



ANKENY CITY COUNCIL

Regular Meeting

Monday, March 4, 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

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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 March 4, 2024 Agenda

Action# B1-1. Consider motion to approve and accept the March 4, 2024 agenda, with or without amendment.

C. PUBLIC HEARING(S):

1. PH 2024-12 Proposed Magazine Ground Storage Reservoir Rehabilitation Project

Action# C1-1. Consider motion to close Public Hearing 2024-12.

2. PH 2024-13 Proposed 2024 PCC Pavement Preservation Program - SE Shurfine Drive

Action# C2-1. Consider motion to close Public Hearing 2024-13.

3. PH 2024-14 Proposed SW Magazine Road & SW State Street Intersection Improvements - West Leg

Action# C3-1. Consider motion to close Public Hearing 2024-14.

4. PH 2024-15 Proposed Issuance of Not to Exceed \$17,500,000 General Obligation Bonds

Action# C4-1. Consider motion to close Public Hearing 2024-15.

5. PH 2024-16 Proposed Issuance of Not to Exceed \$500,000 General Obligation Urban Renewal Bonds

Action# C5-1. Consider motion to close Public Hearing 2024-16.

6. PH 2024-17 Proposed Issuance of Not to Exceed \$4,500,000 Water Revenue Bonds

Action# C6-1. Consider motion to close Public Hearing 2024-17.

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 19, 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 January 17, 2024. |
| CA - 3 | Receive and file minutes of the Zoning Board of Adjustment meeting of December 5, 2023. |
| CA - 4 | Receive and file minutes of the Library Board of Trustee meeting of January 18, 2024. |

- **Licenses and Permits**

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

- **Finance/Budget**

- CA - 6** Consider motion to approve Payment #5 in the amount of \$13,381.72 to Foth Infrastructure and Environment, LLC for engineering services on the North Four Mile Trunk Sewer - Phase 2 project.
- CA - 7** Consider motion to approve Payment #11 in the amount of \$8,549.50 to Foth Infrastructure and Environment, LLC for engineering services on the NW State Street Extension project.
- CA - 8** Consider motion to approve Payment #22 in the amount of \$9,252.56 to Foth Infrastructure and Environment, LLC for engineering services on the North Four Mile Creek Trunk Sewer project.
- CA - 9** Consider motion to approve Payment #11 in the amount of \$14,068.75 to JEO Consulting Group, Inc., for engineering services on the Transportation Master Plan.
- CA - 10** Consider motion to approve Payment #14 in the amount of \$3,558.75 to JEO Consulting Group, Inc., for engineering services on the SE 3rd Street Improvements - Phase 2 project.
- CA - 11** Consider motion to approve Payment #27 in the amount of \$10,000.50 to JEO Consulting Group, Inc. for construction engineering services on the SE 3rd Street Utility Improvements Phase 1 project.
- CA - 12** Consider motion to approve Payment #6 in the amount of \$8,675.00 to Kirkham Michael & Associates, Inc., for engineering services on the NE 62nd St Box Culvert Design project.
- CA - 13** Consider motion to approve Payment #1 in the amount of \$8,385.95 to Snyder & Associates, Inc., for engineering services on the Watercrest Park expansion project.
- CA - 14** Consider motion to approve Payment #5 in the amount of \$11,117.93 to Snyder & Associates, for engineering services on the N Ankeny Blvd Improvements 1st Street to 11th Street project.
- CA - 15** Consider motion to approve Payment #10 in the amount of \$76,620.64 to Snyder & Associates, for engineering services on the S Ankeny Blvd Improvements SE Peterson Dr to 1st St project.
- CA - 16** Consider motion to approve Payment #31 in the amount of \$12,592.88 to Snyder & Associates, Inc., for engineering services on the NE Delaware Ave Recon - NE 5th St to NE 18th St project.
- CA - 17** Consider motion to approve Payment #36 in the amount of \$9,921.65 to Snyder & Associates, Inc., for engineering services on the HTT Transmission Main and Drainage Improvements project.
- CA - 18** Consider motion to approve Payment #10 in the amount of \$6,234.25 to Strand, for engineering services on the NE 36th Street & NE 38th Street Water Main Loop project.
- CA - 19** Consider motion to approve Payment #34 in the amount of \$1,166.00 to Strand, for engineering services on the Ankeny ASR project.
- CA - 20** Consider motion to approve the March 4, 2024 Accounts Payable.

