



ANKENY CITY COUNCIL

Regular Meeting

Monday, May 1, 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

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ELECTRONIC MEETING INFORMATION

<https://zoom.us/j/97312992966?pwd=OEFocWZGS0NYUmtnVHNxcWZFak9Pd09>

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 1, 2023 Agenda

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

C. PUBLIC HEARING(S):

1. PH 2023-32 Proposed vacation of a portion of Roadway Easement along SW 3rd Street at 2943 SW 3rd Street.

Action# C1-1. Consider motion to close Public Hearing 2023-32.

2. PH 2023-33 Proposed Development Agreement between the City of Ankeny and SPAL-USA, Inc.

Action# C2-1. Consider motion to close Public Hearing 2023-33.

3. PH 2023-34 Proposed Issuance of Not to Exceed \$3,248,000 Water Revenue Capital Loan Notes

Action# C3-1. Consider motion to close Public Hearing 2023-34.

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 17, 2023, 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 4, 2023.
- CA - 3** Receive and file minutes of the Zoning Board of Adjustment meeting of March 21, 2023.
- CA - 4** Receive and file minutes of the Park Board meeting of February 27, 2023.
- CA - 5** Receive and file minutes of the Library Board of Trustee meeting of March 16, 2023.

- **Licenses and Permits**

- CA - 6** 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, June 30, 2023 at Promenade Park.
- CA - 7** Consider motion to approve the issuance of liquor licenses and / or beer / wine permits in the City of Ankeny.

- **Finance/Budget**

- CA - 8** Consider motion to approve Payment #12 in the amount of \$1,951.69 to Foth Infrastructure and Environment, LLC for engineering services on the North Four Mile Creek Trunk Sewer project.
- CA - 9** Consider motion to approve Payment #1 in the amount of \$25,629.81 to Foth Infrastructure and Environment, LLC for engineering services on the NW State Street Extension project.
- CA - 10** Consider motion to approve Payment #34 in the amount of \$14,149.82 to Foth Infrastructure and Environment, LLC for engineering services on the West First Street Widening and Improvements - Phase 1 project.
- CA - 11** Consider motion to approve Payment #1 in the amount of \$18,156.59 to HGS, LLC, for construction services on the Rock Creek Greenbelt - Native Vegetation project.
- CA - 12** Consider motion to approve Payment #1 in the amount of \$1,812.00 to HR Green, Inc., for engineering services on the NW Irvinedale Drive & NW 18th Street Intersection Improvements project.
- CA - 13** Consider motion to approve Payment #6 in the amount of \$170.00 to ISG (I&S Group) for design and construction work on the High Trestle Trail Park Phase 1 project.
- CA - 14** Consider motion to approve Payment #10 in the amount of \$1,901.25 to JEO Consulting Group, Inc., for engineering services on the SE 3rd Street Improvements - Phase 2 project.
- CA - 15** Consider motion to approve Payment #19 in the amount of \$1,987.50 to JEO Consulting Group, Inc., for engineering services on the SE Delaware Avenue HMA Widening project.
- CA - 16** Consider motion to approve Payment #1 in the amount of \$6,332.50 to JEO Consulting Group, Inc., for engineering services on the Transportation Master Plan project.
- CA - 17** Consider motion to approve Payment #12 in the amount of \$33,864.41 to McClure Engineering Company, for engineering services on the NW 18th Street Reconstruction - NW Ash Dr. to N Ankeny Blvd. project.
- CA - 18** Consider motion to approve Payment #3 in the amount of \$30,275.00 to MSA Professional Services, Inc., for engineering services on the Uptown Parking Improvements project.
- CA - 19** Consider motion to approve Payment #12 in the amount of \$10,615.50 to RDG Planning & Design for engineering services on the Fourmile Creek and Tributary to Fourmile Creek Restoration project.
- CA - 20** Consider motion to approve Payment #9 in the amount of \$6,876.96 to Short Elliott Hendrickson Inc., for engineering services on the S Ankeny Blvd Transmission Main project.
- CA - 21** Consider motion to approve Payment #10 in the amount of \$2,091.59 to Snyder & Associates, Inc., for engineering services on the Cherry Glen Ballfield Development project.
- CA - 22** Consider motion to approve Payment #26 in the amount of \$19,862.85 to Snyder & Associates, Inc., for engineering services on the HTT Transmission Main and Drainage Improvements project.
- CA - 23** Consider motion to approve Payment #27 in the amount of \$8,694.69 to Snyder & Associates, Inc., for engineering services on the N Ankeny Blvd Landscape Improvements project.

