



## **ANKENY CITY COUNCIL**

### **Regular Meeting**

**Monday, May 2, 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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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:**

1. Mayor's Proclamation - Pediatric Stroke Awareness Month

**A. PUBLIC FORUM: none**

**B. APPROVAL OF AGENDA:**

1. Approval of the May 2, 2022 Agenda:

**Action# B1-1. Consider motion to approve and accept the May 2, 2022 agenda, with/without amendment.**

**C. PUBLIC HEARING(S):**

1. PH 2022-41 Proposed amendment to 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# C1-1. Consider motion to close Public Hearing 2022-41.**

2. PH 2022-42 Proposed Amendment to Lease Agreement with T-Mobile Central, LLC

**Action# C2-1. Consider motion to close Public Hearing 2022-42.**

3. PH 2022-43 Proposed N. Ankeny Blvd Water Main

**Action# C3-1. Consider motion to close Public Hearing 2022-43.**

4. PH 2022-44 Proposed NE Delaware Avenue Reconstruction - NE 5th Street to 700 feet North of NE 18th Street Project  
Public Hearing to Authorize the Acquisition of Property and Property Interests

**Action# C4-1. Consider motion to close Public Hearing 2022-44.**

**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 18, 2022, as published, subject to correction, as recommended by the City Clerk.

**CA - 2** Receive and file minutes of the Plan and Zoning Commission meeting of April 5, 2022.

**CA - 3** Receive and file minutes of the Library Board of Trustee meeting of March 17, 2022.

- **Licenses and Permits**

**CA - 4** Consider motion to approve the issuance of liquor license(s) and/or beer / wine permit(s) in the City of Ankeny.

- **Finance/Budget**

- CA - 5** Consider motion to approve Payment #1 in the amount of \$11,492.32 to Foth Infrastructure and Environment, LLC for engineering services on the North Four Mile Creek Trunk Sewer project.
- CA - 6** Consider motion to approve Payment #23 in the amount of \$39,001.21 to Foth Infrastructure and Environment, LLC for engineering services on the West First Street Widening and Improvements - Phase 1 project.
- CA - 7** Consider motion to approve Payment #12 in the amount of \$25,838.20 to FOX Strand, for engineering services on the Ankeny ASR project.
- CA - 8** Consider motion to approve Payment #1 in the amount of \$639,806.53 to Gingerich Well & Pump Service, LLC, for construction services on the Well No. 7/ASR No. 3 - Bid Package 1 - Well Construction project.
- CA - 9** Consider motion to approve Payment #9 in the amount of \$153,782.31 to HR Green, Inc. for engineering services on the NE 36th Street Reconstruction Project, I-35 to NE Four Mile Drive.
- CA - 10** Consider motion to approve Payment #4 in the amount of \$36,992.33 to HR Green, Inc., for engineering services on the Otter Creek Trunk Sewer - Phase 3 project.
- CA - 11** Consider motion to approve Payment #11 in the amount of \$19,070.00 to JEO Consulting Group, Inc., for engineering services on the SE 3rd Street Improvements - Phase 1 project.
- CA - 12** Consider motion to approve Payment #9 in the amount of \$2,466.25 to JEO Consulting Group, Inc., for engineering services on the SE Delaware Avenue HMA Widening project.
- CA - 13** Consider motion to approve Payment #14 in the amount of \$28,010.00 to MSA Professional Services, Inc., for engineering services on the NW 36th Street and NW Weigel Drive Water Main project.
- CA - 14** Consider motion to approve Payment #1 in the amount of \$7,483.03 to RDG Planning & Design, Inc., for engineering services on the Fourmile Creek and Tributary to Fourmile Creek Restoration project.
- CA - 15** Consider motion to approve Payment #1 in the amount of \$18,221.02 to Short Elliott Hendrickson Inc., for engineering services on the N Ankeny Blvd Water Main project.
- CA - 16** Consider motion to approve Payment #2 in the amount of \$4,468.75 to Snyder & Associates, Inc., for engineering services on the Cherry Glen Ballfield Development project.
- CA - 17** Consider motion to approve Payment #16 in the amount of \$864.50 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements project.
- CA - 18** Consider motion to approve Payment #24 in the amount of \$2,279.00 to Snyder & Associates, Inc., for engineering services on the SE Delaware Ave and SE 8th St Widening and Traffic Signalization project.
- CA - 19** Consider motion to approve Payment #21 in the amount of \$13,365.11 to Snyder & Associates, Inc., for engineering services on the High Trestle Trail Ext Magazine Rd to Oralabor Rd project.
- CA - 20** Consider motion to approve Payment #14 in the amount of \$12,803.50 to Snyder & Associates, Inc., for engineering services on the HTT Transmission Main and Drainage Improvements project.