- Personnel Items

- CA - 21** Consider motion to approve a new classification position description for Deputy Building Official in the Community Development Department.
- CA - 22** Consider motion to approve the side letter agreement with the Ankeny Police Department Teamsters Local Union #238 and to authorize the City Manager to execute the agreement.

- Engineering Items

- CA - 23** Consider motion to adopt a **RESOLUTION** authorizing the execution of an agreement with Iowa Department of Transportation for DOT-Initiated Detour of Primary Highways onto Local Roads for the Iowa DOT's Iowa 210 PCC Pavement - Grade and New Project.

- Capital Improvement Projects

- CA - 24** Consider motion to adopt **RESOLUTION** approving construction contract and bond with HPC, LLC, in the amount of \$5,950,000.00 for the Ankeny Fire Station No. 4 project.
- CA - 25** **Delaware Ground Storage Reservoir Rehabilitation Project:** Consider motion to approve: a) Certificate of Completion; b) **RESOLUTION** accepting the public improvements with Tanksco Inc. in the amount of \$241,500.00; and c) Final Payment #2 in the amount of \$7,980.00 / Release of Retainage in the amount of \$12,075.00.
- CA - 26** **Midway Park Restroom Construction:** Consider motion to approve; a) Certificate of Completion; b) **RESOLUTION** accepting the public improvement with Romtech Companies in the amount of \$279,370.78; c) Final Payment #7 in the amount of \$6,518.28.
- CA - 27** Consider motion to adopt **RESOLUTION** adopting and levying final schedule of assessments and providing for the payment thereof for the NE 36th Street Reconstruction Project: I-35 to NE Fourmile Drive.
- CA - 28** Consider motion to adopt **RESOLUTION** to authorize the execution of a Cooperative Public Service Agreement between Polk County, Iowa and the City of Ankeny, Iowa for the sharing of project costs for the NE Frisk Drive Resurfacing Project: North of NE 94th Avenue (E 1st Street) to NE 102nd Avenue (NE 18th Street).
- CA - 29** Consider motion to adopt **RESOLUTION** accepting a proposal from MNM Concrete Specialist in the amount of \$151,885.00 for the construction of the 2024 Pedestrian Ramp Improvements Program - NE 18th Street project.
- CA - 30** Consider motion to adopt **RESOLUTION** ordering construction on the 2024 PCC Street Patching Program project and fixing a date for hearing thereon and taking of bids therefor. (date of bid opening: 03/26/24 @ 10:30 A.M. / date of hrg: 04/01/24 @ 5:30 P.M.)
- CA - 31** Consider motion to adopt **RESOLUTION** ordering construction on the 2024 PCC Pavement Preservation Program - Crack and Joint Filling project and fixing a date for hearing thereon and taking of bids therefor. (date of bid opening: 03/26/24 @ 10:30 A.M. / date of hrg: 04/01/24 @ 5:30 P.M.)
- CA - 32** Consider motion to adopt **RESOLUTION** ordering construction on the NE 62nd St Over Trib. to Four Mile Creek project and fixing a date for hearing thereon and taking of bids therefor. (date of bid-letting: 03/26/24 @ 10:30 a.m./date of hrg: 04/1/24 @ 5:30 p.m.)

- CA - 33** Consider motion to adopt **RESOLUTION** ordering construction on the 2024 CIPP Lining Project and fixing a date for hearing thereon and taking of bids therefor. (date of bid-letting: 03/26/24 @ 10:30 a.m./date of hrg: 04/1/24 @ 5:30 p.m.)

- **Administrative Items**

- CA - 34** 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.

- CA - 35** Consider motion to set a public hearing on the proposed property tax levy for Fiscal Year July 1, 2024 - June 30, 2025 for April 1, 2024 at 5:00 p.m. and direct City Clerk to publish notice of such hearing.

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-36

Action# E1-1. Consider motion to approve the recommendations for Consent Agenda Items CA-1 through CA-36.

F. SUPPLEMENTAL AND REMOVED CONSENT AGENDA ITEMS: none

G. RECESS - Mark Holm, Mayor

H. LEGISLATIVE BUSINESS:

- **Approval of Ordinances:**

1. Ord 2162 An Ordinance amending the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, to rezone property owned by Hope Kimberley, LLC R-1 One Family Residential District to Planned Unit Development, PUD (Rezoning Area A)

Action# H1-1. Consider motion to accept third consideration of ORDINANCE 2162, sending it on its final passage and publication as required by law.

