

MINUTES OF THE ANKENY CITY COUNCIL

Monday, May 15, 2023 5:30 p.m.

Ankeny Kirkendall Library - City Council Chambers

Mark Holm, Mayor

Bobbi Bentz, Mayor Pro tem

Council Members: Jeff Perry, Joe Ruddy, Todd Shafer, Kelly Stearns

Mayor Mark Holm called the meeting to order at 5:31 p.m. Council Members Bobbi Bentz, Jeff Perry, Joe Ruddy and Todd Shafer were in attendance. Council Member Kelly Stearns was absent. City Manager David Jones and City Attorney Amy Beattie were also present. Mayor Holm led in the Pledge of Allegiance.

PUBLIC FORUM

1. Mary Jo Blumer, 1723 SW Franklin Dr, expressed concerns about residents not properly draining pools and request council consider an update to code.

APPROVAL OF AGENDA

1. Council Member Bentz moved, Shafer seconded, to approve and accept the May 15, 2023 agenda as presented. Ayes: 4.

PUBLIC HEARING

1. PH. Mayor Holm announced the public hearing on the proposed Delaware Ground Storage Reservoir Rehabilitation Project is cancelled and rescheduled for June 5, 2023.

APPROVAL OF CONSENT AGENDA

Minutes

1. Official council actions of the regular meeting of May 1, 2023, as published.
2. Receive and file minutes of the Human Rights Commission meeting of March 23, 2023.
3. Receive and file minutes of the Civil Service Commission meeting of April 11, 2023.
4. Receive and file minutes of the Plan and Zoning Commission meeting of April 18, 2023.
5. Receive and file minutes of the Zoning Board of Adjustment meeting of April 18, 2023.

Licenses and Permits

6. Issuance of liquor licenses and beer/wine permits in the City of Ankeny.

Finance/Budget

7. Receive and file Financial Reports for April 2023.
8. Receive and file Building Permit Report for April 2023.
9. Receive and file Utility Billing Report for April 2023.
10. Change Order #5 increasing the contract amount by \$3,300.00 to Absolute Concrete Construction, Inc., for construction services on the NE 36th St Reconstruction - I-35 to NE Four Mile Dr project.
11. Change Order #5 increasing the contract amount by \$9,657.00 to Absolute Concrete Construction, Inc., for construction services on the NW 36th St Widening - NW Ash Dr to N Ankeny Blvd project.
12. Change Order #1 increasing the contract amount by \$4,400.00 to Elder Corporation, for construction services on the NE Delaware Ave Reconstruction - NE 5th St to Fourmile Creek project.

13. Change Order #1 increasing the contract amount by \$550.00 to Elder Corporation, for construction services on the NW 18th St Reconstruction - NW Ash Dr to N Ankeny Blvd project.
14. 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.
15. 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.
16. Payment #10, \$148,136.73 to Absolute Concrete Construction, Inc., for construction services on the NE 36th St Reconstruction Project - I-35 to NE Four Mile Drive.
17. Payment #11, \$112,265.11 to Absolute Concrete Construction, Inc., for construction services on the NW 36th St Widening - NW Ash Dr to N Ankeny Blvd project.
18. Payment #10, \$62,624.73 to Absolute Concrete Construction, Inc. for construction services on the SE 3rd St Utility Improvements - Phase 1 project.
19. Payment #1, \$8,449.06 to Alliance Construction Group LLC, for construction services on the 2023 PCC Reconstruction Program - SE Creekview Drive project.
20. Payment #2, \$8,156.00 to Bolton & Menk, Inc., for engineering services on the NW Prairie Ridge Dr/Ash Dr/9th Street Concept Study project.
21. Payment #2, \$3,703.70 to Civil Design Advantage for engineering services on the NW 36th St and NW Weigel Dr HMA Resurfacing project.
22. Payment #2, \$347,978.24 to Elder Corporation, for construction services on the NE Delaware Ave Reconstruction - NE 5th St to Fourmile Creek project.
23. Payment #2, \$294,819.59 to Elder Corporation, for construction services on the NW 18th Street Reconstruction – NW Ash Dr to N Ankeny Blvd project.
24. Payment #24, \$19,437.33 to FOX Strand, for engineering services on the Ankeny ASR project.
25. Payment #17, \$4,721.35 to HR Green, Inc., for construction administration and construction inspection services on the NE 36th St Reconstruction Project - I-35 to NE Four Mile Drive.
26. Payment #6, \$2,274.50 to HR Green, Inc., for engineering services on the Otter Creek Trunk Sewer - Phase 3 project.
27. Payment #13, \$32,390.44 to McClure Engineering Company, for engineering services on the NW 18th St Reconstruction - NW Ash Dr to N Ankeny Blvd project.
28. Payment #9, \$835.00 to McClure Engineering Company, for engineering services on the SW State St Reconstruction - Southbound Lanes project.
29. Payment #1, \$228,556.46 to Musco Sports Lighting dba Iowa Sports Turf for construction services on the Cherry Glen Ballfield Development project.
30. Payment #1, \$39,041.00 to Nilles Associates, Inc., for engineering services on the SW Prairie Trail Parkway Complex project.
31. Payment #1, \$145,789.37 to On Track Construction, LLC for construction services on the NW Northlawn Area Utility Improvements - Phase 2.
32. Payment #1, \$66,327.62 to Shekar Engineering, P.L.C, for construction services on the 2023 Pedestrian Ramp Improvements Program - Fountain View project.
33. Payment #6, \$601,414.67 to Synergy Contracting, LLC, for construction services on the HTT Water Transmission Main & Drainage Improvements project.
34. Payment #1, \$10,583.01 to SVPA Architects Inc. for design services associated with the Ankeny Fire Station No. 4 project.
35. Payment #1, \$174,548.25 to TK Concrete, Inc., for construction services on the 2023 PCC Street Patching Program project.
36. May 15, 2023 Accounts Payable by fund: General 265,239; Police Gift 36; Road Use Tax 120,883; Police/Fire Pension 5,461; Debt Service 21,757,456; Library Foundation 1,028; Water 106,166; Water Sinking 1,338,507; Sewer 568,804; Storm Water 9,619; Golf Course 31,514; Enterprise Project 807,182; Revolving 45,555; Risk Management 83,013; Capital

