



ANKENY CITY COUNCIL

Regular Meeting

Monday, March 6, 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: Catch Des Moines - Greg Edwards
2. Special Presentation: Sister Cities update - Eric Baker

B. APPROVAL OF AGENDA:

1. Approval of the March 6, 2023 Agenda

Action# B1-1. Consider motion to approve and accept the March 6, 2023 agenda, with/without amendment.

C. PUBLIC HEARING(S):

1. Postponed PH Proposed North Ankeny Boulevard and 18th Street Intersection Improvements

Action# C1-1. No action. This Public Hearing is cancelled and rescheduled for March 20, 2023.

2. PH 2023-16 Proposed request to vacate a water main easement located on Lots 1-4 of Park Sight Office Park at Prairie Trail Plat 4.

Action# C2-1. Consider motion to close Public Hearing 2023-16.

3. PH 2023-17 Proposed Oralabor Gateway Trail-SW State Street Underpass and SW Oralabor Road and SW State Street Intersection Improvements

Action# C3-1. Consider motion to close Public Hearing 2023-17.

4. PH 2023-18 Proposed Amendment No. 3 to the Amended and Restated 1991 Ankeny Economic Development Urban Renewal Plan

Action# C4-1. Consider motion to close Public Hearing 2023-18.

5. PH 2023-19 Proposed Maximum Property Tax Dollars for Fiscal Year July 1, 2023 - June 30, 2024

Action# C5-1. Consider motion to close Public Hearing 2023-19.

6. PH 2023-20 Proposed Issuance of Not to Exceed \$14,000,000 General Obligation Bonds

Action# C6-1. Consider motion to close Public Hearing 2023-20.

7. PH 2023-21 Proposed Issuance of Not to Exceed \$300,000 General Obligation Urban Renewal Bonds

Action# C7-1. Consider motion to close Public Hearing 2023-21.

8. PH 2023-22 Proposed Issuance of Not to Exceed \$700,000 General Obligation Bonds

Action# C8-1. Consider motion to close Public Hearing 2023-22.

9. PH 2023-23 Proposed Issuance of Not to Exceed \$700,000 General Obligation Bonds

Action# C9-1. Consider motion to close Public Hearing 2023-23.

10. PH 2023-24 Proposed Issuance of Not to Exceed \$13,000 Lease Agreements

Action# C10-1. Consider motion to close Public Hearing 2023-24.

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 February 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 February 7, 2023.
- CA - 3** Receive and file minutes of the Zoning Board of Adjustment meeting of February 7, 2023.
- CA - 4** Receive and file minutes of the Library Board of Trustee meeting of January 19, 2023.
- CA - 5** Receive and file minutes of the Human Rights Commission meeting of November 17, 2022.
- CA - 6** Receive and file minutes of the Park Board meeting of January 30, 2023.

• **Licenses and Permits**

- CA - 7** Consider motion to approve the issuance of liquor license(s), beer / wine permit(s), and/or Automatic Renewal Program of class "E" retail alcohol licenses in the City of Ankeny.

• **Finance/Budget**

- CA - 8** Consider motion to approve Amendment No. 1 to the Professional Services Agreement increasing the contract amount by \$47,450.00 with McClure Engineering Company for construction engineering services on the SW State Street Reconstruction - Southbound Lanes project.
- CA - 9** Consider motion to approve Payment #32 in the amount of \$6,265.00 to Civil Design Advantage for engineering services on the NW 18th Street Extension - NW Weigel Drive to NW Spruce Drive project.
- CA - 10** Consider motion to approve Payment #10 in the amount of \$7,310.00 to Foth Infrastructure and Environment, LLC for engineering services on the North Four Mile Creek Trunk Sewer project.
- CA - 11** Consider motion to approve Payment #32 in the amount of \$16,063.73 to Foth Infrastructure and Environment, LLC for engineering services on the West First Street Widening and Improvements - Phase 1 project.
- CA - 12** Consider motion to approve Payment #22 in the amount of \$25,763.36 to FOX Strand, for engineering services on the Ankeny ASR project.

- CA - 13** Consider motion to approve Payment #24 in the amount of \$5,183.49 to Snyder & Associates, Inc., for engineering services on the HTT Transmission Main and Drainage Improvements project.
- CA - 14** Consider motion to approve Payment #25 in the amount of \$1,902.50 to Snyder & Associates, Inc., for engineering services on the N Ankeny Blvd Landscape Improvements project.
- CA - 15** Consider motion to approve Payment #19 in the amount of \$14,823.38 to Snyder & Associates, Inc., for engineering services on the NE Delaware Ave Recon - NE 5th St to NE 18th St project.
- CA - 16** Consider motion to approve Payment #27 in the amount of \$3,886.38 to Snyder & Associates, Inc., for engineering services on the NW 36th St Widening - NW Ash Dr to N Ankeny Blvd project.
- CA - 17** Consider motion to approve Payment #21 in the amount of \$3,918.13 to Snyder & Associates, Inc., for engineering services on the NW 36th St and NW State St Interim Improvements project.
- CA - 18** Consider motion to approve Payment #38 in the amount of \$2,907.37 to Snyder & Associates, Inc., for engineering services on the SE Crosswinds Drive - RISE project.
- CA - 19** Consider motion to approve Payment #28 in the amount of \$2,601.56 to Snyder & Associates, Inc., for engineering services on the SE Delaware Ave and SE 8th St Widening and Traffic Signalization project.
- CA - 20** Consider motion to approve Payment #1 in the amount of \$6,529.48 to Snyder & Associates, for engineering services on the SE Delaware Ave and SE 54th St Traffic Signal project.
- CA - 21** Consider motion to approve Payment #2 in the amount of \$13,685.25 to Snyder & Associates, for engineering services on the SE Oralabor Rd & SE Creekview Dr Traffic Signal Replacement project.
- CA - 22** Consider motion to approve the March 6, 2023 Accounts Payable. (Finance Committee: K. Stearns, Chp, B. Bentz, J. Perry)
- CA - 23** Consider motion to adopt **RESOLUTION** declaring an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the City for certain original expenditures paid in connection with specified projects.

