



ANKENY CITY COUNCIL

Regular Meeting

Monday, March 21, 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: Mandy Hanson, Records Clerk

PLEDGE OF ALLEGIANCE: Mark Holm, Mayor

CEREMONY:

1. Mayor's Proclamation - Iowa Honey Bee Day

A. PUBLIC FORUM: none

B. APPROVAL OF AGENDA:

1. Approval of the March 21, 2022 Agenda:

Action# B1-1. Consider motion to approve and accept the March 21, 2022 agenda, with/without amendment.

C. PUBLIC HEARING(S):

1. PH 2022-28 Proposed 2022 CIPP Lining Project

Action# C1-1. Consider motion to close Public Hearing 2022-28.

2. PH 2022-29 Proposed 2022 PCC Street Patching Program

Action# C2-1. Consider motion to close Public Hearing 2022-29.

3. PH 2022-30 Proposed 2022 PCC Reconstruction Program - NW 5th Street

Action# C3-1. Consider motion to close Public Hearing 2022-30.

4. PH 2022-31: Proposed NE 36th Street Reconstruction Project: Interstate 35 to NE Four Mile Drive - Special Assessment Project
Public Hearing on Resolution of Necessity

Action# C4-1. Consider motion to close Public Hearing 2022-31.

5. PH 2022-32 Proposed Amendment of Current Budget for Fiscal Year Ending June 30, 2022

Action# C5-1. Consider motion to close Public Hearing 2022-32.

6. PH 2022-33 Proposed Adoption of Budget and Certification of Taxes for Fiscal Year July 1, 2022 - June 30, 2023

Action# C6-1. Consider motion to close Public Hearing 2022-33.

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 7, 2022, as published, subject to correction, as recommended by the City Clerk.

CA - 2 Approval of official council actions of the special meeting of March 8, 2022, as published, subject to correction, as recommended by the City Clerk.

CA - 3 Receive and file minutes of the Plan and Zoning Commission meeting of February 22, 2022.

- **Licenses and Permits**

- CA - 4** Consider motion to approve the solid waste permits for April 1, 2022– March 31, 2023.
- CA - 5** Consider motion to approve the issuance of liquor license(s) and/or beer / wine permit(s) in the City of Ankeny.

- **Finance/Budget**

- CA - 6** Consider motion to receive and file Financial Reports for February 2022.
- CA - 7** Consider motion to receive and file Utility Billing Report for February 2022.
- CA - 8** Consider motion to receive and file Building Permit Report for February 2022.
- CA - 9** Consider motion to approve Change Order #2 decreasing the contract amount by \$15,000 to Con-Struct, Inc., for construction services on the Wastewater Plant Partial Demolition (2021) project.
- CA - 10** Consider motion to approve Amendment No. 2 to the Professional Services Agreement increasing the contract amount by \$95,200.00 with JEO Consulting Group, Inc. for engineering services on the SE Delaware Avenue HMA Widening project.
- CA - 11** Consider motion to approve Change Order #1 increasing the contract amount by \$1,250.00 to Rognes Corporation, for construction services on the Otter Creek Sanitary Sewer Improvements - Phase 3 project.
- CA - 12** Consider motion to approve Amendment No. 1 to the Professional Services Agreement increasing the contract amount by \$19,900.00 with Snyder & Associates for engineering construction services for the N Ankeny Boulevard Fiber Optic Upgrade, a 2022 stand-alone phase of the N Ankeny Boulevard Landscape Improvements project.
- CA - 13** Consider motion to approve Amendment No. 2 to the Professional Services Agreement increasing the contract amount by \$64,100 with Snyder & Associates for construction engineering services for the NW 36th Street & NW State Street Interim Improvements.
- CA - 14** Consider motion to approve Payment #3 in the amount of \$200,981.52 to Con-Struct, Inc., for construction services on the Wastewater Plant Partial Demolition project.
- CA - 15** Consider motion to approve Payment #7 in the amount of \$61,186.51 to Cramer & Associates, Inc., for construction services on the High Trestle Trail Ext Magazine Rd to Oralabor Rd project.
- CA - 16** Consider motion to approve Payment #22 in the amount of \$45,333.98 to Foth Infrastructure and Environment, LLC for engineering services on the West First Street Widening and Improvements - Phase 1 project.
- CA - 17** Consider motion to approve Payment #11 in the amount of \$27,490.50 to FOX Engineering Associates, Inc., for engineering services on the Ankeny ASR project.
- CA - 18** Consider motion to approve Payment #8 in the amount of \$2,690.00 to JEO Consulting Group, Inc., for engineering services on the SE Delaware Avenue HMA Widening project.
- CA - 19** Consider motion to approve Payment #1 in the amount of \$440,970.53 to Rognes Corporation, for construction services on the Otter Creek Sanitary Sewer Improvements - Phase 3 project.