- CA - 24** Consider motion to approve Payment #21 in the amount of \$21,058.49 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 #29 in the amount of \$18,725.83 to Snyder & Associates, Inc., for engineering services on the NW 36th St Widening - NW Ash Dr to N Ankeny Blvd project.
- CA - 26** Consider motion to approve Payment #13 in the amount of \$2,793.61 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements - Phase 2 project.
- CA - 27** Consider motion to approve Payment #40 in the amount of \$3,203.67 to Snyder & Associates, Inc., for engineering services on the SE Crosswinds Drive - RISE project.
- CA - 28** Consider motion to approve Payment #3 in the amount of \$14,524.20 to Snyder & Associates, for engineering services on the SE Delaware Ave and SE 54th St Traffic Signal project.
- CA - 29** Consider motion to approve Payment #4 in the amount of \$9,392.75 to Snyder & Associates, for engineering services on the SE Oralabor Rd & SE Creekview Dr Traffic Signal Replacement project.
- CA - 30** Consider motion to approve Payment #7 in the amount of \$252,487.20 to WRH, Inc., for construction services on the Well No. 7/ASR No. 3 - Bid Package 2 - Well Pump and Control Building project.
- CA - 31** Consider motion to approve the May 1, 2023 Accounts Payable. (Finance Committee: T. Shafer, Chp, K. Stearns, B. Bentz)
- CA - 32** Consider motion to adopt **RESOLUTION** authorizing the acceptance of proposals from Romtec, Inc. for the purchase and installation of restrooms at Midway Park and the Rally Complex.
- CA - 33** Consider motion to adopt **RESOLUTION** authorizing the purchase of office furniture from All Makes for the Ankeny Police Department.
- CA - 34** Consider motion to set 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: 05/15/23 @ 5:30 p.m.).

- **Personnel Items**

- CA - 35** Consider motion to adopt **RESOLUTION** authorizing benefit changes for the July 1, 2023 - June 30, 2024 plan year.

- **Community Development Items**

- CA - 36** Consider motion to adopt **RESOLUTION** providing for the notice and hearing of the City Council of the City of Ankeny, Iowa, to consider an 80/20 voluntary urbanized annexation of certain territory owned by Hope K Farms, LLC and Clayton Mitchell Living Trust, located adjacent to the southeast quadrant of the City of Ankeny (date of hrg: 6/5/23 @ 5:30 pm)
- CA - 37** Consider motion to adopt **RESOLUTION** accepting a Storm Water Management Facility Maintenance Covenant and Permanent Easement Agreement associated with the development of Lot 2, Campus Town Plat 1.
- CA - 38** Consider motion to adopt **RESOLUTION** accepting final plat, warranty deed to streets, acquisition plat, subdivision bonds for seeding and erosion control,

performance and maintenance bonds for public improvements, and platted easements for Delaware Landing Plat 1.

- CA - 39** Consider motion to adopt **RESOLUTION** approving plans and specifications, contracts, and performance and maintenance bonds for the construction of water main, sanitary sewer, and subgrade in Delaware Landing Plat 1.
- CA - 40** Consider motion to adopt **RESOLUTION** approving plans and specifications, contracts, and performance and maintenance bonds for the construction of street paving in Delaware Landing Plat 1.
- CA - 41** Consider motion to adopt **RESOLUTION** authorizing the Mayor to sign a Development Agreement with Parlay Ankeny, LLC, concerning the reimbursement of fifty percent (50%) of the costs related to the preparation, construction, and installation of a traffic signal on SE Delaware Avenue associated with the development of the Copeland Commercial Site Plan.
- CA - 42** Consider motion to adopt **RESOLUTION** receiving and filing application for the annexation of, and providing for the giving of notice for annexation of certain territory located adjacent to the northwest quadrant of Ankeny
- CA - 43** Consider a motion to receive and file correspondence from Snyder & Associates on behalf of Legacy Cutler, LLC, Legacy Reichardt, LLC, and Legacy Housby, LLC dated April 14, 2023, requesting to vacate a portion of City owned right-of-way for the westerly 54-feet of Street Lot B, Crosswinds Business Park Plat 1.

