



ANKENY CITY COUNCIL

Regular Meeting

Monday, May 6, 2024

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:

1. Special Presentation: Bravo Greater Des Moines - Sally Dix

B. APPROVAL OF AGENDA:

1. Approval of the May 6, 2024 Agenda

Action# B1-1. Consider motion to approve and accept the May 6, 2024 agenda, with or without amendment.

C. PUBLIC HEARING(S):

1. PH 2024-28 Proposed amendment to the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, by amending the PUD Zoning of certain property owned by Commerce Center, LLC.

Action# C1-1. Consider motion to close Public Hearing 2024-28.

2. PH 2024-29 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 Berwick Holdings, LLC, from the current R-1, One Family Residence District to PUD, Planned Unit Development.

Action# C2-1. Consider motion to close Public Hearing 2024-29.

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 April 15, 2024, as published, subject to correction, as recommended by the City Clerk.
- CA - 2** Approval of official council actions of the special meeting of April 29, 2024, as published, subject to correction, as recommended by the City Clerk.
- CA - 3** Receive and file minutes of the Plan and Zoning Commission meeting of April 2, 2024.
- CA - 4** Receive and file minutes of the Library Board of Trustee meeting of March 21, 2024.
- CA - 5** Receive and file minutes of the Human Rights Commission meeting of February 22, 2024.

• **Licenses and Permits**

- CA - 6** Consider motion to approve cigarette/tobacco/nicotine/vapor permit in the City of Ankeny.
- CA - 7** Consider motion to approve the issuance of liquor licenses and beer/wine permits in the City of Ankeny.

• **Finance/Budget**

- CA - 8** Consider motion to approve Amendment #1 to the Professional Services Agreement with Bolton & Menk, Inc., for the construction engineering services for the SE Corporate Woods Drive & Crosswinds Drive Traffic Signal in an amount not to exceed \$16,082.00.
- CA - 9** Consider motion to approve Amendment #1 to the Professional Services Agreement with Snyder & Associates, Inc. increasing the contract amount by \$378,200.00 for final design engineering services on the South Ankeny Boulevard Improvements - SE Peterson Drive to 1st Street project.
- CA - 10** Consider motion to approve Payment #1 in the amount of \$521,704.37 to Brothers Cleaning Corporation for construction services on the Rally Complex Park Development project.
- CA - 11** Consider motion to approve Payment #2 in the amount of \$544,660.03 to CB&I Storage Tank Solutions LLC, for construction services on the NW Irvinedale Drive - Elevated Water Storage Tank project.
- CA - 12** Consider motion to approve Payment #16 in the amount of \$10,826.52 to HDR Engineering, Inc., for engineering services on the NW Irvinedale Elevated Storage Tank project.
- CA - 13** Consider motion to approve Payment #16 in the amount of \$17,023.23 to HR Green, Inc., for construction engineering services on the Oralabor Gateway Trail-SW State Street Underpass and SW Oralabor Road and SW State Street Safety Improvements project.
- CA - 14** Consider motion to approve Payment #16 in the amount of \$6,374.25 to JEO Consulting Group, Inc., for engineering services on the SE 3rd Street Improvements - Phase 2 project.
- CA - 15** Consider motion to approve Payment #2 in the amount of \$25,164.73 to MSA Professional Services, Inc., for engineering services on the SW Walnut Street and SW Ordinance Road Water Main project.
- CA - 16** Consider motion to approve Payment #2 in the amount of \$7,044.25 to Nilles Associates, Inc., for engineering services on the SW Magazine Road & SW State Street Improvements - West Leg project.
- CA - 17** Consider motion to approve Payment #4 in the amount of \$3,586.50 to Nilles Associates, Inc., for engineering services on the Vintage Business Park North Lake and Saylor Creek Repairs project.
- CA - 18** Consider motion to approve Payment #16 in the amount of \$33,549.75 to RDG Planning & Design for engineering services on the Fourmile Creek and Tributary to Fourmile Creek Restoration project.
- CA - 19** Consider motion to approve Payment #1 in the amount of \$121,019.55 to Rognes Corporation, for construction services on the SE 3rd Street Improvements - Phase 2 project.
- CA - 20** Consider motion to approve Payment #3 in the amount of \$10,677.75 to Snyder & Associates, Inc. for engineering services on the Watercrest Park Expansion project.
- CA - 21** Consider motion to approve Payment #38 in the amount of \$11,709.52 to Snyder & Associates, Inc., for engineering services on the HTT Transmission Main and Drainage Improvements project.
- CA - 22** Consider motion to approve Payment #7 in the amount of \$69,310.06 to Snyder & Associates, for engineering services on the N Ankeny Blvd Improvements 1st Street to 11th Street project.

