

MINUTES OF THE ANKENY CITY COUNCIL

Monday, April 4, 2022 5:30 PM

Ankeny Kirkendall Library - City Council Chambers

Mark Holm, Mayor

Bobbi Bentz, Mayor Pro tem

Council Members: Jeff Perry, Joe Ruddy, Kerry Walter-Ashby, Kelly Whiting

Mayor Mark Holm called the meeting to order at 5:30 PM. Council Members Bobbi Bentz and Kerry Walter-Ashby joined the meeting electronically. Council Members Jeff Perry and Joe Ruddy were in attendance. Council Member Kelly Whiting was absent. City Manager David Jones and City Attorney Amy Beattie were also present. Mayor Holm led in the Pledge of Allegiance.

PUBLIC FORUM

1. Ankeny Girl Scout, Amanda Woakland, presented the Mayor and Council Members with Girl Scout Cookies.
2. Joe Ethington, 210 SW Pleasant Street, Ankeny, addressed the Council regarding concerns about increased noise decibels in the Uptown Entertainment District with residential districts being in such close proximity.

APPROVAL OF AGENDA

1. Council Member Ruddy moved, Perry seconded, to approve and accept the April 4, 2022 agenda as presented. Ayes: 4.

PUBLIC HEARINGS

1. PH 2022-34. Mayor Holm announced this is the time and place for a public hearing on the matter of the proposed review of an application for State Revolving Fund (SRF) Loan and to make available to the public the contents of an environmental information document and the City's project plan. The proposed project involves the construction of the High Trestle Trail Transmission Main and Drainage project. Notice of this hearing was published in the Des Moines Register on the 4th day of March, 2022.

Don Clark, Municipal Utilities Director, reported there is a project being designed (High Trestle Trail Transmission Main and Drainage project) that will be utilizing the State Revolving Fund (SRF) to provide a lower rate of interest. As part of the SRF process, an environmental review will be included that requires this public hearing to allow residents to bring their concerns to our attention. The purpose of this project is to increase water conveyance High Trestle Trail to the NW Booster Station and to combine the southwest and east pressure zones into one pressure zone. This project is a part of our transmission main network to provide and improved performance and operation of our water distribution system. This project is still being designed, but the intention is to have it out for bid later this summer, with construction to follow in the fall of 2022 and into 2023.

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 2022-34. Ayes: 4.

2. PH 2022-35. 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 2022 SW Des Moines

Street Parks – Phase 1 project. Notice of this hearing was published in the Des Moines Register on the 18th day of March, 2022.

Nick Lenox, Parks and Recreation Director, reported this project includes grading, PCC paving for parking and sidewalks, storm sewer, sanitary and water services, and landscaping for the first phase of a new park in Prairie Trail. Other associated improvements include traffic control, traffic signs, surface restoration, and miscellaneous associated work necessary to complete the project.

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 2022-35. Ayes: 4.

3. PH 2022-36. Mayor Holm announced that this is the time and place for a public hearing for the purpose of amending the current budget for fiscal year ending June 30, 2022 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 18th day of March, 2022.

Jennifer Sease, Administrative Services Director, reported the significant changes requiring amendment of the current budget for fiscal year ending June 30, 2022 included the following: Amended revenues included increases related to the receipt of American Rescue Plan Act (ARPA) grant funds, water sales, utility hookup fees and bond proceeds to current refund the General Obligation Refunding Bonds, Series 2014A and General Obligation Bonds, Series 2014B; and Amended expenditures included increases related to inflation (e.g. costs of goods and services, fuel and natural gas costs), seasonal pay plan adjustments and the current refunding of the General Obligation Refunding Bonds, Series 2014A and General Obligation Bonds, Series 2014B.

Mayor Holm then asked for any public comment regarding the proposed amendment. Hearing no comments, Council Member Perry moved, Walter-Ashby seconded, to close public hearing 2022-36. Ayes: 4.

APPROVAL OF CONSENT AGENDA

Minutes

1. Official council actions of the regular meeting of March 21, 2022, as published.
2. Receive and file minutes of the Plan and Zoning Commission meeting of March 8, 2022.
3. Receive and file minutes of the Zoning Board of Adjustment meeting of February 8, 2022.
4. Receive and file minutes of the Zoning Board of Adjustment meeting of March 8, 2022.
5. Receive and file minutes of the Human Rights Commission meeting of March 24, 2022.
6. Receive and file minutes of the Park Board meeting of January 31, 2022.
7. Receive and file minutes of the Ankeny Cultural Arts Board meeting of December 13, 2021.
8. Receive and file minutes of the Library Board of Trustees meeting of February 17, 2022.