- CA - 21** Consider motion to approve Payment #17 in the amount of \$4,239.45 to Snyder & Associates, Inc., for engineering services on the NW 36th St Widening - NW Ash Dr to N Ankeny Blvd project.
- CA - 22** Consider motion to approve Payment #14 in the amount of \$1,676.00 to Snyder & Associates, Inc., for engineering services on the 2021 Pavement Management Study and Master Plan project.
- CA - 23** Consider motion to approve Payment #13 in the amount of \$2,386.25 to Snyder & Associates, Inc., for engineering services on the NW 36th St and NW State St Interim Improvements project.
- CA - 24** Consider motion to approve Payment #9 in the amount of \$49,219.11 to Snyder & Associates, Inc., for engineering services on the NE Delaware Ave Recon - NE 5th St to NE 18th St project.
- CA - 25** Consider motion to approve Payment #17 in the amount of \$2,295.50 to Snyder & Associates, Inc., for engineering services on the N Ankeny Blvd Landscape Improvements project.
- CA - 26** Consider motion to approve Payment #28 in the amount of \$5,999.29 to Snyder & Associates, Inc., for engineering services on the SE Crosswinds Drive - RISE project.
- CA - 27** Consider motion to approve Payment #10 in the amount of \$88,532.40 to Sternquist Construction, for construction services on the NW 18th Street Extension - NW Weigel Drive to NW Spruce Drive project.
- CA - 28** Consider motion to approve the May 2, 2022 Accounts Payable. (Finance Committee: J. Perry, Chp, J. Ruddy, T. Shafer)
- CA - 29** Consider motion to adopt **RESOLUTION** authorizing the purchase of a dump body for a Public Works Department single axle snow plow truck (replace existing truck #268).
- CA - 30** Consider motion to adopt **RESOLUTION** authorizing the purchase of a dump body for a Public Works Department single axle snow plow truck (replace existing truck #270).
- CA - 31** Consider motion to adopt **RESOLUTION** authorizing the purchase of plow components and build of a single axle snow plow truck for the Public Works Department (replace existing truck #268).
- CA - 32** Consider motion to adopt **RESOLUTION** authorizing the purchase of plow components and build of a single axle snow plow truck for the Public Works Department (replace existing truck #270).
- CA - 33** Consider motion to adopt **RESOLUTION** authorizing the purchase of a new skid loader for the Municipal Utilities Department.
- CA - 34** Consider motion to amend the purchase price of the two fire engines approved on April 18, 2022 from Reliant Fire Apparatus, Inc. of Slinger, Wisconsin through the Houston-Galveston Area Council (HGAC) Cooperative Purchasing agreement, from \$1,454,316 to \$1,480,880.
- CA - 35** Consider motion to approve the purchase of one ambulance from North Central Ambulance Sales and Service of Lester Prairie, Minnesota in the amount of \$315,809 through the Houston-Galveston Area Council (HGAC) Cooperative Purchasing agreement.

