



ANKENY CITY COUNCIL

Regular Meeting

Monday, March 18, 2024

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

All City Council meetings are open to the public. Assistive Listening Devices (ALD) are available for persons with impaired hearing. To request information in an alternative format or request an accommodation to participate in a City Council meeting, contact the Office of the City Clerk at 965-6405.

Anyone seeking assistance in communicating with the City should contact Relay Iowa at 1-800-735-2942 (TDY), or 1-800-735-2943 (Voice).

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:

1. Presentation - Des Moines International Airport

A. PUBLIC FORUM: none

B. APPROVAL OF AGENDA:

1. Approval of the March 18, 2024 Agenda

Action# B1-1. Consider motion to approve and accept the March 18, 2024 agenda, with or without amendment.

C. PUBLIC HEARING(S):

1. PH 2024-18 Proposed SE Corporate Woods Drive & SE Crosswinds Drive Traffic Signal

Action# C1-1. Consider motion to close Public Hearing 2024-18.

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 4, 2024, 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 20, 2024.

CA - 3 Receive and file minutes of the Human Rights Commission meeting of December 14, 2023.

- **Licenses and Permits**

CA - 4 Consider motion to approve the issuance of liquor licenses and beer/wine permits in the City of Ankeny.

CA - 5 Consider motion to approve the issuance of a parade permit in the City of Ankeny for the 2024 SummerFest Grand Parade.

CA - 6 Consider motion to approve the solid waste permits for April 1, 2024 – March 31, 2025.

- **Finance/Budget**

CA - 7 Consider motion to receive and file Financial Reports for February 2024.

CA - 8 Consider motion to receive and file Building Permit Report for February 2024.

CA - 9 Consider motion to receive and file Utility Billing Report for February 2024.

CA - 10 Consider motion to approve Change Order #1 decreasing the contract amount by \$83,000 to CB&I Storage Tank Solution LLC, for construction services on the NW Irvinedale Drive - Elevated Water Storage Tank project.

CA - 11 Consider motion to approve Amendment No. 1 to the Professional Services Agreement increasing the contract amount by \$29,500.00 with Foth Infrastructure and Environment (Foth) for preliminary design engineering services for the NW State Street Extension - NW 36th Street to NW 54th Street and NW Irvinedale

Drive Intersection project.

- CA - 12** Consider motion to approve Amendment #1 to Professional Services Agreement increasing the contract amount by \$334,200.00 with Snyder & Associates, Inc. for final design engineering, property acquisition, and bidding services for the N Ankeny Boulevard Improvements - 1st Street to 11th Street project.
- CA - 13** Consider motion to approve Payment #6 in the amount of \$2,244.00 to Bolton & Menk, Inc., for engineering services on the SE Corporate Woods Drive & Crosswinds Drive Traffic Signalization project.
- CA - 14** Consider motion to approve Payment #1 in the amount of \$583,062.50 to CB&I Storage Tank Solutions LLC, for construction services on the NW Irvinedale Drive - Elevated Water Storage Tank project.
- CA - 15** Consider motion to approve Payment #11 in the amount of \$4,705.70 to Civil Design Advantage for engineering services on the NW 36th Street and NW Weigel Drive HMA Resurfacing project.
- CA - 16** Consider motion to approve Payment #5 in the amount of \$1,375.00 to DIXON Engineering, Inc., for engineering services on the Delaware Ground Storage Reservoir Rehabilitation project.
- CA - 17** Consider motion to approve Payment #2 in the amount of \$1,000.00 to DIXON Engineering, Inc., for engineering services on the Magazine Ground Storage Reservoir Rehabilitation project.
- CA - 18** Consider motion to approve Payment #37 in the amount of \$2,510.00 to Foth Infrastructure and Environment, LLC for engineering services on the West First Street Widening and Improvements - Phase 1 project.
- CA - 19** Consider motion to approve Payment #10 in the amount of \$4,643.50 to HR Green, Inc., for engineering services on the NW Irvinedale Drive & NW 18th Street Intersection Improvements project.
- CA - 20** Consider motion to approve Payment #10 in the amount of \$7,538.75 to ISG (I&S Group) for design and construction work on the High Trestle Trail Park Phase 1 project.
- CA - 21** Consider motion to approve Payment #8 in the amount of \$155,977.32 to J&K Contracting, for construction services on the North Four Mile Creek Trunk Sewer project.
- CA - 22** Consider motion to approve Payment #3 in the amount of \$21,000.00 to Romtech Companies for construction services on the restroom facility at the Rally Complex.
- CA - 23** Consider motion to approve Payment #38 in the amount of \$654.96 to Shive Hattery for construction administration services associated with the Ankeny Senior Community Center project.
- CA - 24** Consider motion to approve Payment #11 in the amount of \$12,824.47 to SVPA Architects Inc. for design services associated with the Ankeny Fire Station No. 4 project.
- CA - 25** Consider motion to approve the March 18, 2024 Accounts Payable.

