



ANKENY CITY COUNCIL

Regular Meeting

Monday, February 19, 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=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:	Michelle Yuska, City Clerk
PLEDGE OF ALLEGIANCE:	Mark Holm, Mayor

CEREMONY: none

A. PUBLIC FORUM: none

B. APPROVAL OF AGENDA:

1. Approval of the February 19, 2024 Agenda

Action# B1-1. Consider motion to approve and accept the February 19, 2024 agenda, with or without amendment.

C. PUBLIC HEARING(S):

1. PH 2024-09 Proposed NW 36th Street and NW Weigel Drive HMA Resurfacing

Action# C1-1. Consider motion to close Public Hearing 2024-09.

2. PH 2024-10 Proposed SE 3rd Street Utility Improvements - Phase 2

Action# C2-1. Consider motion to close Public Hearing 2024-10.

3. PH 2024-11 Proposed Ankeny Fire Station No. 4

Action# C3-1. Consider motion to close Public Hearing 2024-11.

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 5, 2024, as published, subject to correction, as recommended by the City Clerk.

CA - 2 Approval of official council actions of the special meeting of February 12, 2024, as published, subject to correction, as recommended by the City Clerk.

CA - 3 Receive and file minutes of the Ankeny Cultural Arts Board meeting of June 12th, 2023.

CA - 4 Receive and file minutes of the Civil Service Commission meeting of January 8, 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 receive and file Financial Reports for January 2024.

CA - 7 Consider motion to receive and file Building Permit Report for January 2024.

CA - 8 Consider motion to receive and file Utility Billing Report for January 2024.

CA - 9 Consider motion to approve Amendment No. 1 to the Professional Services Agreement increasing the contract amount by \$75,380.00 with JEO Consulting Group for construction engineering services on the SE 3rd Street Utility

Improvements - Phase 2 project.

- CA - 10** Consider motion to approve Payment #5 in the amount of \$12,922.50 to Bolton & Menk, Inc., for engineering services on the SE Corporate Woods Drive & Crosswinds Drive Traffic Signalization project.
- CA - 11** Consider motion to approve Payment #10 in the amount of \$26,827.25 to Civil Design Advantage for engineering services on the NW 36th Street and NW Weigel Drive HMA Resurfacing project.
- CA - 12** Consider motion to approve Payment #36 in the amount of \$4,690.00 to Foth Infrastructure and Environment, LLC for engineering services on the West First Street Widening and Improvements - Phase 1 project.
- CA - 13** Consider motion to approve Payment #14 in the amount of \$4,620.00 to HDR Engineering, Inc., for engineering services on the NW Irvinedale Elevated Storage Tank project.
- CA - 14** Consider motion to approve Payment #9 in the amount of \$2,677.50 to ISG (I&S Group) for design and construction work on the High Trestle Trail Park Phase 1 project.
- CA - 15** Consider motion to approve Payment #7 in the amount of \$19,236.83 to J&K Contracting, for construction services on the North Four Mile Creek Trunk Sewer project.
- CA - 16** Consider motion to approve Payment #3 in the amount of \$31,422.75 to Nilles Associates, Inc., for engineering services on the Vintage Business Park North Lake and Saylor Creek Repairs project.
- CA - 17** Consider motion to approve Payment #10 in the amount of \$42,109.00 to SVPA Architects Inc. for design services associated with the Ankeny Fire Station No. 4 project.
- CA - 18** Consider motion to approve the February 19, 2024 Accounts Payable.
- CA - 19** Consider motion to adopt a **RESOLUTION** authorizing the purchase of traffic signal cabinets for installation with the SE Delaware Avenue Traffic Signal Upgrades.
- CA - 20** Consider motion to adopt a **RESOLUTION** authorizing the purchase of video detection equipment for installation with the SE Delaware Avenue Traffic Signal Upgrades.

- **Personnel Items**

- CA - 21** Consider motion to authorize a side-by-side position in the police department which will temporarily increase the authorized FTE count by one.
- CA - 22** Consider motion to authorize a side letter agreement with AFSCME Local #1868 to amend the wages of the AFSCME Collective Bargaining Agreement for July 1, 2024 to June 30, 2025.
- CA - 23** Consider motion to accept the Civil Service Commission certified lists for appointment to: Plans Examiner, Police Officer, and Fire Lieutenant; subject to passing any further departmental requirements.

- **Community Development Items**

- CA - 24** Consider motion to adopt **RESOLUTION** accepting final plat, subdivision bonds for seeding and erosion control, performance and maintenance bonds for public improvements, sewer and water connection fees, NW 18th Street improvement fees, warranty deed to streets and parkland, and platted easements; and

authorizing cost participation for sidewalk oversizing for Savannah at Ankeny.