- **Personnel Items**

- CA - 24** Consider motion to approve the position description for GIS Specialist.

- **Community Development Items**

- CA - 25** Consider motion to adopt **RESOLUTION** accepting final plat, warranty deed to streets, platted easements, water and sewer connection fees and acquisition plat for Grove Landing Plat 4.
- CA - 26** Consider motion to adopt **RESOLUTION** waiving approval of Weldon Plat 1 final plat.
- CA - 27** Consider motion to adopt **RESOLUTION** accepting a Storm Water Management Facility Maintenance Covenant and Permanent Easement Agreement, located on 1503 N Ankeny Boulevard; and associated with the development of U-Haul Phase 1 & 2 Site Plan.

- **Engineering Items**

- CA - 28** Consider motion to adopt **RESOLUTION** accepting a proposal from Shekar Engineering, P.L.C. in the amount of \$177,141.61 for the construction of the 2023 Pedestrian Ramp Improvements Program - Fountain View project.
- CA - 29** Consider motion to adopt **RESOLUTION** accepting a proposal from Concrete Connection, LLC in the amount of \$180,000.00 for the construction of the 2023 Pedestrian Ramp Improvements Program - Barclay project.
- CA - 30** Consider motion to receive and file the Fiber Optic Network Master Plan dated March 2023 as completed by Olsson.
- CA - 31** Consider motion to adopt **RESOLUTION** accepting maintenance bond for water main, sanitary sewer, and storm sewer in Grove Landing Plat 4.
- CA - 32** Consider motion to adopt **RESOLUTION** accepting maintenance bond for subgrade prep. in Grove Landing Plat 4.
- CA - 33** Consider motion to adopt **RESOLUTION** accepting maintenance bond for concrete paving in Grove Landing Plat 4.

- **Capital Improvement Projects**

- CA - 34** Consider motion to adopt **RESOLUTION** ratifying, confirming, and approving the change in dates for submission of bids and for public hearing on plans, specifications, form of contract and estimate of costs for the N. Ankeny Blvd and 18th Street Intersection Improvements. (date of bid opening: 3/14/23 @ 10:30 a.m./date of hrg: 3/20/23 @ 5:30 p.m.)
- CA - 35** Consider motion to adopt **RESOLUTION** ordering construction on the 2023 Asphalt Street Resurfacing Program - SW Ordinance Road project and fixing a date for hearing thereon and taking of bids therefor. (date of bid opening: 3/28/23 @ 10:30 A.M. / date of hrg: 4/3/23 @ 5:30 P.M.)

- **Administrative Items**

- CA - 36** Consider motion to adopt **RESOLUTION** authorizing the Ankeny Police Department to submit a Community Betterment Grant Application and accept funds if awarded.
- CA - 37** Consider motion to approve Contract for Services between the City of Ankeny and Group Creative Services for design for installation on the new NW Ankeny water tower.
- CA - 38** Consider motion to adopt **RESOLUTION** setting dates of a consultation and a public hearing on proposed Amendment No. 13 to the 1989 Ankeny Economic Development Urban Renewal Plan in the City of Ankeny, State of Iowa. (date of hrg: 4/3/23 @ 5:30 p.m.)

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-38.

Action# E1-1. Consider motion to approve the recommendations for Consent Agenda Items CA-1 through CA-38.

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 second consideration of ORDINANCE 2132.

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 second consideration of ORDINANCE 2133.

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 second consideration of ORDINANCE 2134.

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 second consideration of ORDINANCE 2135.

5. Ord 2136 An Ordinance vacating a water main easement on Lots 1-4 of Park Sight Office Park at Prairie Trail Plat 4. (PH 2023-16).

Action# H5-1. Consider motion to accept first 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 first 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 first 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 first consideration of ORDINANCE 2139.

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 first consideration of ORDINANCE 2140.

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Proposed Oralabor Gateway Trail - SW State Street Underpass & SW Oralabor Road & SW State Street Intersection Improvements (PH 2023-17)

Action# J1-1. Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$4,804,922.50; 2) receive and file report of bids received February 28, 2023; 3) adopt RESOLUTION making award of construction contract with Absolute Concrete Construction, Inc. in the amount of \$6,369,694.05; and 4) adopt RESOLUTION approving contract and bonds with Absolute Concrete Construction, Inc. in the amount of \$6,369,694.05.

