ANKENY CITY COUNCIL

Regular Meeting

Monday, April 15, 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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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: none

A. PUBLIC FORUM: none

B. APPROVAL OF AGENDA:

1. Approval of the April 15, 2024 Agenda

Action# B1-1. Consider motion to approve and accept the April 15, 2024 agenda, with or without amendment.

C. PUBLIC HEARING(S):

1. PH 2024-24 Proposed 2024 Asphalt Street Resurfacing Program - SW Ordnance Road

Action# C1-1. Consider motion to close Public Hearing 2024-24.

2. PH 2024-25 Proposed NE 36th Street and NE 38th Street Water Main Loop Project

Action# C2-1. Consider motion to close Public Hearing 2024-25.

3. PH 2024-26 Proposed Amendment of Current Budget for Fiscal Year Ending June 30, 2024

Action# C3-1. Consider motion to close Public Hearing 2024-26.

4. PH 2024-27 Proposed Adoption of Budget and Certification of City Taxes for Fiscal Year July 1, 2024 - June 30, 2025

Action# C4-1. Consider motion to close Public Hearing 2024-27.

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 1, 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 1, 2024, as published, subject to correction, as recommended by the City Clerk.

CA - 3 Receive and file minutes of the Ankeny Cultural Arts Board meeting of January 29th, 2024.

CA - 4 Receive and file minutes of the Civil Service Commission meeting of February 12, 2024.

CA - 5 Receive and file minutes of the Zoning Board of Adjustment meeting of March 19, 2024.

CA - 6 Receive and file minutes of the Plan and Zoning Commission meeting of March 19, 2024.

CA - 7 Receive and file minutes of the Ankeny Economic Development Council meeting of November 4, 2022.

- **Licenses and Permits**

CA - 8 Consider motion to approve the issuance of liquor licenses and beer/wine permits in the City of Ankeny.

- **Finance/Budget**

CA - 9 Consider motion to receive and file Financial Reports for March 2024.

CA - 10 Consider motion to receive and file Building Permit Report for March 2024.

CA - 11 Consider motion to receive and file Utility Billing Report for March 2024.

CA - 12 Consider motion to approve Amendment No. 1 to the Professional Services Agreement increasing the contract amount by $87,940.00 with Kirkham Michael & Associates, Inc. (KM), for construction services on the NE 62nd Street RCB Culvert over Tributary to Four Mile Creek Project.

CA - 13 Consider motion to approve Change Order #2 increasing the contract amount by $3,456.25 to Absolute Concrete Construction, for construction services on the Oralabor Gateway Trail - SW State Street Underpass and SW Oralabor Road and SW State Street Intersection Improvements project.

CA - 14 Consider motion to approve Change Order #1 increasing the contract amount by $72,083.00 to Rognes Corporation, for construction services on the North Four Mile Creek Trunk Sewer Phase 2 project.

CA - 15 Consider motion to approve Change Order #1 increasing the contract amount by $36,892.75 to Synergy Contracting, LLC, for construction services on the HTT Water Transmission Main & Drainage Improvements project.

CA - 16 Consider motion to approve Payment #1 in the amount of $20,201.75 to Absolute Concrete Construction, for construction services on the NW Northlawn Area Utility Improvements - Phase 3 project.

CA - 17 Consider motion to approve Payment #6 in the amount of $172,306.25 to Absolute Concrete Construction, Inc. for construction services on the Oralabor Gateway Trail - SW State Street Underpass and SW Oralabor Road and SW State Street Intersection Improvements project.

CA - 18 Consider motion to approve Payment #12 in the amount of $2,388.50 to Civil Design Advantage for engineering services on the NW 36th Street and NW Weigel Drive HMA Resurfacing project.

CA - 19 Consider motion to approve Payment #1 in the amount of $102,447.85 to Civil Design Advantage, LLC, for engineering services on the Westlawn Place Area Utility Improvements - Conceptual Design project.

CA - 20 Consider motion to approve Payment #9 in the amount of $121,674.51 to Elder Corporation, for construction services on the NE Delaware Avenue Reconstruction - NE 5th Street to Fourmile Creek project.

CA - 21 Consider motion to approve Payment #15 in the amount of $15,643.65 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 - 22 Consider motion to approve Payment #11 in the amount of $5,925.00 to ISG (I&S Group) for design and construction work on the High Trestle Trail Park Phase 1 project.

CA - 23 Consider motion to approve Payment #7 in the amount of $4,770.00 to Kirkham Michael & Associates, Inc., for engineering services on the NE 62nd St Box Culvert Design project.

CA - 24 Consider motion to approve Payment #1 in the amount of $41,613.75 to McClure Engineering Company, for construction engineering services on the SW Des Moines Street Utility Improvements project.

