



ANKENY CITY COUNCIL

Regular Meeting

Monday, April 3, 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

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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 3, 2023 Agenda

Action# B1-1. Consider motion to approve and accept the April 3, 2023 agenda, with/without amendment.

C. PUBLIC HEARING(S):

1. PH 2023-28 Proposed Amendment No. 13 to the 1989 Ankeny Economic Development Urban Renewal Plan.

Action# C1-1. Consider motion to close Public Hearing 2023-28.

2. PH 2023-29 Proposed 2023 Asphalt Street Resurfacing Program - SW Ordinance Road

Action# C2-1. Consider motion to close Public Hearing 2023-29.

3. PH 2023-30 Proposed Adoption of Budget and Certification of City Taxes for Fiscal Year July 1, 2023 - June 30, 2024

Action# C3-1. Consider motion to close Public Hearing 2023-30.

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 March 20, 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 7, 2023.
- CA - 3** Receive and file minutes of the Zoning Board of Adjustment meeting of February 21, 2023.
- CA - 4** Receive and file minutes of the Library Board of Trustee meeting of February 16, 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 approve Amendment No. 2 to the Professional Services Agreement increasing the contract amount by \$36,900.00 with Snyder & Associates, Inc. for construction engineering services on the N Ankeny Boulevard Landscape Improvements, specifically at the N Ankeny Boulevard & 18th Street intersection.

- CA - 7** Consider motion to approve Payment #1 in the amount of \$1,403.00 to Bolton & Menk, Inc., for engineering services on the NW Prairie Ridge Dr/Ash Drive/9th Street Concept Study project.
- CA - 8** Consider motion to approve Payment #33 in the amount of \$4,225.03 to Civil Design Advantage for engineering services on the NW 18th Street Extension - NW Weigel Drive to NW Spruce Drive project.
- CA - 9** Consider motion to approve Payment #1 in the amount of \$14,652.14 to Civil Design Advantage for engineering services on the NW 36th Street and NW Weigel Drive HMA Resurfacing project.
- CA - 10** Consider motion to approve Payment #33 in the amount of \$13,790.00 to Foth Infrastructure and Environment, LLC for engineering services on the West First Street Widening and Improvements - Phase 1 project.
- CA - 11** Consider motion to approve Payment #23 in the amount of \$23,303.05 to FOX Strand, for engineering services on the Ankeny ASR project.
- CA - 12** Consider motion to approve Payment #5 in the amount of \$1,815.00 to ISG (I&S Group) for design and construction work on the High Trestle Trail Park Phase 1 project.
- CA - 13** Consider motion to approve Payment #20 in the amount of \$16,465.00 to JEO Consulting Group, Inc. for engineering services on the SE 3rd Street Utility Improvements Phase 1 project.
- CA - 14** Consider motion to approve Payment #9 in the amount of \$1,193.75 to JEO Consulting Group, Inc., for engineering services on the SE 3rd Street Improvements - Phase 2 project.
- CA - 15** Consider motion to approve Payment #29 in the amount of \$750.10 to Shive Hattery for construction administration services associated with the Ankeny Senior Community Center project.
- CA - 16** Consider motion to approve Payment #25 in the amount of \$22,707.12 to Snyder & Associates, Inc., for engineering services on the HTT Transmission Main and Drainage Improvements project.
- CA - 17** Consider motion to approve Payment #26 in the amount of \$3,409.75 to Snyder & Associates, Inc., for engineering services on the N Ankeny Blvd Landscape Improvements project.
- CA - 18** Consider motion to approve Payment #20 in the amount of \$16,026.72 to Snyder & Associates, Inc., for engineering services on the NE Delaware Ave Recon - NE 5th St to NE 18th St project.
- CA - 19** Consider motion to approve Payment #22 and final payment in the amount of \$2,179.65 to Snyder & Associates, Inc., for engineering services on the NW 36th St and NW State St Interim Improvements project.
- CA - 20** Consider motion to approve Payment #28 in the amount of \$6,494.93 to Snyder & Associates, Inc., for engineering services on the NW 36th St Widening - NW Ash Dr to N Ankeny Blvd project.
- CA - 21** Consider motion to approve Payment #11 in the amount of \$2,391.55 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements - Phase 2 project.
- CA - 22** Consider motion to approve Payment #12 in the amount of \$2,455.00 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility

Improvements - Phase 2 project.