- CA - 20** Consider motion to approve the March 21, 2022 Accounts Payable. (Finance Committee: B. Bentz, Chp, J. Perry, J. Ruddy)
- CA - 21** 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 - 22** Consider motion to adopt **RESOLUTION** establishing charges for curbside recycling services for the City of Ankeny, Iowa, effective July 1, 2022.
- CA - 23** Consider motion to adopt **RESOLUTION** accepting a proposal from Cunningham Recreation in the amount of \$80,000 for the purchase and installation of a playground for Bellagio Park.
- CA - 24** Consider motion to adopt **RESOLUTION** establishing charges for certain Fire Department Services for the City of Ankeny, Iowa, effective July 1, 2022.
- CA - 25** Consider motion to adopt **RESOLUTION** establishing charges for Emergency Medical Services for the City of Ankeny, Iowa, effective July 1, 2022.
- CA - 26** Consider motion to adopt **RESOLUTION** establishing charges for water meters for the City of Ankeny, Iowa, effective July 1, 2022.

- **Personnel Items**

- CA - 27** Consider motion to approve the new job classification position descriptions recommended in the FY2023 budget for the following positions: Airport Manager, Budget Analyst, Circulation Manager, Criminal Intelligence Analyst, Digital Marketing Specialist, Permits Technician, Recreation Coordinator, and Sports Complex Groundskeeper II.
- CA - 28** Consider motion to adopt **RESOLUTION** amending the City of Ankeny Employee Handbook.
- CA - 29** Consider motion to adopt **RESOLUTION** revising the financial policy - Travel and Training of the standard administrative policy and procedures manual of the City of Ankeny, Iowa.

- **Community Development Items**

- CA - 30** Consider motion to adopt **RESOLUTION** accepting the final plat, subdivision bonds for seeding and erosion control, and platted easements for Ankeny Endeavor Plat 1.
- CA - 31** Consider motion to adopt **RESOLUTION** accepting a Storm Water Management Facility Maintenance Covenant and Permanent Easement Agreement, located on a part of Lot 1, On With Life Plat 1; and associated with the development of 715 SW Ankeny Road On With Life Campus Outpatient Site Plan.
- CA - 32** Consider motion to adopt **RESOLUTION** providing for the notice and hearing of the City Council of the City of Ankeny regarding the voluntary urbanized annexation of property requested by Hope Kimberley, LLC. (date of hrg: 4/18/22 @ 5:30 p.m.)
- CA - 33** Consider motion to approve the Canyon Landing Preliminary Plat Amendment.

- **Engineering Items**

- CA - 34** Consider motion to adopt **RESOLUTION** accepting public improvements in Landing at Deer Creek Crossing, for utilities.
- CA - 35** Consider motion to adopt **RESOLUTION** accepting public improvements in Courtyards at Harvest Ridge Plat 1 for utilities.

CA - 36 Consider motion to adopt **RESOLUTION** accepting public improvements in Courtyards at Harvest Ridge Plat 2 and Courtyards at Harvest Ridge Plat 3 for utilities.

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

CA - 37 Consider a motion to approve an Engagement Letter between the City of Ankeny and Baker Tilly US, LLP for strategic planning advisory services.

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-37.

Action# E1-1. Consider motion to approve the recommendations for Consent Agenda Items CA-1 through CA-37.

F. SUPPLEMENTAL AND REMOVED CONSENT AGENDA ITEMS: none

G. RECESS - Mark Holm, Mayor

H. LEGISLATIVE BUSINESS:

- **Boards/Commissions Appointments:**

1. Consider Mayor Appointments to Boards and Commissions as follows:

Civil Service Commission

- Ray Blase - Reappointment - term begins 4/01/2022; term expires 3/31/2026

Action# H1-1. Consider motion approving Mayors appointments to expiring Board and Commission Members as presented.

- **Approval of Ordinances:**

1. Ord 2097 An Ordinance vacating a portion of public land, Lot 2, The District at Prairie Trail Plat 8, located west of the intersection of SW Park Square Drive and SW Merchant Street.

Action# H1-1. Consider motion to accept third consideration of ORDINANCE 2097, 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 DRA Properties, LC.

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

Action# H2-1. Consider motion to accept second consideration of ORDINANCE 2098.

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

Action# H3-1. Consider motion to accept second consideration of ORDINANCE 2099.

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

Action# H4-1. Consider motion to accept second consideration of ORDINANCE 2100.

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

Action# H5-1. Consider motion to accept second consideration of ORDINANCE 2101.

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

Action# H6-1. Consider motion to accept second consideration of ORDINANCE 2102.

7. Ord 2103 An Ordinance amending the Code of Ordinances of the City of Ankeny, Iowa, by amending provisions pertaining to water rates.

Action# H7-1. Consider motion to accept second consideration of ORDINANCE 2103.

Action# H7-2. Consider motion to accept request to suspend the rule that all ordinances must be considered on three different days and accept third consideration of ORDINANCE 2103, sending it on its final passage and publication as required by law.

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

Action# H8-1. Consider motion to accept second consideration of ORDINANCE 2104.

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

Action# H9-1. Consider motion to accept second consideration of ORDINANCE 2105.

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

Action# H10-1. Consider motion to accept first consideration of ORDINANCE 2106.

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

Action# H11-1. Consider motion to accept first consideration of ORDINANCE 2107.

