



ANKENY CITY COUNCIL

Regular Meeting

Monday, April 4, 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, Kerry Walter-Ashby, Kelly Whiting

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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: Diane Klemme, Deputy City Clerk

PLEDGE OF ALLEGIANCE: Mark Holm, Mayor

CEREMONY: none

A. PUBLIC FORUM: none

B. APPROVAL OF AGENDA:

1. Approval of the April 4, 2022 Agenda:

Action# B1-1. Consider motion to approve and accept the April 4, 2022 agenda, with/without amendment.

C. PUBLIC HEARING(S):

1. PH 2022-34 Proposed State Revolving Fund (SRF) Loan Projects

Action# C1-1. Consider motion to close Public Hearing 2022-34.

2. PH 2022-35 Proposed SW Des Moines Street Parks - Phase 1

Action# C2-1. Consider motion to close Public Hearing 2022-35.

3. PH 2022-36 Proposed Amendment of Current Budget for Fiscal Year Ending June 30, 2022

Action# C3-1. Consider motion to close Public Hearing 2022-36.

D. REPORTS OF ADVISORY BOARDS AND COMMISSION: none

E. APPROVAL OF CONSENT AGENDA:

- **Minutes**

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| CA - 1 | Approval of official council actions of the regular meeting of March 21, 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 March 8, 2022. |
| CA - 3 | Receive and file minutes of the Zoning Board of Adjustment meeting of February 8, 2022. |
| CA - 4 | Receive and file minutes of the Zoning Board of Adjustment meeting of March 8, 2022. |
| CA - 5 | Receive and file minutes of the Human Rights Commission meetings of March 24, 2022 |
| CA - 6 | Receive and file minutes of the Park Board meeting of January 31, 2022. |
| CA - 7 | Receive and file minutes of the Ankeny Cultural Arts Board meeting of December 13, 2021. |
| CA - 8 | Receive and file minutes of the Library Board of Trustee meeting of February 17, 2022. |

- **Licenses and Permits**

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|---------------|--|
| CA - 9 | Consider motion to approve the issuance of liquor license(s) and/or beer / wine permit(s) in the City of Ankeny. |
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- **Finance/Budget**

- CA - 10** Consider motion to approve Change Order #12 increasing the contract amount by \$15,411.62 to Graphite Construction Group for additional construction services on the Ankeny Senior Community Center project.
- CA - 11** Consider motion to approve Amendment No. 1 to the Memorandum of Agreement with the Polk County Aviation Authority.
- CA - 12** Consider motion to approve Payment #8 in the amount of \$201,346.21 to McAninch Corporation, for construction services on the Irvinedale Drive Water Main Improvements - Phase 3 project.
- CA - 13** Consider motion to approve Payment #20 in the amount of \$24,556.91 to McClure Engineering Company, for engineering services on the Irvinedale Drive Water Main Improvements - Phase 3 project.
- CA - 14** Consider motion to approve Payment #13 in the amount of \$16,015.00 to MSA Professional Services, Inc., for engineering services on the NW 36th Street and NW Weigel Drive Water Main project.
- CA - 15** Consider motion to approve Payment #22 in the amount of \$3,334.30 to Shive Hattery for design\development services on the Ankeny Senior Community Center.
- CA - 16** Consider motion to approve Payment #1 in the amount of \$3,695.29 to Snyder & Associates, Inc., for engineering services on the Cherry Glenn Ballfield Development project.
- CA - 17** Consider motion to approve Payment #20 in the amount of \$10,160.87 to Snyder & Associates, Inc., for engineering services on the High Trestle Trail Ext Magazine Rd to Oralabor Rd project.
- CA - 18** Consider motion to approve Payment #13 in the amount of \$17,788.50 to Snyder & Associates, Inc., for engineering services on the HTT Transmission Main and Drainage Improvements project.
- CA - 19** Consider motion to approve Payment #16 in the amount of \$1,564.00 to Snyder & Associates, Inc., for engineering services on the N Ankeny Blvd Landscape Improvements project.
- CA - 20** Consider motion to approve Payment #8 in the amount of \$39,734.44 to Snyder & Associates, Inc., for engineering services on the NE Delaware Ave Recon - NE 5th St to NE 18th St project.
- CA - 21** Consider motion to approve Payment #12 in the amount of \$3,109.50 to Snyder & Associates, Inc., for engineering services on the NW 36th St and NW State St Interim Improvements project.
- CA - 22** Consider motion to approve Payment #16 in the amount of \$8,459.69 to Snyder & Associates, Inc., for engineering services on the NW 36th St Widening - NW Ash Dr to N Ankeny Blvd project.
- CA - 23** Consider motion to approve Payment #27 in the amount of \$37,535.92 to Snyder & Associates, Inc., for engineering services on the SE Crosswinds Drive - RISE project.
- CA - 24** Consider motion to approve Payment #23 in the amount of \$4,111.50 to Snyder & Associates, Inc., for engineering services on the SE Delaware Ave and SE 8th St Widening and Traffic Signalization project.
- CA - 25** Consider motion to approve the April 4, 2022 Accounts Payable. (Finance Committee: J. Perry, Chp, J. Ruddy, K. Walter-Ashby)
- CA - 26** Consider motion to increase public mowing services for the North and South Zones from a ten day mowing cycle to a seven day mowing cycle.

