



ANKENY CITY COUNCIL

Regular Meeting

Monday, August 5, 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:

1. Special Presentation: Mindy Moore, HDR, Des Moines Area MPO Comprehensive Safety Action Plan

B. APPROVAL OF AGENDA:

1. Approval of the August 5, 2024 Agenda

Action# B1-1. Consider motion to approve and accept the August 5, 2024 agenda, with or without amendment.

C. PUBLIC HEARING(S):

1. PH 2024-45 Proposed High Trestle Trail Experience Park - Phase 1

Action# C1-1. Consider motion to close Public Hearing 2024-45.

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 July 15, 2024, as published, subject to correction, as recommended by the City Clerk.
- CA - 2** Approval of official council actions of the special meeting of July 25, 2024, as published, subject to correction, as recommended by the City Clerk.
- CA - 3** Receive and file minutes of the Plan and Zoning Commission meeting of July 2, 2024.
- CA - 4** Receive and file the minutes of the Civil Service Commission meeting of June 10, 2024.
- CA - 5** Receive and file minutes of the Library Board of Trustee meeting of June 20, 2024.

• **Licenses and Permits**

- CA - 6** Consider motion to approve the issuance of a special permit to Derek Watson for the purpose of bow hunting on private property within the city limits pursuant to Municipal Code Section 41.11(3).
- CA - 7** Consider motion to approve the issuance of Cigarette/Tobacco/Nicotine/Vapor Permits for August 5, 2024 - June 30, 2025.
- CA - 8** Consider motion to approve the issuance of liquor licenses and beer/wine permits in the City of Ankeny.

• **Finance/Budget**

- CA - 9** Consider motion to approve Change Order #3 increasing the contract amount by \$15,597.50 to Absolute Concrete Construction, for construction services on the Oralabor Gateway Trail - SW State Street Underpass and SW Oralabor Road and SW State Street Intersection Improvements project.
- CA - 10** Consider motion to approve Change Order #2 increasing the contract amount by

\$117.00 to InRoads, LLC, for construction services on the NW 36th Street and NW Weigel Drive HMA Resurfacing project.

- CA - 11** Consider motion to approve Amendment No. 2 to the Professional Services Agreement with RDG Planning & Design increasing the contract amount by \$95,291.00 for an in-depth Phase 1 cultural resources survey, floodplain modeling, preparation and submittal of a Conditional letter of Map Revision (CLOMR), development of post-project documentation related to the CLOMR, and final Letter of Map Revision (LOMR) documents and application on the Four Mile Creek and Tributary Channel Stabilization - NE 47th Street to NE 54th Street project.
- CA - 12** Consider motion to approve Payment #8 in the amount of \$575,007.70 to Absolute Concrete Construction, Inc. for construction services on the Oralabor Gateway Trail - SW State Street Underpass and SW Oralabor Road and SW State Street Intersection Improvements project.
- CA - 13** Consider motion to approve Payment #5 in the amount of \$1,650.00 to DIXON Engineering, Inc., for engineering services on the Magazine Ground Storage Reservoir Rehabilitation project.
- CA - 14** Consider motion to approve Payment #2 in the amount of \$84,823.16 to Foth Infrastructure and Environment, LLC for engineering services on the West First Street Widening and Improvements - Phase 2 project.
- CA - 15** Consider motion to approve Payment #3 in the amount of \$55,852.40 to Gus Construction, for construction services on the NE 62nd St. Box Culvert project.
- CA - 16** Consider motion to approve Payment #17 in the amount of \$36,420.46 to HDR Engineering, Inc., for engineering services on the NW Irvinedale Elevated Storage Tank project.
- CA - 17** Consider motion to approve Payment #18 in the amount of \$34,007.14 to HDR Engineering, Inc., for engineering services on the NW Irvinedale Elevated Storage Tank project.
- CA - 18** Consider motion to approve Payment #19 in the amount of \$18,891.19 to HDR Engineering, Inc., for engineering services on the NW Irvinedale Elevated Storage Tank project.
- CA - 19** Consider motion to approve Payment #19 in the amount of \$26,403.04 to HR Green, Inc., for construction engineering services on the Oralabor Gateway Trail-SW State Street Underpass and SW Oralabor Road and SW State Street Safety Improvements project.
- CA - 20** Consider motion to approve Payment #3 in the amount of \$72,546.75 to InRoads, LLC, for construction services on the NW 36th Street and NW Weigel Drive HMA Resurfacing project.
- CA - 21** Consider motion to approve Payment #4 in the amount of \$27,468.75 to McClure Engineering Company, for construction engineering services on the SW Des Moines Street Utility Improvements project.
- CA - 22** Consider motion to approve Payment #5 in the amount of \$10,381.15 to MSA Professional Services, Inc., for engineering services on the SW Walnut Street and SW Ordance Road Water Main project.
- CA - 23** Consider motion to approve Payment #5 in the amount of \$27,297.19 to Olsson, Inc., for engineering services on the Fiber Optic Network Upgrade project.
- CA - 24** Consider motion to approve Payment #10 in the amount of \$26,181.25 to Snyder & Associates, for engineering services on the N Ankeny Blvd Improvements 1st Street to 11th Street project.