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Proposed 2022 CIPP Lining Project (PH 2022-28)

Action# J1-1. Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$635,998.00; 2) receive and file report of bids received March 15, 2022; 3) adopt RESOLUTION making award of construction contract with

Hydro-Klean, LLC in the amount of \$684,132.40; and 4) adopt RESOLUTION approving contract and bonds with Hydro-Klean, LLC in the amount of \$684,132.40.

2. Proposed 2022 PCC Street Patching Program (PH 2022-29)

Action# J2-1. Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$798,210.00; 2) receive and file report of bids received March 15, 2022; 3) adopt RESOLUTION making award of construction contract with Iowa Civil Contracting, Inc. in the amount of \$990,232.52; and 4) adopt RESOLUTION approving contract and bonds with Iowa Civil Contracting, Inc. in the amount of \$990,232.52.

3. Proposed 2022 PCC Reconstruction Program - NW 5th Street (PH 2022-30)

Action# J3-1. Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$660,997.50; 2) receive and file report of bids received March 15, 2022; 3) adopt RESOLUTION making award of construction contract with Absolute Concrete in the amount of \$669,421.50; and 4) adopt RESOLUTION approving contract and bonds with Absolute Concrete in the amount of \$669,421.50.

4. NE 36th Street Reconstruction Project: Interstate 35 to NE Four Mile Drive (PH 2022-31)
Special Assessment Project

Action# J4-1. Consider motion to adopt RESOLUTION with respect to the adoption of the Resolution of Necessity proposed for the NE 36th Street Reconstruction Project: Interstate 35 to NE Four Mile Drive.

Action# J4-2. Consider motion to adopt RESOLUTION directing preparation of detailed plans, specifications, form of contract and notice to bidders for the NE 36th Street Reconstruction Project: Interstate 35 to NE Four Mile Drive.

5. Proposed NE 36th Street Reconstruction Project: Interstate 35 to NE Four Mile Drive
Initiate Proceedings

Action# J5-1. Consider motion to adopt RESOLUTION ordering bids, approving plans, specifications and form of contract and notice to bidders, fixing amount of bid security, and ordering clerk to post notice and fixing a date for receiving same, and for a public hearing on plans, specifications, form of contract, estimate of costs and enhancement of payment for the NE 36th Street Reconstruction Project: Interstate 35 to NE Four Mile Drive. (date of bid-letting: 4/12/2022 @ 10:30 A.M. / date of hrg: 4/18/2022 @ 5:30 P.M.)

6. Proposed 2022 Asphalt Street Resurfacing Program - SW Ordinance Road
Initiate Proceedings

Action# J6-1. Consider motion to adopt RESOLUTION ordering construction on the 2022 Asphalt Street Resurfacing Program - SW Ordinance Road project and fixing a date for hearing thereon and taking of bids therefor. (date of bid letting: 4/12/22 @ 10:30 AM / date of hrg: 4/18/22 @ 5:30 PM)

7. Proposed NE Crestmoor Sanitary Sewer Replacement
Professional Services Agreement with Nilles Associates, Inc. (Nilles)

Action# J7-1. Consider a motion to approve the Professional Services Agreement with

Nilles, for the design engineering and bidding phase services on the NE Crestmoor Sanitary Sewer Replacement Project in an amount not to exceed \$37,700.00 and the Mayor to execute said agreement.

8. Proposed Adoption of Budget and Certification of Taxes for Fiscal Year July 1, 2022 - June 30, 2023 (PH 2022-33)

Action# J8-1. Consider motion to adopt RESOLUTION adopting the proposed budget for Fiscal Year July 1, 2022 - June 30 2023.

9. FY 2023 Fund Transfers

Action# J9-1. Consider motion to adopt RESOLUTION approving Fiscal Year 2023 fund transfers.

10. FY 2023 Hotel/Motel Tax Distribution

Action# J10-1. Consider motion to adopt RESOLUTION establishing the hotel/motel tax distribution for Fiscal Year 2023.

11. Personnel Changes

Action# J11-1. Consider motion to adopt RESOLUTION authorizing personnel changes approved in the Fiscal Year 2022 Budget Amendment and Fiscal Year 2023 Budget.

12. Proposed Amendment of Current City Budget for Fiscal Year July 1, 2021 - June 30, 2022
Set Public Hearing Date

Action# J12-1. Consider motion to set a public hearing on an Amendment of Current City Budget for Fiscal Year July 1, 2021 - June 30, 2022 and direct City Clerk to publish notice of such hearing (date of hrg: 4/04/22 @ 5:30 p.m.).

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 - Amendment of Current Budget for FY22 - 4/4/22 @ 5:30 p.m.***

- *Public Hearing - SRF Loan Application - 4/4/22 @ 5:30 p.m.*
- *Public Hearing - 2022 SW Des Moines Street Parks - Phase 1 - 4/4/22 @ 5:30 p.m.*
- *Regular Council Meeting - 4/18/22 @ 5:30 p.m.*
- *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 Kimberly Voluntary Annexation - 4/18/22@ 5:30 p.m.*

L. ADJOURNMENT

1. Adjournment