- CA - 27** Consider motion to adopt **RESOLUTION** authorizing the purchase of a chassis for a Public Works Department single axle snow plow truck (replace existing truck #268).
- CA - 28** Consider motion to adopt **RESOLUTION** authorizing the purchase of a chassis for a Public Works Department single axle snow plow truck (replace existing truck #270).

- **Personnel Items**

- CA - 29** Consider motion to approve the job classification position description for Environmental/Civil Engineer I in the Public Works Stormwater division.
- CA - 30** Consider motion to appoint Michelle Yuska as City Clerk effective April 11, 2022.

- **Community Development Items**

- CA - 31** 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 Helen Moeckly Trust and Edward Ferrier & Annette Voegtlin, located southeast of the NW 54th Street (NW 118th Avenue) and NW Irvinedale Drive (NW 16th Street) intersection. (date of hrg: 4/18/22 @ 5:30 p.m.)
- CA - 32** 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 southeast quadrant of Ankeny requested by ATI Ankeny Industrial, LLC.
- CA - 33** Consider motion to adopt **RESOLUTION** accepting final plat, platted easements, and letter of credit for seeding and erosion control for Parkway Townhomes at Prairie Trail Plat 1.
- CA - 34** Consider motion to adopt **RESOLUTION** approving plans and specifications and accepting contracts and performance and maintenance bonds for the construction of water main and sanitary sewer in Parkway Townhomes at Prairie Trail Plat 1.

- **Engineering Items**

- CA - 35** Consider motion to adopt a **RESOLUTION** authorizing the execution of an Amendment to the Agreement for Cooperative Public Service between Polk County and the City of Ankeny for the funding of the Watershed Coordinator Position.
- CA - 36** Consider motion to adopt a **RESOLUTION** accepting a purchase agreement and approving documents for the acquisition of the temporary construction easement for the NE 36th Street Reconstruction Project: Interstate 35 to NE Fourmile Drive in Ankeny, Iowa. (DRA Properties, LC)
- CA - 37** Consider motion to adopt a **RESOLUTION** accepting a purchase agreement and approving documents for the acquisition of street right-of-way and permanent drainage easement for the NE 36th Street Reconstruction Project: Interstate 35 to NE Fourmile Drive in Ankeny, Iowa. (JEP Farms, Inc.)
- CA - 38** Consider motion to adopt a **RESOLUTION** accepting a purchase agreement and approving documents for the acquisition of street right-of-way, permanent sanitary sewer easement, permanent drainage easement and temporary construction easement for the NE 36th Street Reconstruction Project: Interstate 35 to NE Fourmile Drive in Ankeny, Iowa. (NDA Farms, LLC)
- CA - 39** Consider motion to adopt a **RESOLUTION** accepting a purchase agreement and approving documents for the acquisition of street right-of-way and permanent drainage easement for the NE 36th Street Reconstruction Project: Interstate 35 to

NE Fourmile Drive in Ankeny, Iowa. (NDA Farms, LLC)

- CA - 40** Consider motion to adopt **RESOLUTION** accepting public improvements in Briarwood Plat 24 for sanitary sewer.