- CA - 23** Consider motion to approve Payment #39 in the amount of \$2,967.92 to Snyder & Associates, Inc., for engineering services on the SE Crosswinds Drive - RISE project.
- CA - 24** Consider motion to approve Payment #2 in the amount of \$6,938.80 to Snyder & Associates, for engineering services on the SE Delaware Ave and SE 54th St Traffic Signal project.
- CA - 25** Consider motion to approve Payment #3 in the amount of \$15,039.75 to Snyder & Associates, for engineering services on the SE Oralabor Rd & SE Creekview Dr Traffic Signal Replacement project.
- CA - 26** Consider motion to approve the April 3, 2023 Accounts Payable. (Finance Committee: J. Perry, Chp, J. Ruddy, T. Shafer)
- CA - 27** Consider motion to adopt **RESOLUTION** approving Senior Bond Issuance Certificate of Des Moines Metropolitan Wastewater Reclamation Authority Participating Community.
- CA - 28** Consider motion to adopt **RESOLUTION** adopting a schedule of fees and charges for certain permit activities as authorized by the City of Ankeny, Iowa Municipal Code.
- CA - 29** Consider motion to adopt **RESOLUTION** adopting a schedule of fees for certain development activities as authorized by the City of Ankeny, Iowa, Municipal Code.
- CA - 30** Consider motion to adopt **RESOLUTION** establishing charges for curbside recycling services for the City of Ankeny, Iowa, effective July 1, 2023.
- CA - 31** Consider motion to adopt **RESOLUTION** adopting a schedule of fees for certain Police Department services.

- **Personnel Items**

- CA - 32** Consider motion to approve the new classification position descriptions recommended in the FY 2024 budget for the following positions: Police Sergeant - Traffic Unit, Utilities Supervisor - Water and Utilities Supervisor - Wastewater.
- CA - 33** Consider motion to adopt **RESOLUTION** amending the City of Ankeny Employee Handbook.
- CA - 34** Consider motion to adopt **RESOLUTION** relating to the revision of the Financial Policy of the Standard Administrative Policy and Procedures Manual of the City of Ankeny, Iowa.

- **Community Development Items**

- CA - 35** Consider motion to adopt **RESOLUTION** accepting final plat, warranty deed to streets, subdivision bonds for seeding and erosion control, performance and maintenance bonds for public improvements, and platted easements for Aspen Ridge Commercial Plat 2.
- CA - 36** Consider motion to adopt **RESOLUTION** approving plans and specifications, contracts, and performance and maintenance bonds for the construction of water main, sanitary sewer, and storm sewer in Aspen Ridge Commercial Plat 2.
- CA - 37** Consider motion to adopt **RESOLUTION** approving plans and specifications, contracts, and performance and maintenance bonds for the construction of subgrade in Aspen Ridge Commercial Plat 2.
- CA - 38** Consider motion to adopt **RESOLUTION** approving plans and specifications,

contracts, and performance and maintenance bonds for the construction of street paving in Aspen Ridge Commercial Plat 2.

- CA - 39** Consider motion to adopt **RESOLUTION** accepting a Public Water Main Easement associated with the development of Lots 2, 3, and 4, Park Sight Office Park at Prairie Trail Plat 4.
- CA - 40** Consider motion to adopt **RESOLUTION** providing for the notice and hearing of the City Council of the City of Ankeny, Iowa, to consider amending provisions of the Zoning Ordinance, Chapter 193, of the Municipal Code of the City of Ankeny, Iowa, regarding Flood Plain Regulations. (date of hrg: 4/17/2023 @ 5:30 p.m.)
- CA - 41** Consider a motion to receive and file correspondence from Michael and Donna Westbrook, requesting to vacate a portion of City owned roadway easement located north of the home at 2943 SW 3rd Street, south of W 1st Street and east of SW Irvinedale Drive and refer to the Plan & Zoning Commission for its study and recommendation.

- **Engineering Items**

- CA - 42** Consider motion to adopt a **RESOLUTION** approving plans and specifications and accepting the contract, performance and maintenance bonds for the construction of utilities for the NE Four Mile Drive Creek Crossing project.
- CA - 43** Consider motion to adopt a **RESOLUTION** approving plans and specifications and accepting the contract, performance and maintenance bonds for the construction of subgrade for the NE Four Mile Drive Creek Crossing project.
- CA - 44** Consider motion to adopt a **RESOLUTION** approving plans and specifications and accepting contract, performance and maintenance bonds for the construction of paving and associated road improvements for the NE Four Mile Drive Creek Crossing project and Phase 1 of the The Crossings at Deer Creek Plat 15 project.
- CA - 45** Consider motion to adopt **RESOLUTION** approving and authorizing a Letter of Agreement (LOA) with the Des Moines Area Regional Transit Authority (DART) for the installation of a public transit bus shelter (Shelter) located on City of Ankeny (City) property near 704 West First Street.

- **Capital Improvement Projects**

- CA - 46** **2022 CIPP Lining Project**: Consider motion to approve: a) Certificate of Completion; b) **RESOLUTION** accepting the public improvements with Hydro-Klean of \$685,368.80; c) Approval of change order #1 in the amount of \$1236.40; d) Final Payment #5 in the amount of \$31,661.55 / Release of Retainage in the amount of \$34,268.44.