- **Community Development Items**

- CA - 26** Consider motion to adopt **RESOLUTION** accepting final plat, letter of credit for erosion control, performance and maintenance bond for underground improvements, platted easements, water and sewer connection fees, authorizing cost-participation for sidewalk oversizing and approving the private street name NW Olivia Lane, for The Village at the Grove Plat 1.

- CA - 27** Consider motion to adopt **RESOLUTION** approving plans and specifications and accepting contracts, performance and maintenance bonds for the construction of water main and sanitary sewer in The Village at the Grove Plat 1.
- CA - 28** Consider motion to grant preliminary approval of The Crossings at Deer Creek Plat 13; and authorize cost participation for the extension of 16-inch water main in an amount estimated to be \$30,375, and 15-inch sanitary sewer in an amount estimated to be \$6,750.

- **Engineering Items**

- CA - 29** Consider motion to adopt a **RESOLUTION** approving plans and specifications and accepting the contract, performance and maintenance bonds for the construction of paving, subgrade, storm sewer, and sanitary sewer for the U-Haul Public Improvements to S Ankeny Blvd & SE Magazine Rd project.
- CA - 30** Consider motion to adopt **RESOLUTION** approving a Mitigation Credit Purchase Agreement with Central Indiana Mitigation Providers, LLC in the amount of \$76,950.00 for stream credits related to the mitigation of Tributary 'A' to Four Mile Creek under NE Delaware Avenue in conjunction with the NE Delaware Avenue Reconstruction - NE 5th Street to 700 feet North of NE 18th street project.
- CA - 31** Consider motion to adopt **RESOLUTION** accepting public improvements for utilities and subgrade prep in Ankeny Elementary #12.
- CA - 32** Consider motion to adopt **RESOLUTION** accepting public improvements for paving associated with Ankeny Elementary #12.
- CA - 33** Consider motion to adopt a **RESOLUTION** approving plans and specifications and accepting the contract, performance and maintenance bonds for the construction of water main, sanitary sewer, and storm sewer for the Heritage Commercial at Prairie Trail Plat 1 project.
- CA - 34** Consider motion to adopt a **RESOLUTION** approving plans and specifications and accepting the contract, performance and maintenance bonds for the construction of subgrade prep for the Heritage Commercial at Prairie Trail Plat 1 project.
- CA - 35** Consider motion to adopt a **RESOLUTION** approving plans and specifications and accepting the contract, performance and maintenance bonds for the construction of paving for the Heritage Commercial at Prairie Trail Plat 1 project.
- CA - 36** Consider motion to adopt a **RESOLUTION** approving documents for the acquisition of temporary construction easement for the NE 36th Street and NE 38th Street Water Main Loop Project in Ankeny, Iowa. (Threshold Development)
- CA - 37** Consider motion to adopt a **RESOLUTION** accepting a purchase agreement and approving documents for the acquisition of permanent water main easement and temporary construction easement for the NE 36th Street and NE 38th Street Water Main Loop Project in Ankeny, Iowa. (DRA Properties 3)
- CA - 38** Consider motion to adopt a **RESOLUTION** accepting a purchase agreement and approving documents for the acquisition of permanent water main easement and temporary construction easement for the NE 36th Street and NE 38th Street Water Main Loop Project in Ankeny, Iowa. (DRA Properties 4)
- CA - 39** Consider motion to adopt a **RESOLUTION** accepting a purchase agreement and approving documents for the acquisition of permanent water main easement and temporary construction easement for the NE 36th Street and NE 38th Street Water Main Loop Project in Ankeny, Iowa. (DRA Properties 5)
- CA - 40** Consider motion to adopt a **RESOLUTION** accepting a purchase agreement and approving documents for the acquisition of permanent water main easement and

