

MINUTES OF THE ANKENY CITY COUNCIL

Monday, April 15, 2024 5:30 p.m.

Ankeny Kirkendall Library - City Council Chambers

Mark Holm, Mayor

Bobbi Bentz, Mayor Pro tem

Council Members: Jeff Perry, Joe Ruddy, Todd Shafer, Kelly Stearns

Mayor Mark Holm called the meeting to order at 5:30 p.m. Council Members Jeff Perry and Joe Ruddy were in attendance. Council Members Bobbi Bentz, Todd Shafer, and Kelly Stearns joined the meeting electronically. City Manager David Jones and City Attorney Amy Beattie were also present. Mayor Holm led in the Pledge of Allegiance.

APPROVAL OF AGENDA

1. Council Member Perry moved, Ruddy seconded, to approve and accept the April 15, 2024 agenda without amendment. Ayes: 5.

PUBLIC HEARING

1. PH 2024-24. Mayor Holm announced this is the time and place for a public hearing on the matter of the adoption of plans, specifications, form of contract and estimate of cost for construction of certain public improvements described in general as construction of the 2024 Asphalt Street Resurfacing Program – SW Ordinance Road. Notice of this hearing was published in the Des Moines Register on the 29th day of March, 2024.

Mark Mueller, Public Works Director, reported that the project includes asphalt milling and hot mix asphalt (HMA) overlay of SW Ordinance Road from just west of SW Westview Drive to approximately 150 feet west of SW Maple Street.

Mayor Holm then asked for any public comment regarding the proposed project. Hearing no comments, Council Member Ruddy moved, Perry seconded, to close public hearing 2024-24. Ayes: 5.

2. PH 2024-25. Mayor Holm announced this is the time and place for a public hearing on the matter of the adoption of plans, specifications, form of contract and estimate of cost for construction of certain public improvements described in general as construction of the NE 36th Street and NE 38th Street Water Main Loop project. Notice of this hearing was published in the Des Moines Register on the 29th day of March, 2024.

Don Clark, Municipal Utilities Director, reported that the project is generally located on the north side of NE 36th Street from just east of NE Spectrum Drive to NE 38th Street and then south along the west side of NE 38th Street to NE 18th Street to connect to existing main.

Mayor Holm then asked for any public comment regarding the proposed project. Hearing no comments, Council Member Perry moved, Ruddy seconded, to close public hearing 2024-25. Ayes: 5.

3. PH 2024-26. Mayor Holm announced this is the time and place for a public hearing for the purpose of amending the current budget for fiscal year ending June 30, 2024 by changing estimates of revenue and expenditure appropriations. There will be no increase in tax levies to be paid. Any increase in expenditures set out will be met from the increase of non-property tax revenues and cash balances not budgeted or considered in this current budget. Notice of this hearing was published in the Des Moines Register on the 3rd day of April 2024.

Jennifer Sease, Administrative Services Director, reported that the FY 2024 budget amendment includes the following changes: Amended revenues include increases in hotel/motel taxes, utility franchise taxes, interest income, capital grants, developer contributions and the timing of proceeds from the issuance of Water SRF Notes; Amended expenditures include increases related to inflation (e.g. costs of goods and services), hotel/motel tax commitments, public safety overtime, facility repairs and maintenance, vehicle and equipment repairs and maintenance and the timing of capital projects.

Mayor Holm then asked for any public comment regarding the proposed amendment. Hearing no comments, Council Member Ruddy moved, Perry seconded, to close public hearing 2024-26. Ayes: 5.

4. PH 2024-27. Mayor Holm announced this is the time and place for a public hearing on the proposed budget for Fiscal Year July 1, 2024 – June 30, 2025. Estimated tax levy per \$1,000 of regular property tax valuation \$9.90. Estimated tax levy per \$1,000 of agricultural land valuation \$3.00375. Notice of this hearing was published in the Des Moines Register on the 3rd day of April 2024.

David Jones, City Manager, reported that the fiscal year July 1, 2024 - June 30, 2025 property tax levy is proposed to remain at \$9.90 per \$1,000 of taxable valuation. Additional revenues are needed to maintain service levels, staff Fire Station No. 4, address significant inflation, and offset the cumulative impact of property tax legislation.

