



ANKENY CITY COUNCIL

Regular Meeting

Monday, March 20, 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:

1. Special Presentation: Sister Cities update -Eric Baker

B. APPROVAL OF AGENDA:

1. Approval of the March 20, 2023 Agenda

Action# B1-1. Consider motion to approve and accept the March 20, 2023 agenda, with/without amendment.

C. PUBLIC HEARING(S):

1. PH 2023-25 Proposed North Four Mile Creek Trunk Sewer Project

Action# C1-1. Consider motion to close Public Hearing 2023-25.

2. PH 2023-26 Proposed N Ankeny Boulevard & 18th Street Intersection Improvements

Action# C2-1. Consider motion to close Public Hearing 2023-26.

3. PH 2023-27 Proposed Amendment of Current Budget for Fiscal Year Ending June 30, 2023

Action# C3-1. Consider motion to close Public Hearing 2023-27.

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 6, 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 February 21, 2023.

CA - 3 Receive and file minutes of the Civil Service Commission meeting of February 13, 2023.

• **Licenses and Permits**

CA - 4 Consider motion to approve the solid waste permits for April 1, 2023– March 31, 2024.

CA - 5 Consider motion to approve the issuance of liquor licenses and/or beer / wine permits in the City of Ankeny.

• **Finance/Budget**

CA - 6 Consider motion to receive and file Financial Reports for February 2023.

CA - 7 Consider motion to receive and file Building Permit Report for February 2023.

CA - 8 Consider motion to receive and file Utility Billing Report for February 2023.

CA - 9 Consider motion to approve Change Order #4 increasing the contract amount by

\$1,500.00 to McAninch Corporation for construction services on the Irvinedale Drive Transmission Main - Phase 3 project.

- CA - 10** Consider motion to approve Amendment No. 1 to the Professional Services Agreement increasing the contract amount by \$47,200.00 with MSA Professional Services (MSA) for design engineering and bid phase services for Uptown Parking Improvements.
- CA - 11** Consider motion to approve Amendment No. 1 to the Professional Services Agreement increasing the contract amount by \$84,555.00 with RDG Planning and Design for final design and bidding phase services on the Fourmile Creek and Tributary to Fourmile Creek Restoration project.
- CA - 12** Consider motion to approve Amendment No. 1 to the Professional Services Agreement increasing the contract amount by \$222,600.00 with Short Elliot Hendrickson (SEH) Inc., for construction services on the S. Ankeny Blvd. Transmission Main Project.
- CA - 13** Consider motion to approve Payment #11 in the amount of \$14,595.26 to Foth Infrastructure and Environment, LLC for engineering services on the North Four Mile Creek Trunk Sewer project.
- CA - 14** Consider motion to approve Payment #9 in the amount of \$16,170.00 to HDR Engineering, Inc., for engineering services on the NW Irvinedale Elevated Storage Tank project.
- CA - 15** Consider motion to approve Payment #16 in the amount of \$26,469.25 to HR Green, Inc., for construction administration and construction inspection services on the NE 36th Street Reconstruction Project - I-35 to NE Four Mile Drive.
- CA - 16** Consider motion to approve Payment #7 in the amount of \$1,687.50 to HR Green, Inc., for engineering services on the SW State Street Fiber Optic Relocation project.
- CA - 17** Consider motion to approve Payment #9 in the amount of \$6,744.00 to McAninch Corporation, for construction services on the Irvinedale Drive Water Main Improvements - Phase 3 project.
- CA - 18** Consider motion to approve Payment #11 in the amount of \$55,396.27 to McClure Engineering Company, for engineering services on the NW 18th Street Reconstruction - NW Ash Dr. to N Ankeny Blvd. (Design) project.
- CA - 19** Consider motion to approve Payment #2 in the amount of \$6,550.00 to MSA Professional Services, Inc., for engineering services on the Uptown Parking Improvements project.
- CA - 20** Consider motion to approve Payment #3 in the amount of \$1,112.50 to Nilles Associates, Inc., for engineering services on the SW DSM Street Park - Phase 1 project.
- CA - 21** Consider motion to approve Payment #19 in the amount of \$107,890.47 to Reilly Construction Company Inc., for construction services on the West First Street Widening and Improvements - Phase 1 project.
- CA - 22** Consider motion to approve Payment #8 in the amount of \$4,447.44 to Short Elliott Hendrickson Inc., for engineering services on the S Ankeny Blvd Transmission Main project.
- CA - 23** Consider motion to approve Payment #4 in the amount of \$204,678.96 to Synergy Contracting, LLC, for construction services on the HTT Water Transmission Main & Drainage Improvements project.
- CA - 24** Consider motion to approve Payment #6 in the amount of \$187,059.96 to WRH,