- CA - 25** Consider motion to adopt **RESOLUTION** authorizing the Mayor to sign a development agreement by and between the City of Ankeny, Iowa, and SCS Ankeny, LLC regarding the construction of Savannah at Ankeny.
- CA - 26** Consider motion to adopt **RESOLUTION** approving plans and specifications, and accepting contracts and performance and maintenance bonds for the construction of subgrade, sanitary sewer, storm sewer, and water main in Savannah at Ankeny.
- CA - 27** Consider motion to adopt **RESOLUTION** approving plans and specifications, and accepting contracts and performance and maintenance bonds for the construction of street paving in Savannah at Ankeny.
- CA - 28** Consider motion to adopt **RESOLUTION** accepting final plat and authorizing the Mayor to sign a consent to plat and easements for Ankeny Fire Station No. 4.
- CA - 29** Consider motion to adopt **RESOLUTION** adopting a new Official Zoning Map for the City of Ankeny, Iowa.
- CA - 30** Consider motion to adopt **RESOLUTION** approving plans and specifications, contracts, and performance and maintenance bonds for the construction of subgrade and storm sewer associated with the Rueter Property Site Plan.
- CA - 31** Consider motion to adopt **RESOLUTION** approving plans and specifications, contracts, and performance and maintenance bonds for the construction of street paving associated with the Rueter Property Site Plan.
- CA - 32** Consider motion to adopt **RESOLUTION** authorizing the Mayor to sign a Development Agreement with Rueter Company concerning the maintenance of NE Rueter Drive associated with the development of the Rueter Property Site Plan.
- CA - 33** Consider motion to adopt **RESOLUTION** accepting acquisition plat, warranty deed to streets, subdivision bond for seeding and silt fence, and storm water management facility maintenance covenant and permanent easement agreement associated with Rueter Property Site Plan.

- **Engineering Items**

- CA - 34** Consider motion to adopt **RESOLUTION** approving and authorizing the acquisition of property and property interests for the NE 36th Street and NE 38th Street Water Main project.
- CA - 35** Consider motion to adopt **RESOLUTION** approving and authorizing the acquisition of property and property interests for the SE Delaware Avenue & SE 54th Street Traffic Signal.

- **Capital Improvement Projects**

- CA - 36** Consider motion to adopt **RESOLUTION** accepting a proposal from On Track Construction in the amount of \$130,499.00 for the construction of the 2024 Annual Storm Sewer Repairs project.
- CA - 37** 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 - 38** Consider motion to adopt **RESOLUTION** accepting a proposal from Vice Construction in the amount of \$176,220.00 for the construction of the 2024 Pedestrian Ramp Improvements Program - Northbrook project.
- CA - 39** **NE 36th Street Reconstruction Project - I-35 to NE Fourmile Drive:** Consider motion to approve: a) Final Change Order #7 increasing the contract amount by

\$19,175.00; b) Certificate of Completion; c) **RESOLUTION** accepting the public improvement with Absolute Concrete Construction Inc. in the amount of \$5,545,722.53; and d) Final Payment #14 in the amount of \$36,564.08; and Retainage Payment in the amount of \$277,286.13.

CA - 40 Consider motion to adopt **RESOLUTION** ordering preparation of final plat and schedule of assessments for the NE 36th Street Reconstruction Project - I-35 to NE Fourmile Drive.

CA - 41 Consider motion to adopt **RESOLUTION** ordering construction on the SE Corporate Woods Drive & SE Crosswinds Drive Traffic Signal and fixing a date for hearing thereon and taking of bids therefor. (date of bid opening: 3/12/24 @ 10:30 A.M. / date of hrg: 3/18/24 @ 5:30 P.M.)

- **Administrative Items**

CA - 42 Consider motion to adopt **RESOLUTION** authorizing the City Manager's Office to submit a grant application for the Energy Efficiency & Conservation Block Grant Program through the US Department of Energy.

CA - 43 Consider motion to adopt **RESOLUTION** authorizing the City of Ankeny, Iowa to submit an application for grant funding from the Iowa Department of Natural Resources in the amount of \$9,900 through the Community Forestry Program, with the City match in the amount not to exceed \$4,950 for tree planting projects.

CA - 44 Consider motion to authorize the Police Department to submit a grant application for the Adopt A K-9 Cop Matching Grant through AKC Reunite.

CA - 45 Consider motion to adopt **RESOLUTION** fixing date for a meeting on the proposition of the issuance of not to exceed \$17,500,000 General Obligation Bonds of the City of Ankeny, State of Iowa (for essential corporate purposes), and providing for publication of notice thereof (date of hrg: 3/4/24).