temporary construction easement for the NE 36th Street and NE 38th Street Water Main Loop Project in Ankeny, Iowa. (Susan Albaugh)

CA - 41 Consider motion to adopt a **RESOLUTION** accepting a purchase agreement and approving documents for the acquisition of permanent water main easement and temporary construction easement for the NE 36th Street and NE 38th Street Water Main Loop Project in Ankeny, Iowa. (NDA Farms)

CA - 42 Consider motion to adopt **RESOLUTION** authorizing the Mayor to sign a development agreement with Prairie Trail Commercial, L.L.C., concerning intersection improvements at SW 16th Street / SW School Street and SW 18th Street / SW School Street associated with the development of the Lot 1, Heritage Commercial at Prairie Trail Plat 1, 1630 South Ankeny Boulevard Site Plan, in the City of Ankeny, Iowa.

- **Capital Improvement Projects**

CA - 43 Consider motion to adopt **RESOLUTION** accepting a proposal from Granite Excavating, LLC in the amount of \$58,360.00 for the construction of the 2024 Subdrain Repairs project.

CA - 44 Consider motion to adopt **RESOLUTION** accepting a proposal from RW Excavating Solutions in the amount of \$181,925.00 for the construction of the Vintage Business Park - North Lake Maintenance project.

CA - 45 Consider motion to adopt **RESOLUTION** ordering construction on the NE 36th Street and NE 38th Street Water Main project and fixing a date for hearing thereon and taking of bids therefor. (date of bid opening: 4/9/24 @ 10:30 A.M. / date of hrg: 4/15/24 @ 5:30 P.M.)

CA - 46 Consider motion to adopt **RESOLUTION** ordering construction on the 2024 Asphalt Street Resurfacing Program - SW Ordinance Road project and fixing a date for hearing thereon and taking of bids therefor. (date of bid opening: 04/09/24 @ 10:30 A.M. / date of hrg: 04/15/24 @ 5:30 P.M.)

- **Administrative Items**

CA - 47 Consider motion to adopt **RESOLUTION** authorizing the payment to the Berwick Water Association related to the right to serve customers located within the existing Berwick Water District boundary which has been annexed into the City of Ankeny.

CA - 48 Consider motion to approve a portable restroom rental contract for Ankeny parks, between the City of Ankeny and Bob's Septic & Portable Restrooms.

CA - 49 Consider motion to adopt **RESOLUTION** authorizing the Certificate of Termination of Development Agreement between the City of Ankeny, Iowa and DLE Seven, LLC for the Slim Chickens Right Turn Lane Construction.

CA - 50 Consider motion to approve the Consent to Collateral Assignment of Tax Increment Development Agreement and Estoppel Agreement between the City of Ankeny and Pet Parents, LLC.

CA - 51 Consider motion to adopt **RESOLUTION** authorizing the City of Ankeny to enter into an amended contract with the Iowa Economic Development Authority and Kreg Enterprises, Inc.