Inc., for construction services on the Well No. 7/ASR No. 3 - Bid Package 2 - Well Pump and Control Building project.

CA - 25 Consider motion to approve the March 20, 2023 Accounts Payable. (Finance Committee: B. Bentz, Chp, J. Perry, J. Ruddy)

CA - 26 Consider motion to approve the HVAC services contract with Excel Mechanical Company Inc., of Des Moines, Iowa, and authorize the Mayor to sign Letter of Agreement.

- **Personnel Items**

CA - 27 Consider motion to adopt **RESOLUTION** authorizing the fiscal year 2023 and 2024 pay scales for seasonal employees.

CA - 28 Consider motion to accept the Civil Service Commission certified lists for appointment to: Civil Engineer I, Police Officer, Utilities Operator and Fire Deputy Chief; subject to passing any further departmental requirements.

- **Community Development Items**

CA - 29 Consider motion to adopt **RESOLUTION** accepting the final plat for Treasure Acres Plat 1, subject to applicable Polk County Subdivision Requirements in lieu of City of Ankeny Subdivision Requirements.

CA - 30 Consider motion to adopt **RESOLUTION** receiving and filing application for annexation, and providing for the giving of notice for annexation, of certain territory located adjacent to the southeast quadrant of the City of Ankeny.

CA - 31 Consider motion to adopt **RESOLUTION** providing for the notice and hearing of the City Council of the City of Ankeny, Iowa on a 28E Agreement approving an Annexation Boundary Agreement with the City of Alleman, Iowa. (date of hrg: 5/1/23 @ 5:30 p.m.)

- **Engineering Items**

CA - 32 Consider motion to adopt **RESOLUTION** accepting a proposal from HMG Land Management in the amount of \$29,942.50 for the construction of the 2023 Native Vegetation Maintenance project.

- **Capital Improvement Projects - none**

- **Administrative Items**

CA - 33 Consider a motion to adopt **RESOLUTION** authorizing and directing the City Manager and legal counsel to execute required documents for the City of Ankeny to opt in to a nationwide opioid litigation settlement.

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-33.

Action# E1-1. Consider motion to approve the recommendations for Consent Agenda Items CA-1 through CA-33.

F. **SUPPLEMENTAL AND REMOVED CONSENT AGENDA ITEMS: none**

G. **RECESS - Mark Holm, Mayor**

H. **LEGISLATIVE BUSINESS:**

- **Approval of Ordinances:**

1. Ord 2132 An Ordinance amending the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, by rezoning certain real estate owned by NGR Inc.

Action# H1-1. Consider motion to accept third consideration of ORDINANCE 2132, sending it on its final passage and publication as required by law.

2. Ord 2133 An Ordinance amending the code of ordinances of the City of Ankeny, Iowa, by amending provisions pertaining to general traffic regulations.

Action# H2-1. Consider motion to accept third consideration of ORDINANCE 2133, sending it on its final passage and publication as required by law.

3. Ord 2134 An Ordinance amending the code of ordinances of the City of Ankeny, Iowa, by amending provisions pertaining to Chapter 76 Bicycle Regulations.

Action# H3-1. Consider motion to accept third consideration of ORDINANCE 2134, sending it on its final passage and publication as required by law.

4. Ord 2135 An ordinance amending the code of ordinances of the City of Ankeny, Iowa, by amending provisions pertaining to multi-use recreational trails.

Action# H4-1. Consider motion to accept third consideration of ORDINANCE 2135, sending it on its final passage and publication as required by law.

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

Action# H5-1. Consider motion to accept second consideration of ORDINANCE 2136.

