



ANKENY CITY COUNCIL

Regular Meeting

Monday, April 17, 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=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 April 17, 2023 Agenda

Action# B1-1. Consider motion to approve and accept the April 17, 2023 agenda, with/without amendment.

C. PUBLIC HEARING(S):

1. PH 2023-31 Proposed amendment to the Zoning Ordinance, Chapter 193, of the Municipal Code of the City of Ankeny, Iowa, regarding Flood Plain Regulations.

Action# C1-1. Consider motion to close Public Hearing 2023-31.

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 3, 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 March 21, 2023.
- CA - 3** Receive and file minutes of the Human Rights Commission meeting of February 23, 2023.
- CA - 4** Receive and file minutes of the Civil Service Commission meeting of March 13, 2023.

- **Licenses and Permits**

- CA - 5** Consider motion to approve the issuance of liquor licenses, beer / wine permits, and / or Automatic Renewal Program of class "E" retail alcohol licenses in the City of Ankeny.

- **Finance/Budget**

- CA - 6** Consider motion to receive and file Financial Reports for March 2023.
- CA - 7** Consider motion to receive and file Building Permit Report for March 2023.
- CA - 8** Consider motion to receive and file Utility Billing Report for March 2023.
- CA - 9** Consider motion to approve Change Order #4 increasing the contract amount by \$16,956.00 to Absolute Concrete Construction, Inc., for construction services on the NW 36th Street Widening - NW Ash Drive to N Ankeny Boulevard project.
- CA - 10** Consider motion to approve Amendment No. 2 to the Professional Services Agreement increasing the contract amount by \$162,000.00 with Foth Infrastructure and Environment, LLC (Foth), for construction services on the North Four Mile Creek Trunk Sewer Project.
- CA - 11** Consider motion to approve Change Order #1 increasing the contract amount by \$450.00 to Iowa Signal, Inc., for construction services on the SW State Street

Fiber Relocation project.

- CA - 12** Consider motion to approve Payment #10 in the amount of \$58,996.47 to Absolute Concrete Construction, Inc., for construction services on the NW 36th Street Widening - NW Ash Drive to N Ankeny Boulevard project.
- CA - 13** Consider motion to approve Payment #1 in the amount of \$5,850.00 to DIXON Engineering, Inc., for engineering services on the Delaware Ground Storage Reservoir Rehabilitation project.
- CA - 14** Consider motion to approve Payment #1 in the amount of \$193,428.65 to Elder Corporation, for construction services on the NE Delaware Avenue Reconstruction - NE 5th Street to Fourmile Creek project.
- CA - 15** Consider motion to approve Payment #1 in the amount of \$75,546.81 to Elder Corporation, for construction services on the NW 18th Street Reconstruction - NW Ash Dr. to N Ankeny Blvd. project.
- CA - 16** Consider motion to approve Payment #8 in the amount of \$2,082.00 to HR Green, Inc., for engineering services on the SW State Street Fiber Optic Relocation project.
- CA - 17** Consider motion to approve Payment #8 in the amount of \$2,240.40 to Kirkham Michael and Associates, for engineering services on the Westwinds Storm Sewer Extension Project - SW Westwinds Drive.
- CA - 18** Consider motion to approve Payment #8 in the amount of \$25,060.50 to McClure Engineering Company, for engineering services on the SW State Street Reconstruction - Southbound Lanes project.
- CA - 19** Consider motion to approve Payment #11 in the amount of \$27,551.00 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 #5 in the amount of \$634,936.90 to Synergy Contracting, LLC, for construction services on the HTT Water Transmission Main & Drainage Improvements project.
- CA - 21** Consider motion to approve the April 17, 2023 Accounts Payable. (Finance Committee: J. Ruddy, Chp, T. Shafer, K. Stearns)
- CA - 22** Consider motion to adopt **RESOLUTION** authorizing the purchase of a crane and service body for a Public Works Department Sign Truck (replace existing truck #275) in the amount of \$179,621.00 to National Auto Fleet Group.
- CA - 23** Consider motion to adopt **RESOLUTION** accepting a proposal from Crouch Recreation in the amount of \$90,000.00 for the purchase and installation of a playground for Midway Park.
- CA - 24** Consider motion to adopt **RESOLUTION** fixing date for a meeting on the authorization of a loan and disbursement agreement and the issuance of not to exceed \$3,248,000 Water Revenue Capital Loan Notes of the City of Ankeny, State of Iowa, and providing for publication of notice thereof (date of hrg: 5/1/23 @ 5:30 p.m.).