Licenses and Permits

9. Issuance of liquor license(s) and/or beer/wine permit(s) in the City of Ankeny.

Finance/Budget

10. 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.
11. Amendment No. 1 to the Memorandum of Agreement with the Polk County Aviation Authority.
12. 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
13. 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
14. 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.
15. Payment #22 in the amount of \$3,334.30 to Shive Hattery for design\development services on the Ankeny Senior Community Center.
16. Payment #1 in the amount of \$3,695.29 to Snyder & Associates, Inc., for engineering services on the Cherry Glenn Ballfield Development project.
17. 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.
18. 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.
19. Payment #16 in the amount of \$1,564.00 to Snyder & Associates, Inc., for engineering services on the N Ankeny Blvd Landscape Improvements project.
20. 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.
21. 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.
22. 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.
23. Payment #27 in the amount of \$37,535.92 to Snyder & Associates, Inc., for engineering services on the SE Crosswinds Drive - RISE project.
24. 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.
25. April 4, 2022 Accounts Payable by Fund: General 644,702; Road Use Tax 109,504; Library Foundation 250; Solid Waste 299; Water 46,589; Sewer 18,012; Stormwater 4,621; Golf Course 36,637; Enterprise Project 282,897; Revolving 70,945; Risk Management 3,295; Health 1,226; Capital Projects Funds 294,225; Payroll Totals 1,159,051; Transfers/ACH (180,028); Agenda Payments approved separately (371,412); Grand Total \$2,120,813.
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.
27. **RESOLUTION 2022-178** authorizing the purchase of a chassis for a Public Works Department single axle snow plow truck (replace existing truck #268).
28. **RESOLUTION 2022-179** authorizing the purchase of a chassis for a Public Works Department single axle snow plow truck (replace existing truck #270).

Personnel Items

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

Community Development

31. **RESOLUTION 2022-180** 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.)

32. **RESOLUTION 2022-181** 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.
33. **RESOLUTION 2022-182** accepting final plat, platted easements, and letter of credit for seeding and erosion control for Parkway Townhomes at Prairie Trail Plat 1.
34. **RESOLUTION 2022-183** 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

35. **RESOLUTION 2022-184** 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.
36. **RESOLUTION 2022-185** 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)
37. **RESOLUTION 2022-186** 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.)
38. **RESOLUTION 2022-187** 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)
39. **RESOLUTION 2022-188** 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)
40. **RESOLUTION 2022-189** accepting public improvements in Briarwood Plat 24 for sanitary sewer.

Administrative

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. Council Member Perry moved, second by Ruddy, to approve the recommendations for Consent Agenda Items CA-1 through CA-41. Ayes: Perry, Ruddy, Bentz, Walter-Ashby.

BOARDS AND COMMISSIONS

1. Council Member Walter-Ashby moved, Perry seconded, to amend RESOLUTION 2021-461 by adding Mid-Iowa Planning Alliance and appointing Derek Lord as 1st Representative. Ayes: Walter-Ashby, Perry, Bentz, Ruddy.

APPROVAL OF ORDINANCES

1. **Ord 2098.** An Ordinance creating section 143 - Entertainment Districts in the City of Ankeny, Iowa. Council Member Perry moved, Bentz seconded, to accept third consideration of ORDINANCE 2098, sending it on its final passage and publication as required by law. Ayes: Perry, Bentz, Ruddy, Walter-Ashby.