Mayor Holm then asked for any public comment regarding the proposed budget. Hearing no comments, Council Member Perry moved, Ruddy seconded, to close public hearing 2024-27. Ayes: 5.

APPROVAL OF CONSENT AGENDA

Minutes

1. Official council actions of the regular meeting of April 1, 2024, as published.
2. Receive and file minutes of the special meeting of April 1, 2024, as published.
3. Receive and file minutes of the Ankeny Cultural Arts Board meeting of January 29th, 2024.
4. Receive and file minutes of the Civil Service Commission meeting of February 12, 2024.
5. Receive and file minutes of the Zoning Board of Adjustment meeting of March 19, 2024.
6. Receive and file minutes of the Plan and Zoning Commission meeting of March 19, 2024.
7. Receive and file minutes of the Ankeny Economic Development Council meeting of November 4, 2022.

Licenses and Permits

8. Issuance of liquor licenses and beer/wine permits in the City of Ankeny.

Finance/Budget

9. Receive and file Financial Reports for March 2024.
10. Receive and file Building Permit Report for March 2024.
11. Receive and file Utility Billing Report for March 2024.
12. 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.

13. 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.
14. 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.
15. 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.
16. 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.
17. 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.
18. 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.
19. 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.
20. 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.
21. 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.
22. 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.
23. 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.
24. 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.
25. Payment #4 in the amount of \$10,500.00 to Romtec Companies, for construction services on the restroom facility at the Rally Complex.
26. 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.
27. 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.
28. April 15, 2024 Accounts Payable by fund: General \$217,278; Parks Improvement \$317; Road Use Tax \$29,904; Library Foundation \$275; Solid Waste \$106,681; Water \$834,390; Sewer \$602,610; Storm Water \$8,246; Golf Course \$42,761; Enterprise Project \$182,474; Revolving \$27,261; Risk Management \$13,761; Health Insurance \$1,024; Capital Projects \$511,351; Payroll Totals \$1,377,828; Transfers/ACH (\$204,520); Agenda Payments Approved Separately (\$648,073); Grand Total \$3,103,568.
29. **RESOLUTION 2024-160** authorizing the purchase of an alerting system for Fire Station No. 4.
30. **RESOLUTION 2024-161** authorizing the purchase of a 2026 ambulance for the Fire Department.
31. **RESOLUTION 2024-162** authorizing the purchase of a 2025 Ford Police Utility AWD for the Fire Department in an amount not to exceed \$42,186.00.
32. **RESOLUTION 2024-163** 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.
33. **RESOLUTION 2024-164** establishing charges for curbside recycling services for the City of Ankeny, Iowa, effective July 1, 2024.
34. **RESOLUTION 2024-165** authorizing the implementation of a convenience or service fee on debit and credit card transactions.
35. **RESOLUTION 2024-166** adopting a schedule of fees and charges for certain police department services of the City of Ankeny, Iowa.

36. **RESOLUTION 2024-167** adopting a schedule of fees and charges for certain permit activities as authorized by the City of Ankeny, Municipal Code.
37. **RESOLUTION 2024-168** 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

38. Accept the Civil Service Commission certified lists for appointment to: Utilities Operator I and Engineering Technician II; subject to passing any further departmental requirements.
39. **RESOLUTION 2024-169** amending the City of Ankeny Employee Handbook.
40. 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.
41. **RESOLUTION 2024-170** 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

42. **RESOLUTION 2024-171** accepting final plat, letter of credit for seeding and silt fence, performance and maintenance bonds for public improvements, and platted easements for Kimberley Vilas Plat 2.
43. **RESOLUTION 2024-172** approving plans and specifications, and accepting contracts and performance and maintenance bonds for the construction of sanitary sewer and water main in Kimberley Vilas Plat 2.
44. 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.
45. **RESOLUTION 2024-173** 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.)
46. **RESOLUTION 2024-174** 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

47. **RESOLUTION 2024-175** 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.
48. **RESOLUTION 2024-176** accepting a public sanitary sewer easement from Berwick Holdings, LLC, associated with Berwick Estates Sanitary Sewer Extension.
49. **RESOLUTION 2024-177** accepting public improvements in Lot 1, Vintage Business Park at Prairie Trail Plat 2 for utilities (sanitary sewer).