2. Ord 2163 An Ordinance amending the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, to rezone property owned by Hope Kimberley, LLC from R-1 One Family Residential District to R-3, Multiple-Family Residential District (Rezoning Area B)

Action# H2-1. Consider motion to accept third consideration of ORDINANCE 2163, sending it on its final passage and publication as required by law.

3. Ord 2164 An Ordinance amending Chapter 66 Load and Weight Restrictions of the Municipal Code of the City of Ankeny, Iowa, by amending Section 66.05 Truck Routes.

Action# H3-1. Consider motion to accept third consideration of ORDINANCE 2164, sending it on its final passage and publication as required by law.

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

Action# H4-1. Consider motion to accept first consideration of ORDINANCE 2165.

I. **OLD BUSINESS: none**

J. **NEW BUSINESS:**

1. Proposed Magazine Ground Storage Reservoir Rehabilitation (PH 2024-12)

Action# J1-1.

Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$386,000.00; 2) receive and file report of bids received February 27, 2024; and 3) adopt RESOLUTION making award of construction contract with O & J Coatings in the amount of \$289,000.00.

2. Proposed 2024 PCC Pavement Preservation Program - SE Shurfine Drive (PH 2024-13)

Action# J2-1.

Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$344,650.00; 2) receive and file report of bids received February 27, 2024; 3) adopt RESOLUTION making award of construction contract with Caliber Concrete, LLC in the amount of \$290,338.00; and 4) adopt RESOLUTION approving contract and bonds with Caliber Concrete, LLC in the amount of \$290,338.00.

3. Proposed SW Magazine Road & SW State Street Intersection Improvements - West Leg (PH 2024-14)

Action# J3-1.

Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$405,610.00; 2) receive and file report of bids received February 27, 2024; 3) adopt RESOLUTION making award of construction contract with Manatt's, Inc. in the amount of \$295,089.02; and 4) adopt RESOLUTION approving contract and bonds with Manatt's, Inc. in the amount of \$295,089.02.

4. Proposed Issuance of Not to Exceed \$17,500,000 General Obligation Bonds (PH 2024-15)

Action# J4-1. Consider motion to adopt RESOLUTION instituting proceedings to take additional action for the issuance of not to exceed \$17,500,000 General Obligation Bonds.

5. Proposed Issuance of Not to Exceed \$500,000 General Obligation Urban Renewal Bonds (PH 2024-16)

Action# J5-1. Consider motion to adopt RESOLUTION instituting proceedings to take additional action for the issuance of not to exceed \$500,000 General Obligation Urban Renewal Bonds.

6. Proposed Issuance of Not to Exceed \$4,500,000 Water Revenue Bonds (PH 2024-17)

Action# J6-1. Consider motion to adopt RESOLUTION instituting proceedings to take additional action for the issuance of not to exceed \$4,500,000 Water Revenue Bonds.

7. Proposed Issuance of \$17,425,000 General Obligation Bonds, Series 2024A

Action# J7-1. Consider motion to adopt RESOLUTION authorizing the issuance of \$17,425,000 General Obligation Bonds, Series 2024A, and levying a tax for the payment thereof.

8. Request for Council Initiated Rezoning from R-1 One-Family Residential District to R-3 Multi-Family Residence District restricted to 10 units per acre.
Hope K Farms, LLC

Action# J8-1. Consider a motion to receive and file correspondence dated February 9, 2024, regarding a rezoning request for 15.71 acres (Area B) located west of Interstate 35 and east of NE Delaware Avenue.

Action# J8-2. Consider a motion to initiate a rezoning request for 15.71 acres (Area B) located west of Interstate 35 and east of NE Delaware Avenue and refer to the Plan and Zoning Commission for review and recommendation.

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 - SE Corporate Woods Dr & SE Crosswinds Dr Traffic Signal - 3/18/24 @ 5:30 p.m.***
- ***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 and Joint Filling – 4/1/24 @ 5:30 p.m.***
- ***Public Hearing - NE 62nd Street 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.***

L. ADJOURNMENT

1. Adjournment