- **Engineering Items**

- CA - 44** Consider a motion to adopt a **RESOLUTION** accepting a proposal from Iowa Signal, Inc. in the amount of \$56,895.00 for construction of the NW 36th Street Fiber Optic Redundancy.
- CA - 45** Consider motion to adopt **RESOLUTION** approving plans and specifications and accepting contracts, performance and maintenance bonds for the construction of utilities in the Vintage Business Park at Prairie Trail Plat 9 (Fieldhouse Turn Lane) project.
- CA - 46** Consider motion to adopt **RESOLUTION** approving plans and specifications and accepting contracts, performance and maintenance bonds for the construction of paving improvements in the Vintage Business Park at Prairie Trail Plat 9 (Fieldhouse Turn Lane) project.
- CA - 47** Consider motion to adopt **RESOLUTION** accepting maintenance bond for storm sewer in the Aim High Automotive Addition at 1001 SW Ordinance Rd.

- **Capital Improvement Projects**

- CA - 48** Consider motion to adopt **RESOLUTION** ordering construction on the 2023 Creekside Park Improvements project, and fixing a date for hearing thereon and taking of bids therefor. (date of bid-letting: 5/30/23 @ 10:30 A.M. / date of hrg: 6/5/23 @ 5:30 P.M.)

- **Administrative Items**

- CA - 49** Consider motion to approve agreement with Barkpass, LLC for pet licensing software as a Service (SaaS).
- CA - 50** Consider motion to approve the release of mortgage on property located at 2402 SE Hulsizer Road, Ankeny, Iowa.

- **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 second consideration of ORDINANCE 2141.

2. Ord 2142 An Ordinance vacating a portion of Roadway Easement along SW 3rd Street at 2943 SW 3rd Street. (PH 2023-32)

Action# H2-1. Consider motion to accept first consideration of ORDINANCE 2142.

Action# H2-2. Consider motion to accept staff's request to suspend the rule that all ordinances must be considered on three different days and accept second and third consideration of ORDINANCE 2142, sending it on its final passage and publication as required by law.

Action# H2-3. Consider motion to adopt RESOLUTION authorizing the sale of real estate vacated by the City of Ankeny to Kara Bixby Rodriguez and Joel Rodriguez Castro.

3. 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# H3-1. Consider motion to accept first consideration of ORDINANCE 2143.

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Proposed Development Agreement between the City of Ankeny and SPAL-USA, Inc. (PH 2023-33)

Action# J1-1. Consider motion to adopt RESOLUTION approving a development agreement between the City of Ankeny and SPAL-USA, Inc.

2. Proposed Iowa Economic Development Authority High Quality Jobs Program Application for SPAL-USA, Inc.

Action# J2-1. Consider motion to adopt RESOLUTION of the City Council of the City of Ankeny, Iowa approving the application of SPAL-USA, Inc. to the Iowa Economic Development Authority High Quality Jobs Program.

3. \$15,200,000 General Obligation Bonds, Series 2023B

Action# J3-1. Consider motion to adopt RESOLUTION directing the advertisement for sale of \$15,200,000 General Obligation Bonds, Series 2023B, and approving electronic bidding procedures and official statement.

4. Proposed Issuance of Not to Exceed \$3,248,000 Water Revenue Capital Loan Notes (PH 2023-34)

Action# J4-1. Consider motion to adopt RESOLUTION instituting proceedings to take additional action for the authorization of a loan and disbursement agreement and the issuance of not to exceed \$3,248,000 Water Revenue Capital Loan Notes.

Action# J4-2. Consider motion to adopt RESOLUTION approving and authorizing a form of loan and disbursement agreement by and between the City of Ankeny and the Iowa Finance Authority, and authorizing and providing for the issuance and securing the payment of \$3,248,000 Water Revenue Capital Loan Notes, Series 2023C, of the City of Ankeny, State of Iowa, under the provisions of the Code of Iowa, and providing for a method of payment of the notes; approval of tax exemption certificate.

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 - Amend Current City Budget Fiscal Year July 1, 2022 - June 30, 2023 - 5/15/23 @ 5:30 p.m.***
- ***Public Hearing - Delaware Ground Storage Reservoir Rehabilitation - 5/15/23 @ 5:30 p.m.***
- ***Public Hearing - Annexation - Hope K. Farms, LLC & Clayton Mitchell Living Trust - 6/5/23 @ 5:30 p.m.***
- ***Public Hearing - Creekside Park Improvements - 6/5/23 @ 5:30 p.m.***

L. ADJOURNMENT

1. Adjournment