Capital Improvement Projects

50. **RESOLUTION 2024-178** approving contract and bonds with O & J Coatings in the amount of \$289,000.00 for the Magazine Ground Storage Reservoir Rehabilitation.
51. **SW State Street Fiber Optic Relocation**: Approve: a) Certificate of Completion; b) **RESOLUTION 2024-179** 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

52. **RESOLUTION 2024-180** 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.)
53. **RESOLUTION 2024-181** 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.
54. 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.
55. Approve Master Service Agreement with CivicPlus for agenda and meeting management software and authorize the Mayor to sign Agreement.
56. **RESOLUTION 2024-182** approving an agreement between the City of Ankeny and the Ankeny Area Historical Society.
57. **RESOLUTION 2024-183** approving Senior Bond Issuance Certificate of Des Moines Metropolitan Wastewater Reclamation Authority Participating Community.

APPROVAL OF CONSENT AGENDA

1. Council Member Ruddy moved, second by Perry, to approve the recommendations for Consent Agenda Items CA-1 through CA-57. Ayes: Ruddy, Perry, Bentz, Shafer, Stearns.

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. Council Member Ruddy moved, Perry seconded, to accept first consideration of ORDINANCE 2166. Ayes: Ruddy, Perry, Bentz, Shafer, Stearns.

NEW BUSINESS

1. Proposed 2024 Asphalt Street Resurfacing Program - SW Ordinance Road (PH 2024-24). Council Member Bentz moved, Perry seconded, to adopt 1) **RESOLUTION 2024-184** 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 2024-185** 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 2024-186** approving contract and bonds with OMG Midwest DBA Des Moines Asphalt and Paving in the amount of \$340,369.35. Ayes: Bentz, Perry, Ruddy, Shafer, Stearns.
2. Proposed NE 36th Street & NE 38th Street Water Main Loop (PH 2024-25) Council Member Stearns moved, Perry seconded, to adopt 1) **RESOLUTION 2024-187** 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 2024-188** making award of construction contract with Granite Excavating in the amount of \$1,231,702.00. Ayes: Stearns, Perry, Bentz, Ruddy, Shafer.
3. Proposed Amendment of Current Budget for Fiscal Year Ending June 30, 2024 (PH 2024-26) Council Member Ruddy moved, Perry seconded, to adopt **RESOLUTION 2024-158** amending

the current budget for fiscal year ending June 30, 2024. Ayes: Ruddy, Perry, Bentz, Shafer, Stearns.

4. Proposed Adoption of Budget and Certification of City Taxes for Fiscal Year July 1, 2024 - June 30, 2025 (PH 2024-27) Council Member Perry moved, Bentz seconded, to adopt **RESOLUTION 2024-159** adopting the proposed budget for fiscal year July 1, 2024 - June 30, 2025. Ayes: Perry, Bentz, Ruddy, Shafer, Stearns.
5. Amended FY 2024 Fund Transfers Council Member Ruddy moved, Perry seconded, to adopt **RESOLUTION 2024-189** approving amendment to fiscal year 2024 fund transfers. Ayes: Ruddy, Perry, Bentz, Shafer, Stearns.
6. FY 2025 Hotel/Motel Tax Distribution Council Member Bentz moved, Perry seconded, to adopt **RESOLUTION 2024-190** establishing the hotel/motel tax distribution for fiscal year 2025. Ayes: Bentz, Perry, Ruddy, Shafer, Stearns.
7. FY 2025 Fund Transfers Council Member Perry moved, Ruddy seconded, to adopt **RESOLUTION 2024-191** approving fiscal year 2025 fund transfers. Ayes: Perry, Ruddy, Bentz, Shafer, Stearns.
8. Personnel Changes Council Member Bentz moved, Stearns seconded, to adopt **RESOLUTION 2024-192** authorizing personnel changes approved in the Fiscal Year 2024 Budget Amendment and Fiscal Year 2025 Budget. Ayes: Bentz, Stearns, Perry, Ruddy, Shafer.
9. Proposed West 1st Street Widening and Improvements - Phase 2 Professional Services Agreement with Foth Infrastructure and Environment, LLC Council Member Bentz moved, Ruddy seconded, 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. Ayes: Bentz, Ruddy, Perry, Shafer, Stearns.

ADJOURNMENT

1. Meeting was adjourned at 6:08 p.m.

Michelle Yuska, City Clerk

Mark E. Holm, Mayor

Published in the Des Moines Register on 4/26/24.