- CA - 23** Consider motion to approve Payment #33 in the amount of \$22,353.93 to Snyder & Associates, Inc., for engineering services on the NE Delaware Ave Recon - NE 5th St to NE 18th St project.
- CA - 24** Consider motion to approve Payment #1 in the amount of \$19,901.50 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements - Phase 4 project.
- CA - 25** Consider motion to approve Payment #11 in the amount of \$512.00 to Snyder & Associates, for engineering services on the SE Oralabor Rd & SE Creekview Dr Traffic Signal Replacement project.
- CA - 26** Consider motion to approve Payment #11 in the amount of \$8,292.66 to Snyder & Associates, for engineering services on the SE Delaware Ave and SE 54th St Traffic Signal project.
- CA - 27** Consider motion to approve Payment #36 in the amount of \$5,812.50 to Strand, for engineering services on the Ankeny ASR project.
- CA - 28** Consider motion to approve Payment #12 in the amount of \$2,015.50 to Strand, for engineering services on the NE 36th Street & NE 38th Street Water Main Loop project.
- CA - 29** Consider motion to approve the May 6, 2024 Accounts Payable.
- CA - 30** Consider motion to approve **RESOLUTION** authorizing the purchase of a backup generator for Fire Station No. 4.
- CA - 31** Consider motion to adopt **RESOLUTION** authorizing the purchase of a truck chassis for Public Works Department single axle snow plow truck (replace existing trucks #232).
- CA - 32** Consider motion to adopt **RESOLUTION** authorizing the purchase of a dump body, plow components, and build of a single axle snow plow truck for the Public Works Department (replace existing truck #232).
- CA - 33** Consider motion to adopt **RESOLUTION** authorizing the purchase of a truck chassis for Public Works Department tandem axle snow plow truck.
- CA - 34** Consider motion to adopt **RESOLUTION** authorizing the purchase of a dump body, plow components, and build of a tandem axle snow plow truck for the Public Works Department.
- CA - 35** Consider motion to adopt **RESOLUTION** authorizing the purchase of a new wheel loader for the Public Works Department (replace existing wheel loader #252).

• **Community Development Items**

- CA - 36** Consider motion to adopt **RESOLUTION** authorizing the Mayor to sign a hold harmless agreement allowing Canyon Landing Owners Association, Inc. to place a monument development sign within a portion of the City of Ankeny's Public Utility Easement, Public Gas Easement, and Landscape Buffer Easement located on Lot 18, Canyon Landing Plat 3.
- CA - 37** Consider motion to adopt **RESOLUTION** accepting the final plat, letter of credit for erosion control, performance and maintenance bonds for asphalt paving, concrete paving, subgrade and underground improvements, platted and offsite easements, warranty deed for streets, sewer connection fee, parkland dedication agreement and authorizing cost-participation for water main and sidewalk oversizing and truncated domes for Spectrum 36 Plat 2.
- 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 Spectrum 36 Plat 2.

- CA - 39** Consider motion to adopt **RESOLUTION** approving plans and specifications, contracts, and performance and maintenance bonds for the construction of asphalt paving in Spectrum 36 Plat 2.
- CA - 40** Consider motion to adopt **RESOLUTION** approving plans and specifications, contracts, and performance and maintenance bonds for the construction of concrete paving in Spectrum 36 Plat 2.
- CA - 41** Consider motion to adopt **RESOLUTION** approving plans and specifications, contracts, and performance and maintenance bonds for the construction of subgrade in Spectrum 36 Plat 2.

- **Engineering Items**

- CA - 42** Consider motion to adopt **RESOLUTION** accepting a proposal from Dave's Dozing and Excavating Inc. in the amount of \$86,771.40 for the construction of the 2024 Storm Culvert & Trail Repairs project.
- CA - 43** Consider motion to adopt a **RESOLUTION** approving plans and specifications and accepting the contract, performance and maintenance bonds for the construction of paving and subgrade preparation for the SE Four Mile Drive Turn Lane Improvements.