CA - 25 Consider motion to approve Payment #4 in the amount of $10,500.00 to Romtec Companies, for construction services on the restroom facility at the Rally Complex.

CA - 26 Consider motion to approve Payment #12 in the amount of $21,802.29 to SVPA Architects Inc. for design services associated with the Ankeny Fire Station No. 4 project.

CA - 27 Consider motion to approve Payment #14 in the amount of $46,436.16 to Synergy Contracting, LLC, for construction services on the HTT Water Transmission Main & Drainage Improvements project.

CA - 28 Consider motion to approve the April 15, 2024 Accounts Payable.

CA - 29 Consider motion to approve **RESOLUTION** authorizing the purchase of an alerting system for Fire Station No. 4.

CA - 30 Consider motion to approve **RESOLUTION** authorizing the purchase of a 2026 ambulance for the Fire Department.

CA - 31 Consider motion to adopt **RESOLUTION** authorizing the purchase of a 2025 Ford Police Utility AWD for the Fire Department in an amount not to exceed $42,186.00.

CA - 32 Consider motion to adopt **RESOLUTION** adopting a schedule of fees and charges for certain rental inspection activities and rental license/registration duration as authorized by the City of Ankeny, Municipal Code.

CA - 33 Consider motion to adopt **RESOLUTION** establishing charges for curbside recycling services for the City of Ankeny, Iowa, effective July 1, 2024.

CA - 34 Consider motion to adopt **RESOLUTION** authorizing the implementation of a convenience or service fee on debit and credit card transactions.

CA - 35 Consider motion to adopt **RESOLUTION** adopting a schedule of fees and charges for certain police department services of the City of Ankeny, Iowa.

CA - 36 Consider motion to adopt **RESOLUTION** adopting a schedule of fees and charges for certain permit activities as authorized by the City of Ankeny, Municipal Code.

CA - 37 Consider motion to adopt **RESOLUTION** amending the schedule of charges and fees for certain Fire and Emergency Medical Services for the City of Ankeny, Iowa, effective July 1, 2024.

- **Personnel Items**

CA - 38 Consider motion to accept the Civil Service Commission certified lists for appointment to: Utilities Operator I and Engineering Technician II; subject to passing any further departmental requirements.

CA - 39 Consider motion to adopt **RESOLUTION** amending the City of Ankeny Employee Handbook.

CA - 40 Consider motion to approve the new classification position descriptions recommended in the FY 2025 budget for the following positions: Civil Engineering Technician I, II & III, Administrative Assistant, Public Education Coordinator, Park Maintenance Assistant, Civil Engineer I - Traffic, Civil Engineer II - Traffic and Groundskeeper.

CA - 41 Consider motion to adopt **RESOLUTION** relating to the revision of the Travel and Training Policy and the Vehicle Use Policy of the Standard Administrative Policy and Procedures Manual.

- **Community Development Items**

CA - 42 Consider motion to adopt **RESOLUTION** accepting final plat, letter of credit for seeding and silt fence, performance and maintenance bonds for public improvements, and platted easements for Kimberley Villas Plat 2.

CA - 43 Consider motion to adopt **RESOLUTION** approving plans and specifications, and accepting contracts and performance and maintenance bonds for the construction of sanitary sewer and water main in Kimberley Villas Plat 2.

CA - 44 Consider motion to grant preliminary approval of Trestle Ridge Estates Plat 7 Final Plat subject to the applicant obtaining the required permits from the DNR & Army Corps before grading and/or construction operations are allowed to commence; and authorize 100% reimbursement in the amount of $47,430 for 24-inch trunk sewer and City cost-participation in the amount of $9,555 for 8' sidewalk along NW Reinhart Drive.

CA - 45 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 Berwick Holdings, LLC., located south of SE Oralabor Road and east of NE Berwick Drive. (date of hrg: 5/6/24 @ 5:30 p.m.)

CA - 46 Consider motion to adopt **RESOLUTION** providing for the notice and hearing of the City Council of the City of Ankeny, Iowa, on a PUD amendment for certain property owned by Commerce Center, LLC., located south of SE 90th Street, west of NE 29th Street/SE Four Mile Drive, and north of Interstate 80. (date of hrg: 5/6/24 @ 5:30 p.m.)

- **Engineering Items**

CA - 47 Consider motion to adopt a **RESOLUTION** approving plans and specifications and accepting the contract, performance and maintenance bonds associated with the construction of sanitary sewer for the Berwick Estates Sanitary Sewer Extension project.

CA - 48 Consider motion to adopt **RESOLUTION** accepting a public sanitary sewer easement from Berwick Holdings, LLC, associated with Berwick Estates Sanitary Sewer Extension.

CA - 49 Consider motion to adopt **RESOLUTION** accepting public improvements in Lot 1, Vintage Business Park at Prairie Trail Plat 2 for utilities (sanitary sewer).