- CA - 25** Consider motion to approve Payment #36 in the amount of \$37,751.88 to Snyder & Associates, Inc., for engineering services on the NE Delaware Ave Recon - NE 5th St to NE 18th St project.
- CA - 26** Consider motion to approve Payment #21 in the amount of \$3,952.53 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements - Phase 2 project.
- CA - 27** Consider motion to approve Payment #9 in the amount of \$3,157.30 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements - Phase 3 project.
- CA - 28** Consider motion to approve Payment #4 in the amount of \$23,331.00 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements - Phase 4 project.
- CA - 29** Consider motion to approve Payment #14 in the amount of \$26,859.50 to Snyder & Associates, for engineering services on the S Ankeny Blvd Improvements SE Peterson Dr to 1st St project.
- CA - 30** Consider motion to approve Payment #14 in the amount of \$6,896.59 to Snyder & Associates, for engineering services on the SE Delaware Ave and SE 54th St Traffic Signal project.
- CA - 31** Consider motion to approve Payment #12 in the amount of \$9,019.52 to Snyder & Associates, for engineering services on the SE Oralabor Rd & SE Creekview Dr Traffic Signal Replacement project.
- CA - 32** Consider motion to approve Payment #6 in the amount of \$4,464.75 to Snyder & Associates, Inc. for engineering services on the Watercrest Park Expansion project.
- CA - 33** Consider motion to approve Payment #14 in the amount of \$7,224.58 to Strand, for engineering services on the NE 36th Street & NE 38th Street Water Main Loop project.
- CA - 34** Consider motion to approve the August 5, 2024 Accounts Payable.
- CA - 35** Consider motion to receive and file the Adopted Annual Budget Document for Fiscal Year 2025.
- CA - 36** Consider motion to approve the ambulance billing services contract with EMS Management & Consultants, Inc. of Winston-Salem, North Carolina, and authorize the Mayor to sign the Letter of Agreement.

- **Personnel Items - none**
- **Community Development Items**

- CA - 37** Consider motion to adopt **RESOLUTION** accepting final plat, letter of credit for seeding and erosion control, performance and maintenance bonds for paving, subgrade, and underground improvements, platted easements, park site dedication agreement, warranty deed for streets, and authorizing cost-participation for installation of sidewalk and extending sewer and water service to existing lots along NE Berwick Drive, for Berwick Estates Plat 1.
- CA - 38** Consider motion to adopt **RESOLUTION** approving plans and specifications and accepting contracts, performance and maintenance bonds for the construction of water main, sanitary sewer, and storm sewer in Berwick Estates Plat 1.
- CA - 39** Consider Motion to adopt **RESOLUTION** approving plans and specifications and accepting contracts, performance and maintenance bonds for the construction of

street paving and subgrade in the Berwick Estates Plat 1.

- CA - 40** Consider motion to adopt **RESOLUTION** accepting final plat, warranty deed to streets, letter of credit for erosion control, and platted easements for Kwik Trip 1707 Plat 1 final plat.
- CA - 41** Consider motion to adopt **RESOLUTION** accepting final plat, warranty deed to streets, letter of credit for seeding and erosion control, and platted easements for Kwik Trip 1707 Plat 2 final plat.
- CA - 42** Consider motion to adopt **RESOLUTION** authorizing the Mayor to sign a Development Agreement with Kwik Trip, Inc concerning the reimbursement of fifty percent (50%) of the costs related to the preparation, construction, and installation of a traffic signal on SE Delaware Avenue associated with the development of Kwik Star #1707.
- CA - 43** Consider motion to adopt **RESOLUTION** accepting a Storm Water Management Facility Maintenance Covenant and Permanent Easement Agreement, located on Lot 3, Hicklin Industrial Plat 1; and associated with the development of 2402 SE Hulsizer Road Site Improvements Site Plan.
- CA - 44** Consider motion to adopt **RESOLUTION** authorizing the Mayor to sign a hold harmless agreement allowing Community State Bank to place a ground sign within a portion of the City of Ankeny's Public Sanitary Sewer Easement located on Lot 1, Spectrum 36 Plat 3.
- CA - 45** Consider a motion to adopt **RESOLUTION** setting a public hearing on a proposal to vacate a series of public easements located East of SE Delaware Avenue, West of Interstate 35, and North of SE Corporate Woods Drive. (date of hrg; 8/19/24 @ 5:30 p.m.)