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

- CA - 41** Consider motion to approve Professional Services Agreement with Confluence for landscape architect services for Uptown streetscape improvements in an amount not to exceed \$10,000 and authorize the City Manager to execute said Agreement.

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-41.

Action# E1-1. Consider motion to approve the recommendations for Consent Agenda Items CA-1 through CA-41.

F. SUPPLEMENTAL AND REMOVED CONSENT AGENDA ITEMS: none

G. RECESS - Mark Holm, Mayor

H. LEGISLATIVE BUSINESS:

- **Boards/Commissions Appointments:**

1. An amendment to **RESOLUTION 2021-461** by adding Mid-Iowa Planning Alliance and making an appointment for service.

Action# H1-1. Consider motion to amend RESOLUTION 2021-461 by adding Mid-Iowa Planning Alliance and appointing Derek Lord as 1st Representative.

- **Approval of Ordinances:**

1. Ord 2098 An Ordinance creating section 143 - Entertainment Districts in the City of Ankeny, Iowa.

Action# H1-1. Consider motion to accept third consideration of ORDINANCE 2098, sending it on its final passage and publication as required by law.

2. Ord 2099 An Ordinance amending Chapter 44.06 Noise Ordinance by adding a section referencing Chapter 143 - Entertainment Districts

Action# H2-1. Consider motion to accept third consideration of ORDINANCE 2099, sending it on its final passage and publication as required by law.

3. Ord 2100 An Ordinance amending Chapter 130.07 Outdoor Seating addressing Chapter 143 - Entertainment Districts

Action# H3-1. Consider motion to accept third consideration of ORDINANCE 2100, sending it on its final passage and publication as required by law.

4. Ord 2101 An Ordinance amending Chapter 196.02 Special Use Permits addressing Chapter 143 - Entertainment Districts

Action# H4-1. Consider motion to accept third consideration of ORDINANCE 2101, sending it on its final passage and publication as required by law.

5. Ord 2102 An Ordinance vacating a Public Utility Easement associated with Lot 1, The District at Prairie Trail Plat 11.

Action# H5-1. Consider motion to accept third consideration of ORDINANCE 2102, sending it on its final passage and publication as required by law.

Action# H5-2. Consider motion to adopt RESOLUTION authorizing the sale of real estate vacated by the City of Ankeny to DRA Properties, LC.

6. Ord 2104 An Ordinance amending the Code of Ordinances of the City of Ankeny, Iowa, by amending provisions pertaining to sewer service charges.

Action# H6-1. Consider motion to accept third consideration of ORDINANCE 2104, sending it on its final passage and publication as required by law.

7. Ord 2105 An Ordinance amending the Code of Ordinances of the City of Ankeny, Iowa, by amending provisions pertaining to stormwater management fees.

Action# H7-1. Consider motion to accept third consideration of ORDINANCE 2105, sending it on its final passage and publication as required by law.

8. Ord 2106 An Ordinance establishing street grade elevations along a portion of NE 36th Street.

Action# H8-1. Consider motion to accept second consideration of ORDINANCE 2106.

9. Ord 2107 An Ordinance establishing street grade elevations along a portion of NE Four Mile Drive.

Action# H9-1. Consider motion to accept second consideration of ORDINANCE 2107.

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Proposed Environmental Review for SRF Loan Projects (PH 2022-34)

Action# J1-1. Consider motion to adopt RESOLUTION accepting the environmental information document for SRF loan application with the Iowa Department of Natural Resources.