2. Proposed Amendment No. 3 to the Amended and Restated 1991 City of Ankeny Urban Renewal Plan. (PH 2023-18)

Action# J2-1. Consider motion to receive and file the report from the consultation meeting held on February 15, 2023.

Action# J2-2. Consider motion to adopt RESOLUTION determining an area of the City to be an 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. 3 to the Amended and Restated 1991 City of Ankeny Urban Renewal Plan.

3. Proposed 2023 Municipal Space Needs Study
Architectural Services Agreement with OPN Architects, Inc.

Action# J3-1. Consider motion to approve an Architectural Services Agreement with OPN Architects, Inc., for architectural services for the 2023 Municipal Space Needs Study in an amount not to exceed \$67,200.00 and authorize the Mayor to execute said agreement.

4. Proposed NW State Street Extension Preliminary Design
Professional Services Agreement with Foth Infrastructure and Environment, LLC. (Foth)

Action# J4-1.

Consider motion to approve the Professional Services Agreement with Foth Infrastructure and Environment, LLC., for the preliminary design engineering services for the NW State Street Extension Preliminary Design in an amount not to exceed \$473,400.00 and the Mayor to execute said agreement.

5. Proposed NW 36th Street and NW Weigel Drive Asphalt Resurfacing
Professional Services Agreement with Civil Design Advantage

Action# J5-1. Consider motion to approve the Professional Services Agreement with Civil Design Advantage for the design engineering and bidding phase services on the NW 36th Street and NW Weigel Drive Asphalt Resurfacing project in an amount not to exceed \$218,864.00 and authorize the Mayor to execute said agreement.

6. Proposed Fire Station No. 4 Project
Professional Services Agreement with SVPA Architects, Inc.

Action# J6-1. Consider motion to approve a Professional Services Agreement with SVPA Architects, Inc. for design and engineering, bid, and construction phase services associated with the Fire Station No. 4 project in an amount not to exceed \$348,400 and authorize the Mayor to execute said Agreement.

7. Proposed Maximum Property Tax Dollars for Fiscal Year July 1, 2023 - June 30, 2024 (PH 2023-19)

Action# J7-1. Consider motion to adopt RESOLUTION approving the maximum property tax dollars for Fiscal Year July 1, 2023 - June 30, 2024.

8. Proposed Amendment of Current City Budget for Fiscal Year July 1, 2022 - June 30, 2023
Set Public Hearing Date

Action# J8-1. Consider motion to set a public hearing on an Amendment of Current City Budget for Fiscal Year July 1, 2022 - June 30, 2023 and direct City Clerk to publish notice of such hearing (date of hrg: 3/20/23 @ 5:30 p.m.).

9. Proposed Issuance of Not to Exceed \$14,000,000 General Obligation Bonds (PH 2023-20)

Action# J9-1. Consider motion to adopt RESOLUTION instituting proceedings to take additional action for the issuance of not to exceed \$14,000,000 General Obligation Bonds (ECP).

10. Proposed Issuance of Not to Exceed \$300,000 General Obligation Urban Renewal Bonds (PH 2023-21)

Action# J10-1. Consider motion to adopt RESOLUTION instituting proceedings to take additional action for the issuance of not to exceed \$300,000 General Obligation Urban Renewal Bonds (UR).

11. Proposed Issuance of Not to Exceed \$700,000 General Obligation Bonds (PH 2023-22)

Action# J11-1. Consider motion to adopt RESOLUTION instituting proceedings to take additional action for the issuance of not to exceed \$700,000 General Obligation Bonds (GCP-1).

12. Proposed Issuance of Not to Exceed \$700,000 General Obligation Bonds (PH 2023-23)

Action# J12-1. Consider motion to adopt RESOLUTION instituting proceedings to take additional action for the issuance of not to exceed \$700,000 General Obligation Bonds (GCP-2).

13. Proposed Issuance of Not to Exceed \$13,000 Lease Agreements (PH 2023-24)

Action# J13-1. Consider motion to adopt RESOLUTION instituting proceedings to take additional action for the authorization and issuance of lease agreements payable from the general fund in the aggregate principal amount of \$13,000 for personal property for use by the City.

Action# J13-2. Consider motion to adopt RESOLUTION authorizing action for lease

agreements payable from the general fund in the aggregate principal amount of \$13,000 for personal property for use by the City.

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 Information Meeting - FY 2024 Budget - 3/9/23 @ 5:30 p.m.***
- ***Public Hearing - North Four Mile Creek Trunk Sewer - 3/20/23 @ 5:30 p.m.***
- ***Public Hearing - N Ankeny Blvd & 18th St Intersection Improvements - 3/20/23 @ 5:30 p.m.***
- ***Public Hearing - Amend Current City Budget for fiscal year July 1, 2022 - June 30, 2023 - 3/20/23 @ 5:30 p.m.***
- ***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.***

L. **ADJOURNMENT**

1. Adjournment