- **Personnel Items - none**
- **Community Development Items**

- CA - 36** Consider motion to adopt **RESOLUTION** waiving approval of the final plat for Timber Valley Estates Plat 1.
- CA - 37** Consider motion to adopt **RESOLUTION** providing for the notice and hearing of the City Council of the City of Ankeny, Iowa, to consider an amendment to the Ankeny Plan 2040 Comprehensive Plan, Figure 12.10, Future Land Use Map for certain property owned by Hardship Land LLC located south of NW 36th Street and East of NW Weigel Drive. (date of hrg: 5/16/22 @ 5:30 p.m)
- CA - 38** Consider motion to grant preliminary approval of Grove Landing Plat 4 Final Plat.
- CA - 39** Consider motion to adopt **RESOLUTION** accepting final plat, performance and maintenance bonds for paving and underground improvements, platted easements, warranty deed for streets, sewer and water connection fees, and authorizing cost-participation for sidewalk oversizing and removal and replacement of existing sidewalk ramps, for The Reserve at the Grove Plat 1.
- CA - 40** 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 The Reserve at the Grove Plat 1.
- CA - 41** Consider motion to adopt **RESOLUTION** approving plans and specifications and accepting contracts, performance and maintenance bonds for the construction of street paving in The Reserve at the Grove Plat 1.
- CA - 42** Consider motion to adopt **RESOLUTION** accepting a Public Water Main Easement located on Outlot Y, Wilson Group Addition Plat 1; and associated with the development of 5825 SE Delaware Avenue, Peterbilt of Des Moines Site Plan.
- CA - 43** Consider a motion to adopt **RESOLUTION** providing for the notice and hearing of the City Council of the City of Ankeny, Iowa, to rezone certain property owned by Hardship Land LLC, located south of NW 36th Street and east of NW Weigel Drive. (date of hrg: 5/16/22 at 5:30pm)
- CA - 44** Consider motion to adopt **RESOLUTION** providing for the notice and hearing of the City Council of the City of Ankeny, Iowa, to rezone certain property owned by Hardship Land LLC, located south of NW 36th Street and east of NW Weigel Drive. (date of hrg: 5/16/22 at 5:30pm)
- CA - 45** Consider motion to adopt **RESOLUTION** accepting warranty deed to streets, performance and maintenance bonds for public improvements, and platted easements for Crosswinds Business Park Plat 1.
- CA - 46** Consider motion to adopt **RESOLUTION** approving plans and specifications, contracts, and performance and maintenance bonds for the construction of subgrade and storm sewer in Crosswinds Business Park Plat 1.
- CA - 47** Consider motion to adopt **RESOLUTION** approving plans and specifications, contracts, and performance and maintenance bonds for the construction of street paving in Crosswinds Business Park Plat 1.
- CA - 48** Consider motion to adopt **RESOLUTION** accepting the final plat for Pagliai Compound Plat 2, subject to applicable Polk County Subdivision Requirements in lieu of City of Ankeny Subdivision Regulations.
- CA - 49** Consider motion to adopt **RESOLUTION** providing for the notice and hearing of the City Council of the City of Ankeny, Iowa regarding the voluntary urbanized annexation of certain territory adjacent to the northeast quadrant of Ankeny requested by Hope Kimberley, LLC. (date of hrg: 6/6/22 @ 5:30 p.m.)

- **Engineering Items**

- CA - 50** Consider motion to adopt **RESOLUTION** accepting a proposal from Iowa Signal,

Inc. in the amount of \$27,581.50 for the construction of the SW Oralabor Road & SW Irvinedale Drive Interim Signal Modifications.

- CA - 51** Consider motion to adopt a **RESOLUTION** approving plans and specifications and accepting contracts, performance and maintenance bonds for the construction of storm sewer and subgrade prep for associated road improvements for the NE Otterview Circle and NE 36th Street Intersection Improvements project.
- CA - 52** Consider motion to adopt a **RESOLUTION** approving plans and specifications and accepting contracts, performance and maintenance bonds for the construction of paving for associated road improvements for the NE Otterview Circle and NE 36th Street Intersection Improvements project.
- CA - 53** Consider motion to adopt a **RESOLUTION** approving plans and specifications and accepting contracts, performance and maintenance bonds for the construction of traffic signal improvements for the NE Otterview Circle and NE 36th Street Intersection Improvements project.
- CA - 54** Consider motion to adopt **RESOLUTION** accepting public improvements in Wilson Group Addition (Peterbilt) for utilities.
- CA - 55** Consider motion to adopt **RESOLUTION** accepting a proposal from Shekar Engineering, PLC in the amount of \$125,516.96 for the construction of the 2022 Pedestrian Ramp Improvements Program - Briarwood project.

- **Capital Improvement Projects - none**
- **Administrative Items**

- CA - 56** Consider motion to approve the issuance of a special permit to Derek Watson for the purpose of bow hunting of deer for the hunting season effective October 1, 2022 through the end of the season on private property within the city limits pursuant to Municipal Code Section 41.11(3).
- CA - 57** Consider motion to authorize the Mayor to sign a consent-conflict waiver with Ahlers & Cooney, P.C. to review the draft 28E Agreement seeking to create the Central Iowa Water Works.
- CA - 58** Consider motion to authorize the Mayor to sign an updated Automatic Aid Agreement with Polk City.

