



ANKENY CITY COUNCIL

Regular Meeting

Monday, February 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

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=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: Denise Hoy, City Clerk

PLEDGE OF ALLEGIANCE: Mark Holm, Mayor

CEREMONY:

1. ESGR Award Ceremony

A. PUBLIC FORUM: none

B. APPROVAL OF AGENDA:

1. Approval of the February 21, 2022 Agenda:

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

C. PUBLIC HEARING(S):

1. PH 2022-08 Proposed vacation of 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# C1-1. Consider motion to close Public Hearing 2022-08.

2. PH 2022-09 Proposed ASR #3 - Bid Package #2 - Well Pump and Control Building

Action# C2-1. Consider motion to close Public Hearing 2022-09.

3. PH 2022-10 Proposed NW 36th Street and NW Weigel Drive Water Main

Action# C3-1. Consider motion to close Public Hearing 2022-10.

4. PH 2022-11 Proposed NW 36th Street & NW State Street Interim Improvements

Action# C4-1. Consider motion to close Public Hearing 2022-11.

5. PH 2022-12 Proposed Infrastructure Agreement between the City of Ankeny and Costco Wholesale Corporation

Action# C5-1. Consider motion to close Public Hearing 2022-12.

6. PH 2022-13 Proposed Issuance of Not to Exceed \$28,500,000 General Obligation Bonds

Action# C6-1. Consider motion to close Public Hearing 2022-13.

7. PH 2022-14 Proposed Issuance of Not to Exceed \$7,600,000 General Obligation Urban Renewal Bonds

Action# C7-1. Consider motion to close Public Hearing 2022-14.

8. PH 2022-15 Proposed Issuance of Not to Exceed \$400,000 General Obligation Bonds

Action# C8-1. Consider motion to close Public Hearing 2022-15.

9. PH 2022-16 Proposed Issuance of Not to Exceed \$3,000,000 Water Revenue Capital Loan Notes

Action# C9-1. Consider motion to close Public Hearing 2022-16.

10. PH 2022-17 Proposed Issuance of Not to Exceed \$235,000 Water Revenue Capital Loan Notes

Action# C10-1. Consider motion to close Public Hearing 2022-17.

11. PH 2022-18 Proposed Issuance of Not to Exceed \$174,600 Water Revenue Capital Loan Notes

Action# C11-1. Consider motion to close Public Hearing 2022-18.

12. PH 2022-19 Proposed Issuance of Not to Exceed \$400,000 Water Revenue Capital Loan Notes

Action# C12-1. Consider motion to close Public Hearing 2022-19.

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

CA - 2 Receive and file minutes of the Park Board meeting of November 29, 2021

CA - 3 Receive and file minutes of the Human Rights Commission meetings of November 11, 2021 and January 27, 2022

CA - 4 Receive and file minutes of the Plan and Zoning Commission meeting of January 19, 2022.

CA - 5 Receive and file minutes of the Zoning Board of Adjustment meeting of January 4, 2022.

CA - 6 Receive and file minutes of the Civil Service Commission meeting of January 10, 2022.

• **Licenses and Permits**

CA - 7 Consider motion to approve the issuance of liquor license(s) and/or beer / wine permit(s) in the City of Ankeny.

• **Finance/Budget**

CA - 8 Consider motion to receive and file Financial Reports for January 2022.

CA - 9 Consider motion to receive and file Building Permit Report for January 2022.

CA - 10 Consider motion to receive and file Utility Billing Report for January 2022.

CA - 11 Consider motion to approve Payment #23 in the amount of \$4,869.98 to Civil Design Advantage for engineering services on the NW 18th Street Extension - NW Weigel Drive to NW Spruce Drive project.

CA - 12 Consider motion to approve Payment #6 in the amount of \$129,442.74 to Cramer & Associates, Inc., for construction services on the High Trestle Trail Ext Magazine Rd to Oralabor Rd project.

CA - 13 Consider motion to approve Payment #10 in the amount of \$20,190.20 to FOX

Engineering Associates, Inc., for engineering services on the Ankeny ASR project.