Projects 2,326,262; Payroll Totals 1,310,806; Transfers/ACH (197,511); Agenda Payments approved separately (3,013,360); Grand Total \$25,566,660.

37. **RESOLUTION 2023-209** authorizing the purchase of three truck chassis for Public Works Department single axle snow plow trucks (replace existing trucks #224 and #269; add new truck #219).
38. 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

39. 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

40. **RESOLUTION 2023-210** approving plans and specifications, contracts, and performance and maintenance bonds for the construction of a traffic signal at the intersection of SE Delaware Ave and the private drive approximately 700' north of SE 54th St.
41. **RESOLUTION 2023-211** accepting a public storm water management facility maintenance covenant and permanent easement agreement located on the property at 1302 N Ankeny Blvd, and associated with the development of the Northview Stadium Phase 3 Site Plan.
42. **RESOLUTION 2023-212** 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

43. **RESOLUTION 2023-213** authorizing the execution of a Predesign Agreement For Primary Road Project between the Iowa Department of Transportation 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

44. **2023 Sidewalk Gaps and Replacements Improvement Program:** a) Final Change Order #1 decreasing the contract amount by \$763.50; b) Certificate of Completion; c) **RESOLUTION 2023-214** 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.
45. **2023 PCC Pavement Preservation Program:** a) Final Change Order #1 increasing the contract amount by \$566.20; b) Certificate of Completion; c) **RESOLUTION 2023-215** 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.
46. **NW 18th Street Extension - NW Weigel Drive to NW Spruce Drive:** a) Final Change Order #8 decreasing the contract amount by \$60,132.85; b) Certificate of Completion; c) **RESOLUTION 2023-216** 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.

47. **RESOLUTION 2023-217** ordering preparation of final plat and schedule of assessments for the NW 18th Street Extension - NW Weigel Drive to NW Spruce Drive project.
48. **RESOLUTION 2023-218** 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

49. **RESOLUTION 2023-219** 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.
50. **RESOLUTION 2023-220** 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. Council Member Bentz moved, second by Ruddy, to approve the recommendations for Consent Agenda Items CA-1 through CA-50. Ayes: Bentz, Ruddy, Perry, Shafer.

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. Council Member Ruddy moved, Perry seconded, to accept third consideration of ORDINANCE 2141, sending it on to its final passage and publication as required by law. Ayes: Ruddy, Perry, Bentz, Shafer.
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). Council Member Ruddy moved, Bentz seconded, to accept second consideration of ORDINANCE 2143. Ayes: Ruddy, Bentz, Perry, Shafer. Council Member Perry moved, Ruddy seconded, 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. Ayes: Perry, Ruddy, Bentz, Shafer.

NEW BUSINESS

1. NW Northlawn Area Utility Improvements - Phase 3 - Professional Services Agreement with Snyder & Associates Council Member Bentz moved, Ruddy seconded, 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. Ayes: Bentz, Ruddy, Perry, Shafer.
2. Proposed SE Corporate Woods Drive & Crosswinds Drive Traffic Signal - Professional Services Agreement with Bolton & Menk, Inc. Council Member Ruddy moved, Bentz seconded, 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. Ayes: Ruddy, Bentz, Perry, Shafer.

3. Proposed Otter Creek Trunk Sewer - Phase 4 - Professional Services Agreement with Civil Design Advantage Council Member Ruddy moved, Bentz seconded, 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. Ayes: Ruddy, Bentz, Perry, Shafer.
4. Proposed South Ankeny Boulevard Improvements - SE Peterson Drive to 1st Street - Professional Services Agreement with Snyder & Associates, Inc. Council Member Shafer moved, Perry seconded, 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. Ayes: Shafer, Perry, Bentz, Ruddy.
5. Des Moines Area Metropolitan Planning Organization Electric Vehicle Grant Application Council Member Perry moved, Shafer seconded, to approve **RESOLUTION 2023-221** 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. After discussion by the council, it was the consensus to delay application for the grant. Perry amended his motion to adopt **RESOLUTION 2023-221**, denying authorization 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 MPO for inclusion and further approving the application which obligates the City of Ankeny to matching funds not to exceed \$44,000 for construction, seconded by Shafer. Ayes: Perry, Shafer, Bentz, Ruddy.
6. \$15,200,000 (Subject to Adjustment per Terms of Offering) General Obligation Bonds, Series 2023B Council Member Shafer moved, Bentz seconded, to receive and file report of bids received on May 15, 2023 at 10:00 A.M. Ayes: Shafer, Bentz, Perry, Ruddy. Council Member Ruddy moved, Bentz seconded, to adopt **RESOLUTION 2023-222** directing sale of \$13,790,000 General Obligation Bonds, Series 2023B. Ayes: Ruddy, Bentz, Perry, Shafer.

ADJOURNMENT

1. Meeting adjourned at 6:07 p.m.

Michelle Yuska, City Clerk

Mark Holm, Mayor

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