2. Proposed 2022 SW Des Moines Street Parks - Phase 1 (PH 2022-35)

Action# J2-1. Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$368,367.00; 2) receive and file report of bids received March 29, 2022; 3) adopt RESOLUTION making award of construction contract with JAS Construction in the amount of \$332,036.07; and 4) adopt RESOLUTION approving contract and bonds with JAS Construction in the amount of \$332,036.07.

3. Proposed Amendment of Current Budget for Fiscal Year Ending June 30, 2022 (PH 2022-36)

Action# J3-1. Consider motion to adopt RESOLUTION amending the current budget for the Fiscal Year Ending June 30, 2022.

4. Amended FY 2022 Fund Transfers

Action# J4-1. Consider motion to adopt RESOLUTION approving amendment to fiscal year 2022 fund transfers.

5. Proposed NE Frisk Drive Bridge Replacement Project - Cooperative Public Service Agreement with Polk County

Action# J5-1.

Consider motion to adopt RESOLUTION to authorize the execution of a Cooperative Public Service Agreement between Polk County, Iowa and the City of Ankeny, Iowa for the sharing of project costs for the NE Frisk Drive Bridge Replacement Project.

6. Proposed SE 72nd Street / County NE 62nd Avenue Asphalt Resurfacing Project - Cooperative Public Service Agreement with Polk County

Action# J6-1. Consider motion to adopt RESOLUTION to authorize the execution of a Cooperative Public Service Agreement between Polk County, Iowa and the City of Ankeny, Iowa for the sharing of project costs for the SE 72nd Street / County NE 62nd Avenue Asphalt Resurfacing Project.

7. Proposed N Ankeny Blvd. Water Main Project
Initiate Proceedings

Action# J7-1. Consider motion to adopt RESOLUTION ordering construction on the N Ankeny Blvd. Water Main Project and fixing a date for hearing thereon and taking of bids therefor. (date of bid-letting: 4/26/22 @ 10:30 a.m./date of hrg: 5/2/22 @ 5:30 p.m.)

8. NE Delaware Avenue Reconstruction - NE 5th Street to 700 feet North of NE 18th Street
Notice of Intent to Commence a Public Improvement Project and to Acquire Property Interests

Action# J8-1.

Consider motion to adopt RESOLUTION fixing a date for hearing on intent to commence a public improvement and to acquire property interests for the NE Delaware Avenue Reconstruction - NE 5th Street to 700 feet North of NE 18th Street project. (date of hrg: 5/2/22 at 5:30 P.M.).

9. \$33,685,000 General Obligation Bonds, Series 2022A

Action# J9-1. Consider motion to adopt RESOLUTION directing the advertisement for sale of \$33,685,000 General Obligation Bonds, Series 2022A and approving electronic bidding procedures and Official Statement.

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 Walter-Ashby

Council Member Whiting

- **Future Council Agenda Items:**

- ***Public Hearing - NE 36th Street Reconstruction - Interstate 35 to NE Four Mile Drive - 4/18/22 @ 5:30 p.m.***
- ***Public Hearing - 2022 Asphalt Street Resurfacing Program - 4/18/22 @ 5:30 p.m.***
- ***Public Hearing - 2022 Hope Kimberley Voluntary Annexation - 4/18/22 @ 5:30 p.m.***
- ***Public Hearing - rezoning - Moeckly, Ferrier & Voegtlin, - 4/18/22 @ 5:30 p.m.***
- ***CAPS Meeting - Local Business Investment Policy - 4/18/22 @ 5:30 p.m.***
- ***Public Hearing - N Ankeny Blvd Water Main - 5/2/22 @ 5:30 p.m.***
- ***Public Hearing - Notice of Intent - NE Delaware Ave Reconstruction - NE 5th St to 700 feet North of NE 18th St - 5/2/22 @ 5:30 p.m.***

L. ADJOURNMENT

1. Adjournment