- CA - 14** Consider motion to approve Payment #19 in the amount of \$5,835.00 to McClure Engineering Company, for engineering services on the Irvinedale Drive Water Main Improvements - Phase 3 project.
- CA - 15** Consider motion to approve Payment #11 in the amount of \$340.00 to MSA Professional Services, Inc., for engineering services on the High Trestle Trail Trailhead and Parking Lot Project.
- CA - 16** Consider motion to approve Payment #8 in the amount of \$50,100.60 to Reilly Construction Company Inc., for construction services on the West First Street Widening and Improvements - Phase 1 project.
- CA - 17** Consider motion to approve the February 21, 2022 Accounts Payable. (Finance Committee: K. Walter-Ashby, Chp, K. Whiting, B. Bentz)

- **Personnel Items**

- CA - 18** Consider motion to adopt **RESOLUTION** amending the 401 Plan Document Adoption Agreement for the City of Ankeny, Iowa.
- CA - 19** Consider motion to accept the Civil Service Commission certified lists for appointment to:
Customer Service Representative - Finance and Park Maintenance Technician - Parks and Recreation, subject to passing any further departmental requirements.

- **Community Development Items**

- CA - 20** Consider motion to adopt **RESOLUTION** providing for the notice and hearing of the City Council of the City of Ankeny, Iowa, to consider a request to vacate a portion of Public Utility Easement, associated with Lot 1, The District at Prairie Trail Plat 11(date of hrg: 3/7/22 @ 5:30 p.m.)

- **Engineering Items**

- CA - 21** Consider motion to adopt a **RESOLUTION** accepting a purchase agreement and approving documents for the acquisition of permanent sidewalk easement and temporary construction easement for the NW 36th Street Widening - NW Ash Drive to North Ankeny Boulevard project in Ankeny, Iowa. (Southwest Corner of NW 36th Street and North Ankeny Boulevard - GreenState Credit Union)
- CA - 22** Consider motion to adopt **RESOLUTION** authorizing the Mayor to sign a development agreement with Threshold Otter Creek, LLC concerning the construction of a traffic signal at the proposed intersection of NE 36th Street and NE Spectrum Drive associated with the Spectrum 36 Development in the City of Ankeny, Iowa.

- **Capital Improvement Projects**

- CA - 23** **2020 CIPP Lining Project:** Consider motion to approve: a) Certificate of Completion; b) **RESOLUTION** accepting the public improvements with Municipal Pipe Tool of \$419,491.40; c) Approval of Change Order #1 in the amount of (\$3,175.00); d) Final Payment #3 in the amount of \$1,499.29 / Release of Retainage in the amount of \$20,974.57.
- CA - 24** **2021 Saylor Creek Repairs & Restoration Project:** Consider motion to approve: a) Final Change Order #2 decreasing the contract amount by \$15,640.44; b) Certificate of Completion; c) **RESOLUTION** accepting the public improvement with Elder Corporation in the amount of \$142,363.31; and d) Final Payment #3 in the

amount of \$7,576.48; and Retainage Payment in the amount of \$7,118.17.

- **Administrative Items - none**
- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-24

Action# E1-1. Consider motion to approve the recommendations for Consent Agenda Items CA-1 through CA-24.

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:
Cultural Arts Board
- Hilary Kodatt - effective immediately - term expires 04/30/2025 (Seat 2)
Economic Development Council
- David Kinsley - effective immediately - term expires 06/30/2023 (Seat 3)
Planning and Zoning Commission
- Randy Weisheit - effective immediately - term expires 12/31/2022 (Seat 4)

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

2. An amendment to **RESOLUTION 2021-461** by adding Des Moines Sister Cities Commission and making an appointment for service.

Action# H2-1. Consider motion to amend RESOLUTION 2021-461 by adding Des Moines Sister Cities Commission and appointing Eric Baker as 1st Representative.

- **Approval of Ordinances:**

1. Ord 2095 An Ordinance amending Chapter 30, Economic Development Council, of the Municipal Code of the City of Ankeny, Iowa.

Action# H1-1. Consider motion to accept third consideration of ORDINANCE 2095, sending it on its final passage and publication as required by law.

2. Ord 2096 An Ordinance vacating a portion of a public utility easement located on Lot 20, Ashland Ridge Plat 2.

Action# H2-1. Consider motion to accept second consideration of ORDINANCE 2096.

3. 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 (PH 2022-08)

Action# H3-1. Consider motion to accept first consideration of ORDINANCE 2097.

I. **OLD BUSINESS: none**

J. **NEW BUSINESS:**

1. Proposed Well No. 7 / ASR No. 3 - Bid Package 2 - Well Pump & Control Building (PH 2022-09)

Action# J1-1. Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$3,232,000.00; 2) receive and file report of bids received February 15, 2022; and 3) adopt RESOLUTION making award of construction contract with WRH, Inc. in the amount of \$2,989,800.00.

