iowa Civil Contracting, Inc. in the amount of $429,581.20; and d) Final Payment #1 in the amount of $408,102.14; and Retainage Payment in the amount of $21,479.06.

CA - 46 **NW 18th Street Extension - NW Weigel Drive to NW Spruce Drive**: Consider motion to approve: a) Final Change Order #8 decreasing the contract amount by $60,132.85; b) Certificate of Completion; c) **RESOLUTION** accepting the public improvement with Sternquist Construction in the amount of $4,457,559.90; and d) Final Payment #16 in the amount of $0.00; and Retainage Payment in the amount of $92,563.85 and Remainder of Retainage Payment in the amount of $71,045.30.

CA - 47 Consider motion to adopt **RESOLUTION** ordering preparation of final plat and schedule of assessments for the NW 18th Street Extension - NW Weigel Drive to NW Spruce Drive project.

CA - 48 Consider motion to adopt **RESOLUTION** ratifying, confirming, and approving the change in dates for submission of bids and for public hearing on plans, specifications, form of contract and estimate of costs for the Delaware Ground Storage Reservoir Rehabilitation. (date of bid opening: 5/30/23 @ 10:30 a.m./date of hrg: 6/5/23 @ 5:30 p.m.)

- **Administrative Items**

CA - 49 Consider motion to adopt **RESOLUTION** authorizing the renewal of a 28E Agreement by and between the City of Ankeny, Iowa and the members of the Polk County Emergency Management Commission for funding of emergency management administration.

CA - 50 Consider motion to adopt **RESOLUTION** authorizing the Partial Termination Certificate of the Development Agreement between the City of Ankeny, Iowa and Threshold Otter Creek, LLC for the Spectrum 36 Plat 1.

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-50.

Action# E1-1. Consider motion to approve the recommendations for Consent Agenda Items CA-1 through CA-50.

F. SUPPLEMENTAL AND REMOVED CONSENT AGENDA ITEMS: none

G. RECESS - Mark Holm, Mayor

H. LEGISLATIVE BUSINESS:

- **Approval of Ordinances:**

1. Ord 2141 An Ordinance amending the Zoning Ordinance, Chapter 193, of the Municipal Code of the City of Ankeny, Iowa, regarding Flood Plain Regulations.

Action# H1-1. Consider motion to accept third consideration of ORDINANCE 2141, sending it on its final passage and publication as required by law.

2. Ord 2143 An Ordinance creating Chapter 144 of the code of ordinances of the City of Ankeny, Iowa, by creating provisions pertaining to the 2023 Register's Annual Great Bicycle Ride Across Iowa (RAGBRAI).

Action# H2-1. Consider motion to accept second consideration of ORDINANCE 2143.

Action# H2-2. 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 2143, sending it on its final passage and publication as required by law.

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Proposed NW Northlawn Area Utility Improvements - Phase 3
Professional Services Agreement with Snyder & Associates

Action# J1-1. Consider motion to approve the Professional Services Agreement with Snyder & Associates for design engineering services on the NW Northlawn Area Utility Improvements - Phase 3 project in an amount not to exceed $72,350.00 and authorize the Mayor to execute said Agreement.

2. Proposed SE Corporate Woods Drive & Crosswinds Drive Traffic Signal
Professional Services Agreement with Bolton & Menk, Inc.

Action# J2-1.
Consider motion to approve the Professional Services Agreement with Bolton & Menk, Inc., for the traffic engineering services for the SE Corporate Woods Drive & Crosswinds Drive Traffic Signal in an amount not to exceed $39,000.00 and the Mayor to execute said agreement.

3. Proposed Otter Creek Trunk Sewer - Phase 4
Professional Services Agreement with Civil Design Advantage

Action# J3-1. Consider a motion to approve the Professional Services Agreement with Civil Design Advantage, for the design engineering and bidding phase services on the Otter Creek Trunk Sewer - Phase 4 Project in an amount not to exceed $148,500.00 and the Mayor to execute said agreement.

4. Proposed South Ankeny Boulevard Improvements - SE Peterson Drive to 1st Street Professional Services Agreement with Snyder & Associates, Inc.

Action# J4-1. Consider motion to approve the Professional Services Agreement with Snyder & Associates, Inc. for the conceptual and preliminary design engineering services on the South Ankeny Boulevard Improvements - SE Peterson Drive to 1st Street project in an amount not to exceed $497,700.00 and authorize the Mayor to execute said agreement.

5. Des Moines Area Metropolitan Planning Organization Electric Vehicle Grant Application

Action# J5-1.
Consider motion to approve or deny the RESOLUTION authorizing the City of Ankeny, Iowa to submit sites to a regional joint application for funding from the Federal Highway Administration's Charging & Fueling Infrastructure Discretionary Grant Program (CFI) for up to four sites to the Des Moines Area Metropolitan Planning Organization's (MPO) for inclusion and further approving the application which obligates the City of Ankeny to matching funds not to exceed $44,000 for construction.

6. $15,200,000 (Subject to Adjustment per Terms of Offering) General Obligation Bonds, Series 2023B

Action# J6-1. Consider motion to receive and file report of bids received on May 15, 2023 at 10:00 A.M.

Action# J6-2. Consider motion to adopt RESOLUTION directing sale of $15,200,000 (subject to adjustment per terms of offering) General Obligation Bonds, Series 2023B.

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 - Annexation - Hope K. Farms, LLC & Clayton Mitchell Living Trust - 6/5/23 @ 5:30 p.m.***
  - ***Public Hearing - 2023 Creekside Park Improvements - 6/5/23 @ 5:30 p.m.***
  - ***Public Hearing - Delaware Ground Storage Reservoir Rehabilitation - 6/5/23 @ 5:30 p.m.***

- ***Public Hearing - Amend Current City Budget Fiscal Year July 1, 2022 - June 30, 2023 - 6/5/23 @ 5:30 p.m.***
- ***Public Hearing - vacate - ROW Crosswinds Business Park Plat 1 - 6/5/23 @ 5:30 p.m.***
- ***Regular Council Meeting - 6/19/23 @ 5:30 p.m.***

L. ADJOURNMENT

1. Adjournment

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