- **Engineering Items**

- CA - 46** 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 NE Four Mile Dr Raised Median Improvements project.
- CA - 47** Consider motion to adopt **RESOLUTION** accepting public improvements for paving and subgrade prep associated with Copeland Commercial Intersection Improvements.
- CA - 48** Consider motion to adopt **RESOLUTION** accepting traffic signal improvements and termination of associated development agreement for Copeland Commercial Intersection Improvements.
- CA - 49** Consider motion to adopt **RESOLUTION** accepting public improvements for utilities in Aspen Ridge Commercial Plat 3.
- CA - 50** Consider motion to adopt **RESOLUTION** accepting public improvements for paving in Aspen Ridge Commercial Plat 3.
- CA - 51** Consider motion to adopt **RESOLUTION** accepting public improvements for subgrade prep in Aspen Ridge Commercial Plat 3.

- **Capital Improvement Projects**

- CA - 52** 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 SE Delaware Avenue & SE 54th Street Traffic Signal in Ankeny, Iowa. (5500 SE Delaware Avenue)
- CA - 53** **Ankeny Senior Community Center**: Consider motion to approve: a) Change

Order #15 decreasing the contract amount by \$26,629.41; b) Certificate of Completion; c) **RESOLUTION** accepting the public improvements with Graphite Construction Group in the amount of \$5,983,901.04; and d) Pay Application #21, Release of Retainage in the amount of \$87,358.77.

- CA - 54** **2024 CIPP Lining Project:** Consider motion to approve: a) Certificate of Completion; b) **RESOLUTION** accepting the public improvements with Municipal Pipe Tool Company, L.L.C., of Hudson, Iowa in the amount of \$584,162.73; c) Approval of Change Order #1 in the amount of \$7,680.23; d) Final Payment #3 in the amount of \$86,809.79 / Release of Retainage in the amount of \$29,208.15.

- **Administrative Items**

- CA - 55** Consider a motion approving an agreement with Keystone Construction Services in the amount of \$24,900.00 for maintenance work associated with the Ankeny City Hall facility.

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-55

Action# E1-1. Consider motion to approve the recommendations for Consent Agenda Items CA-1 through CA-55.

F. SUPPLEMENTAL AND REMOVED CONSENT AGENDA ITEMS: none

G. RECESS - Mark Holm, Mayor

H. LEGISLATIVE BUSINESS:

- **Approval of Ordinances:**

1. Ord 2176 An Ordinance amending Chapter 69 Parking Regulations of the Municipal Code of the City of Ankeny, Iowa, by amending Section 69.10 No Parking on North and East Sides of Streets, and Section 69.11 No Parking on Both Sides.

Action# H1-1. Consider motion to accept first consideration of ORDINANCE 2176.

2. Ord 2177 An Ordinance amending Chapter 4 of the code of ordinances of the City of Ankeny, Iowa, by amending provisions pertaining to alternative penalties.

Action# H2-1. Consider motion to accept first consideration of ORDINANCE 2177.

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Proposed High Trestle Trail Experience Park Phase 1 (PH 2024-45)

Action# J1-1. Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$967,828.00 base bid and \$79,120 alternate a for a total of \$1,046,947.95; 2) receive and file report of bids received July 30, 2024; and 3) adopt RESOLUTION making award of construction contract with Mainline Construction, Inc. in the amount of \$868,754.00.

2. Proposed NW Prairie Ridge Drive, NW 9th Street, and NW Ash Drive Intersection Improvements Professional Services Agreement with Bolton & Menk, Inc.

Action# J2-1. Consider motion to approve the Professional Services Agreement with Bolton & Menk, Inc. for design engineering services on the NW Prairie Ridge Drive, NW 9th Street, and NW Ash Drive Intersection Improvements project in an amount not to exceed \$402,531.00 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 - Otter Creek Clubhouse Renovations - 8/19/24 @ 5:30 p.m.***
- ***Public Hearing - vacate SE Delaware Public Easements - 8/19/24 @ 5:30 p.m.***
- ***Regular City Council Meeting - 9/3/24 @ 5:30 p.m.***

L. ADJOURNMENT

1. Adjournment

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