2. Proposed NW 36th Street & NW Weigel Drive Water Main (PH 2022-10)

Action# J2-1. Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$1,399,380.00; 2) receive and file report of bids received February 15, 2022; 3) adopt RESOLUTION making award of construction contract with On Track Construction in the amount of \$1,298,500.00; and 4) adopt RESOLUTION approving contract and bonds with On Track Construction in the amount of \$1,298,500.00.

3. Proposed NW 36th Street & NW State Street Interim Improvements (PH 2022-11)

Action# J3-1. Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract, estimate of cost \$712,129.00 and enhancement of payment; 2) receive and file report of bids received February 15, 2022; 3) adopt RESOLUTION making award of construction contract with Con-Struct, Inc. in the amount of \$628,798.00; and 4) adopt RESOLUTION approving contract and bonds with Con-Struct, Inc. in the amount of \$628,798.00.

4. Proposed Infrastructure Agreement between the City of Ankeny and Costco Wholesale Corporation (PH 2022-12)

Action# J4-1. Consider motion to adopt RESOLUTION approving an infrastructure agreement between the City of Ankeny and Costco Wholesale Corporation.

5. Consider motion to set a public hearing to review an application for a State Revolving Fund (SRF) loan and to make available to the public the contents of an environmental information document and the City's project plan.

Action# J5-1. Consider motion to set public hearing to review an application for a State Revolving Fund (SRF) loan and to make available to the public the contents of an environmental information document and the City's project plan and direct City Clerk to publish notice 30 days prior to hearing (date of hrg: 4/4/22 @ 5:30 p.m.).

6. NE 36th Street Reconstruction Project - Interstate 35 to NE Four Mile Drive
Initiate Special Assessment Proceedings

Action# J6-1. Consider motion to adopt a preliminary RESOLUTION for the construction of street, storm sewer, sanitary sewer, water main, street lighting, and other improvements in the City of Ankeny, State of Iowa.

Action# J6-2. Consider motion to adopt RESOLUTION fixing value of lots.

Action# J6-3. Consider motion to adopt RESOLUTION adopting preliminary plat and schedule, estimate of cost, and proposed plans and specifications for the construction of the NE 36th Street Reconstruction Project - Interstate 35 to NE Four Mile Drive.

Action# J6-4. Consider motion to adopt RESOLUTION of Necessity (proposed).

7. Proposed 2022 PCC Street Patching Program
Initiate Proceedings

Action# J7-1. Consider motion to adopt RESOLUTION ordering construction on the 2022 PCC Street Patching Program project and fixing a date for hearing thereon and taking of bids therefor. (date of bid letting: 3/15/22 @ 10:30 AM / date of hrg: 3/21/22 @ 5:30 PM)

8. Proposed 2022 CIPP Lining Project
Initiate Proceedings

Action# J8-1. Consider motion to adopt RESOLUTION ordering construction on the 2022 CIPP Lining Project and fixing a date for hearing thereon and taking of bids therefor. (date of bid-letting: 03/15/22 @ 10:30 a.m./date of hrg: 03/21/22 @ 5:30 p.m.)

9. Proposed 2022 PCC Reconstruction Program - NW 5th Street
Initiate Proceedings

Action# J9-1. Consider motion to adopt RESOLUTION ordering construction on the 2022 PCC Reconstruction Program - NW 5th Street project and fixing a date for hearing thereon and taking of bids therefor. (date of bid letting: 3/15/22 @ 10:30 A.M. / date of hrg: 3/21/22 @ 5:30 P.M.)

10. Resolution concerning the establishment of Central Iowa Water Works

Action# J10-1. Consider motion to adopt RESOLUTION approving the City of Ankeny's participation in further discussions and exploration concerning the establishment of Central Iowa Water Works.

11. Diamond Hills Greenway Stream Repairs project
Professional Services Agreement with Nilles Associates, Inc.

Action# J11-1. Consider motion to approve the Professional Services Agreement with Nilles Associates, Inc. for design engineering services on the Diamond Hills Greenway Stream Repairs in an amount not to exceed \$37,900.00 and authorize the Mayor to execute said Agreement.

12. Proposed Issuance of Not to Exceed \$28,500,000 General Obligation Bonds (PH 2022-13)

Action# J12-1. Consider motion to adopt RESOLUTION instituting proceedings to take additional action for the issuance of not to exceed \$28,500,000 General Obligation Bonds.