- **Capital Improvement Projects**

- CA - 44** Consider motion to adopt **RESOLUTION** approving contract and bonds with Granite Excavating in the amount of \$1,231,702.00 for the NE 36th Street & NE 38th Street Water Main Loop project.
- CA - 45** **Aspen Ridge Trail:** Consider motion to approve: a) Final Change Order #2 increasing the contract amount by \$4,975.00; b) Certificate of Completion; c) **RESOLUTION** accepting the public improvement with Caliber Concrete LLC in the amount of \$91,382.06; and d) Final Payment #2 in the amount of \$23,156.25; and Retainage Payment in the amount of \$4,569.10.
- CA - 46** **N Ankeny Boulevard & 18th Street Intersection Improvements:** Consider motion to approve: a) Final Change Order #4 increasing the contract amount by \$48,245.00; b) Certificate of Completion; c) **RESOLUTION** accepting the public improvement with All Star Concrete, LLC in the amount of \$497,606.85; and d) Final Payment #4 in the amount of \$111,623.89; and Retainage Payment in the amount of \$24,880.34.

- **Administrative Items**

- CA - 47** Consider motion to approve certification to the Treasurer of State of Iowa the population of the Legacy Housby, LLC annexed territory as determined by the last certified federal census of said territory.
- CA - 48** Consider motion to adopt an Agreement for Property Use between the Des Moines Area Regional Transit Authority (DART) and the city of Ankeny.
- CA - 49** Consider motion to adopt **RESOLUTION** supporting participation in the Main Street Iowa Program and designating the City's Economic Development Director to represent the City on the local nonprofit Main Street governing Board of Directors.

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-49

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

CA-1 through CA-49.

F. SUPPLEMENTAL AND REMOVED CONSENT AGENDA ITEMS: none

G. RECESS - Mark Holm, Mayor

H. LEGISLATIVE BUSINESS:

- Approval of Ordinances:

1. Ord 2166 An Ordinance amending the Code of Ordinances of the City of Ankeny, Iowa, by amending provisions pertaining to stormwater management fees.

Action# H1-1. Consider motion to accept second consideration of ORDINANCE 2166.

2. Ord 2167 An Ordinance amending the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, by amending the PUD Zoning of certain property owned by Commerce Center, LLC. (PH 2024-28)

Action# H2-1. Consider motion to accept first consideration of ORDINANCE 2167.

3. Ord 2168 An Ordinance amending the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, by rezoning certain real estate owned by Berwick Holdings, LLC. (PH 2024-29)

Action# H3-1. Consider motion to accept first consideration of ORDINANCE 2168.

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Proposed Sawgrass Park Dam Improvements
Professional Services Agreement with Snyder & Associates, Inc.

Action# J1-1. Consider motion to approve the Professional Services Agreement with Snyder & Associates, Inc. for the initial investigation and conceptual design engineering services on the Sawgrass Park Dam Improvements project in an amount not to exceed \$73,700.00 and authorize the Mayor to execute said agreement.

2. Proposed NW Irvinedale Drive and NW 18th Street Intersection Improvements
Professional Services Agreement with HR Green Inc.

Action# J2-1.

Consider motion to approve the Professional Services Agreement with HR Green Inc. for design engineering services on the NW Irvinedale Drive and NW 18th Street Intersection Improvements project in an amount not to exceed \$398,400.00 and authorize the Mayor to execute said Agreement.

3. \$17,425,000 General Obligation Bonds, Series 2024A

Action# J3-1. Consider motion to adopt RESOLUTION directing the advertisement for sale of \$17,425,000 General Obligation Bonds, Series 2024A, and approving electronic bidding procedures and official statement.

4. \$4,175,000 Water Revenue Bonds, Series 2024B

Action# J4-1. Consider motion to adopt RESOLUTION directing the advertisement for sale of \$4,175,000 Water Revenue Bonds, Series 2024B, and approving electronic bidding procedures and official statement.

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 - Tobacco Sales Permit Violations - 5/20/24 @ 5:30 p.m.***
- ***Regular Council Meeting - 6/3/24 @ 5:30 p.m.***

L. ADJOURNMENT

1. Adjournment