- **Capital Improvement Projects**

CA - 50 Consider motion to adopt **RESOLUTION** approving contract and bonds with O & J Coatings in the amount of $289,000.00 for the Magazine Ground Storage Reservoir Rehabilitation.

CA - 51 **SW State Street Fiber Optic Relocation**: Consider motion to approve: a) Certificate of Completion; b) **RESOLUTION** accepting the public improvement with Iowa Signal, Inc. in the amount of $257,606.40; and c) Final Payment in the amount of $69,483.07; and Retainage Payment in the amount of $12,880.32.

- **Administrative Items**

CA - 52 Consider motion to adopt **RESOLUTION** authorizing public hearing on the 2024 Tobacco Compliance Check for Walgreens #7996, 2702 SE Delaware Ave – January 23, 2024 – first violation (date of hrg: 5/20/24 @ 5:30 p.m.)

CA - 53 Consider motion to adopt **RESOLUTION** authorizing the Certificate of Termination

of Development Agreement between the City of Ankeny, Iowa and Lutheran Church of Hope, Iowa for the Two Left Turn Lanes and One Right Turn Lane Constructed on NW 36th Street.

CA - 54 Consider motion to approve the location of the Ankeny bicycle sign located along NW Irvinedale Drive at the Northwestern Trail Head and to reevaluate the materials and condition of the sculpture in July 2026.

CA - 55 Consider motion to approve Master Service Agreement with CivicPlus for agenda and meeting management software and authorize the Mayor to sign Agreement.

CA - 56 Consider motion to adopt **RESOLUTION** approving an agreement between the City of Ankeny and the Ankeny Area Historical Society.

CA - 57 Consider motion to adopt **RESOLUTION** approving Senior Bond Issuance Certificate of Des Moines Metropolitan Wastewater Reclamation Authority Participating Community.

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-57

Action# E1-1. Consider motion to approve the recommendations for Consent Agenda Items CA-1 through CA-57.

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 first consideration of ORDINANCE 2166.

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Proposed 2024 Asphalt Street Resurfacing Program - SW Ordnance Road (PH 2024-24)

Action# J1-1.
Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost $399,708.00; 2) receive and file report of bids received April 9, 2024; 3) adopt RESOLUTION making award of construction contract with OMG Midwest DBA Des Moines Asphalt and Paving in the amount of $340,369.35; and 4) adopt RESOLUTION approving contract and bonds with OMG Midwest DBA Des Moines Asphalt and Paving in the amount of $340,369.35.

2. Proposed NE 36th Street & NE 38th Street Water Main Loop (PH 2024-25)

Action# J2-1.
Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost $1,676,470.00; 2) receive and file report of bids received April

9, 2024; and 3) adopt RESOLUTION making award of construction contract with Granite Excavating in the amount of $1,231,702.00.

3. Proposed Amendment of Current Budget for Fiscal Year Ending June 30, 2024 (PH 2024-26)

Action# J3-1. Consider motion to adopt RESOLUTION amending the current budget for fiscal year ending June 30, 2024.

4. Proposed Adoption of Budget and Certification of City Taxes for Fiscal Year July 1, 2024 - June 30, 2025 (PH 2024-27)

Action# J4-1. Consider motion to adopt RESOLUTION adopting the proposed budget for fiscal year July 1, 2024 - June 30, 2025.

5. Amended FY 2024 Fund Transfers

Action# J5-1. Consider motion to adopt RESOLUTION approving amendment to fiscal year 2024 fund transfers.

6. FY 2025 Hotel/Motel Tax Distribution

Action# J6-1. Consider motion to adopt RESOLUTION establishing the hotel/motel tax distribution for fiscal year 2025.

7. FY 2025 Fund Transfers

Action# J7-1. Consider motion to adopt RESOLUTION approving fiscal year 2025 fund transfers.

8. Personnel Changes

Action# J8-1. Consider motion to adopt RESOLUTION authorizing personnel changes approved in the Fiscal Year 2024 Budget Amendment and Fiscal Year 2025 Budget.

9. Proposed West 1st Street Widening and Improvements - Phase 2
Professional Services Agreement with Foth Infrastructure and Environment, LLC

Action# J9-1. Consider motion to approve the Professional Services Agreement with Foth Infrastructure and Environment, LLC for the survey, functional design, and preliminary design engineering services on the West 1st Street Widening and Improvements - Phase 2 project in an amount not to exceed $746,690.00 and authorize 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:**

  - ***Special Council Meeting - 4/29/24 @ 5:30 p.m.***
  - ***Public Hearing - rezone - Berwick Holdings LLC - 5/6/24 @ 5:30 p.m.***
  - ***Public Hearing - rezone - I-80 Commerce Center PUD - 5/6/24 @ 5:30 p.m.***
  - ***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