- **Administrative Items**

- CA - 47** Consider motion to adopt **RESOLUTION** approving construction contract and bond with J&K Contracting, in the amount of \$2,000,000.00 for the North Four Mile Creek Trunk Sewer project.

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-47.

Action# E1-1. Consider motion to approve the recommendations for Consent Agenda Items CA-1 through CA-47.

F. SUPPLEMENTAL AND REMOVED CONSENT AGENDA ITEMS: none

G. RECESS - Mark Holm, Mayor

H. LEGISLATIVE BUSINESS:

• **Approval of Ordinances:**

1. Ord 2136 An Ordinance vacating a water main easement on Lots 1-4 of Park Sight Office Park at Prairie Trail Plat 4.

Action# H1-1. Consider motion to accept third consideration of ORDINANCE 2136, sending it on its final passage and publication as required by law.

Action# H1-2. Consider motion to adopt RESOLUTION authorizing the sale of real estate vacated by the City of Ankeny to Veridian Credit Union and DRA Properties, LC.

2. Ord 2137 An Ordinance amending Chapter 15 of the code of ordinances of the City of Ankeny, Iowa, by amending provisions pertaining to mayor appointments.

Action# H2-1. Consider motion to accept third consideration of ORDINANCE 2137, sending it on its final passage and publication as required by law.

3. Ord 2138 An Ordinance amending Chapter 31 of the code of ordinances of the City of Ankeny, Iowa, by amending provisions pertaining to human rights commission appointed.

Action# H3-1. Consider motion to accept third consideration of ORDINANCE 2138, sending it on its final passage and publication as required by law.

4. Ord 2140 An Ordinance amending the Code of Ordinances of the City of Ankeny, Iowa, by amending provisions pertaining to stormwater management fees.

Action# H4-1. Consider motion to accept third consideration of ORDINANCE 2140, sending it on its final passage and publication as required by law.

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Proposed Amendment No. 13 to the 1989 Ankeny Economic Development Urban Renewal Plan. (PH 2023-28)

Action# J1-1. Consider motion to receive and file the report from the consultation meeting held on March 15, 2023.

Action# J1-2. Consider motion to adopt RESOLUTION determining an area of the City to be a blighted and economic development area, and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the City; designating such area as appropriate for urban renewal projects; and adopting Amendment No. 13 to the 1989 Ankeny Economic Development Urban Renewal Plan.

2. Proposed 2023 Asphalt Street Resurfacing Program - SW Ordinance Road (PH 2023-29)

Action# J2-1. Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$331,094.00; 2) receive and file report of bids received

March 28, 2023; 3) adopt RESOLUTION making award of construction contract with OMG Midwest dba Des Moines Asphalt & Paving in the amount of \$287,826.95; and 4) adopt RESOLUTION approving contract and bonds with OMG Midwest dba Des Moines Asphalt & Paving in the amount of \$287,826.95.

3. Proposed Fiber Optic Network Upgrade
Professional Services Agreement with Olsson, Inc.

Action# J3-1. Consider a motion to approve the Professional Services Agreement with Olsson, Inc. for the design engineering and survey services for the Fiber Optic Network Upgrade in an amount not to exceed \$423,644.46 and authorize the Mayor to execute said agreement.

4. Proposed Adoption of Budget and Certification of City Taxes for Fiscal Year July 1, 2023 - June 30, 2024 (PH 2023-30)

Action# J4-1. Consider motion to adopt RESOLUTION adopting the proposed budget for Fiscal Year July 1, 2023 - June 30, 2024.

5. Personnel Changes

Action# J5-1. Consider motion to adopt RESOLUTION authorizing personnel changes approved in the Fiscal Year 2023 Budget Amendment and Fiscal Year 2024 Budget.

6. FY 2024 Hotel/Motel Tax Distribution

Action# J6-1. Consider motion to adopt RESOLUTION establishing the hotel/motel tax distribution for Fiscal Year 2024.

7. FY 2024 Fund Transfers

Action# J7-1. Consider motion to adopt RESOLUTION approving Fiscal Year 2024 fund transfers.

8. \$5,783,000 Water Revenue Capital Loan Notes, Series 2023A

Action# J8-1. Consider motion to adopt RESOLUTION approving and authorizing a form of Loan and Disbursement Agreement by and between the City of Ankeny and the Iowa Finance Authority, and authorizing and providing for the issuance and securing the payment of \$5,783,000 Water Revenue Capital Loan Notes, Series 2023A, of the City of Ankeny, State of Iowa, under the provisions of the Code of Iowa, and providing for a method of payment of the Notes; Approval of Tax Exemption Certificate.

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 - Amending Zoning Ordinance - Chapter 193 - Flood Plain Regulations - 4/17/23 @ 5:30 p.m.***
- ***Regular Council Meeting - 5/1/23 @ 5:30 p.m.***
- ***Regular Council Meeting - 5/15/23 @ 5:30 p.m.***

L. ADJOURNMENT

1. Adjournment

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