CA - 46 Consider motion to adopt **RESOLUTION** fixing date for a meeting on the proposition of the issuance of not to exceed \$500,000 General Obligation Urban Renewal Bonds of the City of Ankeny, State of Iowa (for essential corporate urban renewal purposes), and providing for publication of notice thereof (date of hrg: 3/4/24).

CA - 47 Consider motion to adopt **RESOLUTION** fixing date for a meeting on the proposition of the issuance of not to exceed \$4,500,000 Water Revenue Bonds of the City of Ankeny, State of Iowa, and providing for publication of notice thereof (date of hrg: 3/4/24).

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-47

Action# E1-1. Consider motion to approve the recommendations for Consent Agenda Items CA-1 through CA-47.

F. SUPPLEMENTAL AND REMOVED CONSENT AGENDA ITEMS: none

G. RECESS - Mark Holm, Mayor

H. LEGISLATIVE BUSINESS:

- **Boards/Commissions Appointments:**

1. CIWW Central Iowa Water Works (CIWW) Appointments

Action# H1-1. Consider a motion to adopt RESOLUTION appointing David Jones as the primary representative, and Jeff Perry as an alternative representative to the CIWW Board of Trustees.

- **Approval of Ordinances:**

1. Ord 2161 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 Beasley Farms Inc., Stephen L Banning Trust, and Bettye J Banning Trust.

Action# H1-1. Consider motion to accept second consideration of ORDINANCE 2161.

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 2161, sending it on its final passage and publication as required by law.

2. 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# H2-1. Consider motion to accept second consideration of ORDINANCE 2162.

3. 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# H3-1. Consider motion to accept second consideration of ORDINANCE 2163.

4. 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# H4-1. Consider motion to accept second consideration of ORDINANCE 2164.

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Proposed NW 36th Street & NW Weigel Drive HMA Resurfacing (PH 2024-09)

Action# J1-1.

Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$2,114,420.00; 2) receive and file report of bids received February 13, 2024; 3) adopt RESOLUTION making award of construction contract with InRoads, LLC in the amount of \$1,691,525.00; and 4) adopt RESOLUTION approving contract and bonds with InRoads, LLC in the amount of \$1,691,525.00.

2. Proposed SE 3rd Street Utility Improvements - Phase 2 (PH 2024-10)

Action# J2-1.

Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract, estimate of cost \$2,500,000.00 and enhancement of payment; 2) receive and file report of bids received February 13, 2024; 3) adopt RESOLUTION making award of construction contract with Rognes Corp in the amount of \$2,244,000.00; and 4) adopt RESOLUTION approving contract and bonds with Rognes Corp in the amount of \$2,244,000.00.

3. Proposed Ankeny Fire Station No. 4 (PH 2024-11)

Action# J3-1. Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$6,600,000.00; 2) receive and file report of bids received February 13, 2024; 3) adopt RESOLUTION making award of construction contract with HPC, LLC in the amount of \$5,950,000.00; and 4) adopt RESOLUTION approving contract and bonds with HPC, LLC in the amount of \$5,950,000.00.

4. Request for Council Initiated Rezoning from R-1 to PUD
Berwick Holdings, LLC.

Action# J4-1.

Consider motion to receive and file correspondence dated January 29, 2024 regarding a rezoning request for a 104-acre parcel located at NW Berwick Drive.

Action# J4-2. Consider motion to initiate a rezoning request for a 104-acre parcel located at NW Berwick Drive 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:**

- ***Budget Workshop - Hotel/Motel and Enterprise Funds - 2/26/24 @ 5:30 p.m.***
- ***Public Hearing - SW Magazine Rd & SW State St Intersection Improvements - 3/4/24 @ 5:30 p.m.***
- ***Public Hearing - Magazine Ground Storage Reservoir Rehabilitation - 3/4/24 @ 5:30 p.m.***

- ***Public Hearing - 2024 PCC Pavement Preservation Program - SE Shurfine Dr - 3/4/24 @ 5:30 p.m.***
- ***Public Meeting - \$17,500,000 General Obligation Bonds - 3/4/24 @ 5:30 p.m.***
- ***Public Meeting - \$500,000 General Obligation Urban Renewal Bonds- 3/4/24 @ 5:30 p.m.***
- ***Public Meeting - \$4,500,000 Water Revenue Bonds- 3/4/24 @ 5:30 p.m.***
- ***Public Hearing - SE Corporate Woods Dr & SE Crosswinds Dr Traffic Signal - 3/18/24 @ 5:30 p.m.***

L. ADJOURNMENT

1. Adjournment

Council Action Planning Session will commence following adjournment of regular meeting.