2. **Ord 2099.** An Ordinance amending Chapter 44.06 Noise Ordinance by adding a section referencing Chapter 143 - Entertainment Districts. Council Member Bentz moved, Walter-Ashby seconded, to accept third consideration of ORDINANCE 2099, sending it on its final passage and publication as required by law. Ayes: Bentz, Walter-Ashby, Perry, Ruddy.
3. **Ord 2100.** An Ordinance amending Chapter 130.07 Outdoor Seating addressing Chapter 143 - Entertainment Districts. Council Member Perry moved, Ruddy seconded, to accept third consideration of Ordinance 2100, sending it on its final passage and publication as required by law. Ayes: Perry, Ruddy, Bentz, Walter-Ashby.
4. **Ord 2101.** An Ordinance amending Chapter 196.02 Special Use Permits addressing Chapter 143 - Entertainment Districts. Council Member Ruddy moved, Perry seconded, to accept third consideration of ORDINANCE 2101, sending it on its final passage and publication as required by law. Ayes: Ruddy, Perry, Bentz, Walter-Ashby.
5. **Ord 2102.** An Ordinance vacating a Public Utility Easement associated with Lot 1, The District at Prairie Trail Plat 11. Council Member Walter-Ashby moved, Ruddy seconded, to accept third consideration of ORDINANCE 2102, sending it on its final passage and publication as required by law. Ayes: Walter-Ashby, Ruddy, Bentz, Perry. Council Member Perry moved, Ruddy seconded, to adopt **RESOLUTION 2022-190** authorizing the sale of property vacated by the City of Ankeny, Iowa, to DRA Properties, LC. Ayes: Perry, Ruddy, Bentz, Walter-Ashby.
6. **Ord 2104.** An Ordinance amending the Code of Ordinances of the City of Ankeny, Iowa, by amending provisions pertaining to sewer service charges. Council Member Walter-Ashby moved, Ruddy seconded, to accept third consideration of ORDINANCE 2104, sending it on its final passage and publication as required by law. Ayes: Walter-Ashby, Ruddy, Bentz, Perry.
7. **Ord 2105.** 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 third consideration of ORDINANCE 2105, sending it on its final passage and publication as required by law. Ayes: Ruddy, Perry, Bentz, Walter-Ashby.
8. **Ord 2106.** An Ordinance establishing street grade elevations along a portion of NE 36th Street. Council Member Ruddy moved, Walter-Ashby seconded, to accept second consideration of ORDINANCE 2106. Ayes: Ruddy, Walter-Ashby, Bentz, Perry.
9. **Ord 2107.** An Ordinance establishing street grade elevations along a portion of NE Four Mile Drive. Council Member Walter-Ashby moved, Perry seconded, to accept second consideration of ORDINANCE 2107. Ayes: Walter-Ashby, Perry, Bentz, Ruddy.

NEW BUSINESS

1. Proposed Environmental Review for SRF Loan Projects (PH 2022-34)
Council Member Ruddy moved, Perry seconded, to adopt **RESOLUTION 2022-191** accepting the environmental information document for SRF loan application with the Iowa Department of Natural Resources. Ayes: Ruddy, Perry, Bentz, Walter-Ashby.
2. Proposed 2022 SW Des Moines Street Parks – Phase 1 (PH 2022-35)
Council Member Ruddy moved, Bentz seconded to adopt 1) **RESOLUTION 2022-192** 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 2022-193** making award of construction contract with JAS Construction in the amount of \$332,036.07; and 4) adopt **RESOLUTION 2022-194** approving contract and bonds with JAS Construction in the amount of \$332,036.07. Ayes: Ruddy, Bentz, Perry, Walter-Ashby.
3. Proposed Amendment of Current Budget for Fiscal Year Ending June 30, 2022 (PH 2022-36)
Council Member Walter-Ashby moved, Perry seconded, to adopt **RESOLUTION 2022-145** amending the current budget for the Fiscal Year Ending June 30, 2022. Ayes: Walter-Ashby, Perry, Bentz, Ruddy.
4. Amended FY 2022 Fund Transfers
Council Member Ruddy moved, Perry seconded to adopt **RESOLUTION 2022-195** approving amendment to fiscal year 2022 fund transfers. Ayes: Ruddy, Perry, Bentz, Walter-Ashby.

5. Proposed NE Frisk Drive Bridge Replacement Project – Cooperative Public Service Agreement with Polk County
Council Member Perry moved, Walter-Ashby seconded, to adopt **RESOLUTION 2022-196** 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. Ayes: Perry, Walter-Ashby, Bentz, Ruddy.
6. Proposed SE 72nd Street/County NE 62nd Avenue Asphalt Resurfacing Project – Cooperative Public Service Agreement with Polk County
Council Member Ruddy moved, Perry seconded, to adopt **RESOLUTION 2022-197** 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. Ayes: Ruddy, Perry, Bentz, Walter-Ashby.
7. Proposed N Ankeny Blvd Water Main Project
Council Member Perry moved, Ruddy seconded, to adopt **RESOLUTION 2022-198** 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.) Ayes: Perry, Ruddy, Bentz, Walter-Ashby.
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
Council Member Ruddy moved, Perry seconded, to adopt **RESOLUTION 2022-199** 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.) Ayes: Ruddy, Perry, Bentz, Walter-Ashby.
9. \$33,685,000 General Obligation Bonds, Series 2022A
Council Member Walter-Ashby moved, Perry seconded, to adopt **RESOLUTION 2022-200** directing the advertisement for sale of \$33,685,000 General Obligation Bonds, Series 2022A and approving electronic bidding procedures and Official Statement. Ayes: Walter-Ashby, Perry, Bentz, Ruddy.

ADJOURNMENT

1. Meeting was adjourned at 6:10 PM.

Diane Klemme, Deputy City Clerk

Mark E. Holm, Mayor

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