- **Personnel Items**

- CA - 25** Consider motion to accept the Civil Service Commission certified list for appointment to GIS Specialist, subject to passing any further departmental requirements.

- **Community Development Items**

- CA - 26** Consider motion to adopt **RESOLUTION** accepting a public ingress egress easement located on Lot 5 Northview Centre Plat 2; and associated with the development of 245 NW 18th Street, Lot 5 Northview Centre Plat 2 Site Plan.
- CA - 27** Consider motion to adopt **RESOLUTION** accepting Easements associated with the development of Lot 1, Park Sight Office Park at Prairie Trail Plat 4.
- CA - 28** Consider motion to adopt a **RESOLUTION** authorizing the Mayor to sign a Hold Harmless Agreement allowing Veridian Credit Union to place a monument sign within a Sanitary Sewer Easement.
- CA - 29** 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 roadway easement along SW 3rd Street at 2943 SW 3rd Street. (date of hrg: 5/1/23 @ 5:30 p.m.).

- **Engineering Items**

- CA - 30** Consider a motion to adopt a **RESOLUTION** accepting a proposal from JC Construction, Inc. in the amount of \$130,702.00 for construction of the School Walkability Improvements.
- CA - 31** Consider a motion to adopt a **RESOLUTION** updating the Policy on the Installation of School Speed Zones within Ankeny.
- CA - 32** Consider motion to adopt **RESOLUTION** authorizing the Mayor to execute the proposed Cooperative Public Service Agreement between Polk County, Iowa and the City of Ankeny, Iowa, for the routine maintenance of joint jurisdictional (boundary) roadways.

- **Capital Improvement Projects**

- CA - 33** Consider motion to adopt **RESOLUTION** ordering construction on the Delaware Ground Storage Reservoir Rehabilitation project and fixing a date for hearing thereon and taking of bids therefor. (date of bid opening: 5/9/23 @ 10:30 A.M. / date of hrg: 5/15/23 @ 5:30 P.M.)

- **Administrative Items**

- CA - 34** Consider motion to adopt **RESOLUTION** authorizing the Certificate of Termination of Development Agreement between the City of Ankeny, Iowa and Diamond Development, LLC for the Trestle Ridge Estates Trunk Sewer.
- CA - 35** Consider motion to adopt **RESOLUTION** authorizing the Certificate of Termination of Development Agreement between the City of Ankeny, Iowa and Absolute Farms, LLC for the Trestle Ridge Estates Plat 6 Trunk Sewer.
- CA - 36** Consider motion to adopt **RESOLUTION** authorizing the execution of an Agreement with the Berwick Water Association related to the right to serve customers located within the existing Berwick Water District boundary which has been or may in the future be annexed into the City of Ankeny
- CA - 37** Consider a motion to adopt a **RESOLUTION** setting a public hearing on a development agreement between the City of Ankeny and SPAL–USA, Inc. (date of hrg: 5/1/2023 @ 5:30 p.m.)

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-37.

Action# E1-1. Consider motion to approve the recommendations for Consent Agenda Items CA-1 through CA-37.

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

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

H. **LEGISLATIVE BUSINESS:**

- **Boards/Commissions Appointments:**

1. Consider Mayors Appointment to Cultural Arts Boards as follows:

- Bill Konnath - reappointment - terms begins 5/01/2023; term ends 4/30/2027

Action# H1-1. Consider motion approving Mayors appointment to expiring Cultural Arts Board seats as presented.

- **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. (PH 2023-31)

Action# H1-1. Consider motion to accept first consideration of ORDINANCE 2141.

I. **OLD BUSINESS: none**

J. **NEW BUSINESS:**

1. Proposed NE 62nd Street Box Culvert Design
Professional Services Agreement with Kirkham, Michael & Associates, Inc.

Action# J1-1.

Consider motion to approve the Professional Services Agreement with Kirkham, Michael & Associates, Inc., for the design engineering services for the NE 62nd Street Box Culvert Design in an amount not to exceed \$71,240.00 and the Mayor to execute said agreement.

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 - \$3,248,000 Water Revenue Capital Loan Notes - 5/1/23 @ 5:30 p.m.***
- ***Public Hearing - vacate - easement - SW 3rd St at 2943 SW 3rd St. - 5/1/23 @ 5:30 p.m.***
- ***Public Hearing - Development Agmt - SPAL-USA, Inc. - 5/1/23 @ 5:30 p.m.***
- ***Public Hearing - Delaware Ground Storage Reservoir Rehabilitation Project - 5/15/23 @ 5:30 p.m.***
- ***Regular Council Meeting - 6/5/23 @ 5:30 p.m.***

L. ADJOURNMENT

1. Adjournment

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