6. 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# H6-1. Consider motion to accept second consideration of ORDINANCE 2137.

7. 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# H7-1. Consider motion to accept second consideration of ORDINANCE 2138.

8. Ord 2139 An Ordinance amending the Code of Ordinances of the City of Ankeny, Iowa, by amending provisions pertaining to water rates.

Action# H8-1. Consider motion to accept second consideration of ORDINANCE 2139.

Action# H8-2. 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 2139, sending it on its final passage and publication as required by law.

9. Ord 2140 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 2140.

I. **OLD BUSINESS: none**

J. **NEW BUSINESS:**

1. Proposed North Four Mile Creek Trunk Sewer (PH 2023-25)

Action# J1-1. Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$2,524,770.00; 2) receive and file report of bids received March 14, 2023; and 3) adopt RESOLUTION making award of construction contract with J&K Contracting in the amount of \$2,000,000.00.

2. Proposed North Ankeny Boulevard and 18th Street Intersection Improvements (PH 2023-26)

Action# J2-1. Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$443,792.50; 2) receive and file report of bids received March 14, 2023; 3) adopt RESOLUTION making award of construction contract with All Star Concrete, LLC in the amount of \$439,624.75; and 4) adopt RESOLUTION approving contract and bonds with All Star Concrete, LLC in the amount of \$439,624.75.

3. Proposed Issuance of \$15,200,000 General Obligation Bonds, Series 2023

Action# J3-1. Consider motion to adopt RESOLUTION authorizing the issuance of \$15,200,000 General Obligation Bonds, Series 2023, and levying a tax for the payment thereof.

4. Proposed Amendment of Current Budget for Fiscal Year Ending June 30, 2023 (PH 2023-27)

Action# J4-1. Consider motion to adopt RESOLUTION amending the current budget for fiscal year ending June 30, 2023.

5. Amended FY 2023 Fund Transfers

Action# J5-1. Consider motion to adopt RESOLUTION approving amendment to fiscal year 2023 fund transfers.

6. Proposed Adoption of Budget and Certification of City Taxes for Fiscal Year July 1, 2023 - June 30, 2024
Set Public Hearing Date

Action# J6-1.

Consider motion to set a public hearing on the Adoption of Budget and Certification of City Taxes for Fiscal Year July 1, 2023 - June 30, 2024 and direct City Clerk to publish notice of such hearing (date of hrg: 4/03/23 @ 5:30 p.m.).

7. Proposed NW Irvinedale Drive & NW 18th Street Intersection Improvements
Professional Services Agreement with HR Green, Inc.

Action# J7-1. Consider a motion to approve the Professional Services Agreement with HR Green, Inc. for the traffic engineering and survey services for the NW Irvinedale Drive & NW 18th Street Intersection Improvements in an amount not to exceed \$107,920.00 and authorize the Mayor to execute said agreement.

8. Proposed NE 36th Street and NE 38th Street Water Main Professional Services Agreement with Fox Strand

Action# J8-1. Consider a motion to approve the Professional Services Agreement with Fox Strand, for the design engineering and bidding phase services on the NE 36th Street and NE 38th Street Water Main Project in an amount not to exceed \$204,000.00 and the Mayor to execute said agreement.

9. Community Project Funding Program 2024
NW Irvinedale Elevated Storage Tank

Action# J9-1. Consider a motion to adopt RESOLUTION authorizing the City of Ankeny to submit an application for funding from the 2024 Community Project Funding Program – NW Irvinedale Elevated Storage Tank.

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 - 2023 Asphalt Street Resurfacing Program - SW Ordinance Road - 4/3/23 @ 5:30 p.m.***
- ***Public Hearing - Amendment No. 13 - 1989 AED URP - 4/3/23 @ 5:30 p.m.***
- ***Public Hearing - FY2024 Budget - 4/3/23 @ 5:30 p.m.***
- ***Regular Council Meeting - 4/17/23 @ 5:30 p.m.***
- ***Public Hearing - 28E Agreement - Annexation Boundary Agmt - City of Alleman - 5/1/23 @ 5:30 p.m.***

L. ADJOURNMENT

1. Adjournment