13. Proposed Issuance of Not to Exceed \$7,600,000 General Obligation Urban Renewal Bonds (PH 2022-14)

Action# J13-1. Consider motion to adopt RESOLUTION instituting proceedings to take

additional action for the issuance of not to exceed \$7,600,000 General Obligation Urban Renewal Bonds.

14. Proposed Issuance of Not to Exceed \$400,000 General Obligation Bonds (PH 2022-15)

Action# J14-1. Consider motion to adopt RESOLUTION instituting proceedings to take additional action for the issuance of not to exceed \$400,000 General Obligation Bonds.

15. Proposed Issuance of Not to Exceed \$3,000,000 Water Revenue Capital Loan Notes (PH 2022-16)

Action# J15-1. Consider motion to adopt RESOLUTION instituting proceedings to take additional action for the authorization of a loan and disbursement agreement and the issuance of not to exceed \$3,000,000 Water Revenue Capital Loan Notes.

16. Proposed Issuance of Not to Exceed \$235,000 Water Revenue Capital Loan Notes (PH 2022-17)

Action# J16-1. Consider motion to adopt RESOLUTION instituting proceedings to take additional action for the authorization of a loan and disbursement agreement and the issuance of not to exceed \$235,000 Water Revenue Capital Loan Notes.

17. Proposed Issuance of Not to Exceed \$174,600 Water Revenue Capital Loan Notes (PH 2022-18)

Action# J17-1. Consider motion to adopt RESOLUTION instituting proceedings to take additional action for the authorization of a loan and disbursement agreement and the issuance of not to exceed \$174,6000 Water Revenue Capital Loan Notes.

18. Proposed Issuance of Not to Exceed \$400,000 Water Revenue Capital Loan Notes (PH 2022-19)

Action# J18-1. Consider motion to adopt RESOLUTION instituting proceedings to take additional action for the authorization of a loan and disbursement agreement and the issuance of not to exceed \$400,000 Water Revenue Capital Loan Notes.

19. Proposed Issuance of General Obligation Bonds, Series 2022A

Action# J19-1. Consider motion to adopt RESOLUTION authorizing the issuance of General Obligation Bonds, Series 2022A, and levying a tax for the payment thereof.

20. Proposed Maximum Property Tax Dollars for Fiscal Year July 1, 2022 - June 30, 2023
Set Public Hearing Date

Action# J20-1. Consider motion to set a public hearing on the maximum property tax dollars for Fiscal Year July 1, 2022 - June 30, 2023 for March 7, 2022 at 5:30 p.m. and direct City Clerk to publish notice of such hearing.

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:**

- ***CAPS Meeting - Budget Workshop - Hotel/Motel & Enterprise Funds - 2/28/22 @ 5:30 p.m.***
- ***Public Hearing - SE Delaware Ave HMA Widening - 3/7/22 @ 5:30 p.m.***
- ***Public Hearing - 2022 PCC Pavement Preservation - SW State St - 3/7/22 @ 5:30 p.m.***
- ***Public Hearing - N Ankeny Blvd Fiber Optic Upgrade - 3/7/22 @ 5:30 p.m.***
- ***Public Hearing - 2022 PCC Reconstruction Program - SE Peachtree Dr - 3/7/22 @ 5:30 p.m.***
- ***Public Hearing - NE Four Mile Drive RCB - Deer Creek - 3/7/22 @ 5:30 p.m.***
- ***Public Hearing - Ordinance - Entertainment District - 3/7/22 @ 5:30 p.m.***
- ***Public Hearing - Vacate - PUE - Lot 1, The District at Prairie Trail Plat 11 - 3/7/22 @ 5:30 p.m.***
- ***Public Hearing - Proposed Maximum Property Tax Dollars - 3/7/22 @ 5:30 p.m.***
- ***Public Informational Meeting - FY2023 Budget - 3/10/22 @ 5:30 p.m.***
- ***Public Hearing - 2022 CIPP Lining Project - 3/21/22 @ 5:30 p.m.***
- ***Public Hearing - 2022 PCC Reconstruction Program - NW 5th St - 3/21/22 @ 5:30 p.m.***
- ***Public Hearing - 2022 PCC Street Patching Program - 3/21/22 @ 5:30 p.m.***
- ***Public Hearing - Resolution of Necessity - NE 36th Street Reconstruction Project - 3/21/22 @ 5:30 p.m.***
- ***Public Hearing - SRF Loan Application - 4/4/22 @ 5:30 p.m.***

L. ADJOURNMENT

1. Adjournment