CA - 52 Consider a motion to adopt **RESOLUTION** approving an agreement between the City of Ankeny and the Ankeny Area Chamber of Commerce.

CA - 53 Consider motion authorizing the Mayor to sign a letter of support for a grant application by Polk County for enhancing regional residential weatherization programs through the U.S. Environmental Protection Agency's Climate Pollution

Reduction Grant program.

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-53

Action# E1-1. Consider motion to approve the recommendations for Consent Agenda Items CA-1 through CA-53.

F. SUPPLEMENTAL AND REMOVED CONSENT AGENDA ITEMS: none

G. RECESS - Mark Holm, Mayor

H. LEGISLATIVE BUSINESS:

- **Boards/Commissions Appointments:**

1. Cultural Arts Board Appointments to the Cultural Arts Board as follows:
 - Samuel Malkasian – appointment effective 3/18/2024 - 4/30/2028
 - Aaron Thacker - reappointment effective 5/01/2024 - 4/30/2028

Action# H1-1.

Consider motion to approve appointments to the Cultural Arts Board as presented.

2. CIWW Central Iowa Water Works (CIWW) Appointments

Action# H2-1. Consider a motion to adopt RESOLUTION appointing Don Clark as the primary representative, and Shawn Buckner as an alternative representative to the CIWW Long Range Planning and Capital Improvements Committee; and the CIWW Technical Committee.

- **Approval of Ordinances:**

1. Ord 2165 An Ordinance amending the Code of Ordinances of the City of Ankeny, Iowa, by amending provisions pertaining to water rates.

Action# H1-1. Consider motion to accept second consideration of ORDINANCE 2165.

Action# H1-2. 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 2165, sending it on its final passage and publication as required by law.

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Proposed SE Corporate Woods Drive & SE Crosswinds Drive Traffic Signal (PH 2024-18)

Action# J1-1.

Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$438,470.00; 2) receive and file report of bids received March 12, 2024; 3) adopt RESOLUTION making award of construction contract with Kline Electric, Inc. dba Heartland Underground Solutions in the amount of \$237,253.30; and 4) adopt RESOLUTION approving contract and bonds with Kline Electric, Inc. dba Heartland Underground Solutions in the amount of \$237,253.30.

2. Westlawn Place Area Utility Improvements
Professional Services Agreement with Civil Design Advantage

Action# J2-1. Consider motion to approve the Professional Services Agreement with Civil Design Advantage for survey and conceptual design engineering services on the Westlawn Place Area Utility Improvements project in an amount not to exceed \$454,367.00 and authorize the Mayor to execute said Agreement.

3. Proposed SW Des Moines Street Utility Improvements
Professional Services Agreement with McClure Engineering Company

Action# J3-1. Consider motion to approve the Professional Services Agreement with McClure Engineering Company for the design engineering services on the SW Des Moines Street Utility Improvements project in an amount not to exceed \$235,900.00 and authorize the Mayor to execute said agreement.

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 - Property Tax Levy for Fiscal Year July 1, 2024 - June 30, 2025 - 4/1/24 @ 5:00 p.m.***
- ***Public Hearing - 2024 PCC Street Patching Program - 4/1/24 @ 5:30 p.m.***
- ***Public Hearing - 2024 PCC Pavement Preservation Program - Crack & Joint Filling - 4/1/24 @ 5:30 p.m.***
- ***Public Hearing - NE 62nd St RCB Over Tributary to Four Mile Creek - 4/1/24 @ 5:30 p.m.***
- ***Public Hearing - 2024 CIPP Lining Project - 4/1/24 @ 5:30 p.m.***
- ***Public Hearing - 2024 Asphalt St Resurfacing Program - SW Ordinance Road - 4/15/24 @ 5:30 p.m.***
- ***Public Hearing - NE 36th St & NE 38th St Water Main - 4/15/24 @ 5:30 p.m.***

L. ADJOURNMENT

1. Adjournment