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-58.

**Action# E1-1. Consider motion to approve the recommendations for Consent Agenda Items CA-1 through CA-58.**

**F. SUPPLEMENTAL AND REMOVED CONSENT AGENDA ITEMS: none**

**G. RECESS - Mark Holm, Mayor**

**H. LEGISLATIVE BUSINESS:**

- **Approval of Ordinances:**

1. Ord 2108 An Ordinance amending the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, by rezoning certain property owned by Helen Moeckly Trust and Edward Ferrier & Annette Voegtlin.

**Action# H1-1. Consider motion to accept second consideration of ORDINANCE 2108.**

**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 2108, sending it on its final passage and publication as required by law.**

2. 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 (PH 2022-41)

**Action# H2-1. Consider motion to accept first consideration of ORDINANCE 2109.**

**I. OLD BUSINESS: none**

**J. NEW BUSINESS:**

1. Proposed 28E School Resource Officer Program

**Action# J1-1. Consider motion to adopt RESOLUTION authorizing the execution of one certain 28E Agreement by and between the City of Ankeny, Iowa, and the Ankeny Community School District pertaining to the School Resource Officer Program.**

2. Proposed First Amendment to Interim Tower Lease Agreement with T-Mobile Central, LLC

**Action# J2-1. Consider a motion to adopt RESOLUTION approving the First Amendment to Interim Tower Lease Agreement by and between the City of Ankeny and T-Mobile Central, LLC.**

3. Proposed N Ankeny Blvd Water Main (PH 2022-43)

**Action# J3-1. Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$116,000.00; 2) receive and file report of bids received April 26, 2022; 3) adopt RESOLUTION making award of construction contract with Priority Excavating in the amount of \$119,332.00; and 4) adopt RESOLUTION approving contract and bonds with Priority Excavating in the amount of \$119,332.00.**

4. Proposed NE Delaware Avenue Reconstruction - NE 5th Street to 700 feet north of NE 19th Street (PH 2022-44)

**Action# J4-1. Consider motion to adopt RESOLUTION approving and authorizing the acquisition of property and property interests for the NE Delaware Avenue Reconstruction - NE 5th Street to 700 feet north of NE 18th Street project.**

5. Proposed Amendment of Current City Budget for Fiscal Year July 1, 2021 - June 30, 2022  
Set Public Hearing Date

**Action# J5-1. Consider motion to set a public hearing on an Amendment of Current City Budget for Fiscal Year July 1, 2021 - June 30, 2022 and direct City Clerk to publish notice of such hearing (date of hrg: 5/16/22 @ 5:30 p.m.).**

6. \$31,665,000 General Obligation Bonds, Series 2022A

**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 \$31,665,000 General Obligation Bonds, Series 2022A, and amending the levy of taxes to pay said bonds; approval of the tax exemption certificate and continuing disclosure certificate.**

7. Bellagio Park Development Project  
Initiate Proceedings

**Action# J7-1. Consider motion to adopt RESOLUTION ordering construction on the Bellagio Park Development project, and fixing a date for hearing thereon and taking of bids therefor. (date of bid-letting: 5/31/22 @ 10:30 A.M. / date of hrg: 6/6/22 @ 5:30 P.M.)**

8. Rock Creek Greenway Trail  
Initiate Proceedings

**Action# J8-1. Consider motion to adopt RESOLUTION ordering construction on the Rock Creek Greenway Trail project, and fixing a date for hearing thereon and taking of bids therefor. (date of bid-letting: 5/31/22 @ 10:30 A.M. / date of hrg: 6/6/22 @ 5:30 P.M.)**

**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:**

- ***Council Action Planning Session - 5/9/22 @ 5:30 p.m.***
- ***Public Hearing - Diamond Hills Greenway - Stream Repairs - 5/16/22 @ 5:30 p.m.***
- ***Public Hearing - Rezone - Harmon Area A - 5/16/22 @ 5:30 p.m.***
- ***Public Hearing - Rezone - Harmon Area B - 5/16/22 @ 5:30 p.m.***
- ***Public Hearing - COMP Plan 2040 Amendment - 5/16/22 @ 5:30 p.m.***
- ***Public Hearing - Amendment - Current City Budget - 5/16/22 @ 5:30 p.m.***
- ***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.***

**L. ADJOURNMENT**

1. Adjournment

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