



ANKENY CITY COUNCIL

Regular Meeting

Monday, February 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

A. PUBLIC FORUM: none

B. APPROVAL OF AGENDA:

1. Approval of the February 6, 2023 Agenda

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

C. PUBLIC HEARING(S):

1. PH 2023-07 Proposed SW State Street Fiber Optic Relocation

Action# C1-1. Consider motion to close Public Hearing 2023-07.

2. PH 2023-08 Proposed 2023 PCC Pavement Preservation Program

Action# C2-1. Consider motion to close Public Hearing 2023-08.

3. PH 2023-09 Proposed 2023 PCC Reconstruction Program - SE 8th Street

Action# C3-1. Consider motion to close Public Hearing 2023-09.

4. PH 2023-10 Proposed S. Ankeny Blvd. Transmission Main Project

Action# C4-1. Consider motion to close Public Hearing 2023-10.

5. PH 2023-11 Proposed North Four Mile Creek Trunk Sewer Project

Action# C5-1. Consider motion to close Public Hearing 2023-11.

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 January 17, 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 January 4, 2023.

CA - 3 Receive and file minutes of the Park Board meeting of November 28, 2022.

- **Licenses and Permits**

CA - 4 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 - 5 Consider motion to approve Change Order #3 increasing the contract amount by \$27,281.37 to Absolute Concrete Construction, Inc., for construction services on the SE 3rd Street Utility Improvements-Phase 1 project.

- CA - 6** Consider motion to approve Amendment No. 1 to the Professional Services Agreement increasing the contract amount by \$395,300.00 with McClure Engineering Company for additional design and construction engineering services on the NW 18th Street Reconstruction - NW Ash Drive to N Ankeny Boulevard project.
- CA - 7** Consider motion to approve Amendment No. 1 to the Professional Services Agreement increasing the contract amount by \$85,440.00 with Nilles Associates for construction services on the NE Crestmoor Sanitary Sewer Replacement project.
- CA - 8** Consider motion to approve Amendment No. 1 to the Professional Services Agreement increasing the contract amount by \$43,500.00 with Snyder & Associates, Inc. for construction engineering services on the NW Northlawn Area Utility Improvements - Phase 2 project.
- CA - 9** Consider motion to approve Payment #31 in the amount of \$1,101.50 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 #1 in the amount of \$63,673.17 to Electric Conduit Construction Company, for construction services on the SE Quadrant Fiber Upgrade, Phase One project.
- CA - 11** Consider motion to approve Payment #9 in the amount of \$18,565.20 to Foth Infrastructure and Environment, LLC for engineering services on the North Four Mile Creek Trunk Sewer project.
- CA - 12** Consider motion to approve Payment #21 in the amount of \$19,540.34 to FOX Strand, for engineering services on the Ankeny ASR project.
- CA - 13** Consider motion to approve Payment #7 in the amount of \$62,370.00 to HDR Engineering, Inc., for engineering services on the NW Irvinedale Elevated Storage Tank project.
- CA - 14** Consider motion to approve Payment #4 in the amount of \$209,205.27 to Hydro-Klean, LLC for construction services on the 2022 CIPP Lining project.
- CA - 15** Consider motion to approve Payment #7 in the amount of \$7,326.25 to JEO Consulting Group, Inc., for engineering services on the SE 3rd Street Improvements - Phase 2 project.
- CA - 16** Consider motion to approve Payment #18 in the amount of \$2,828.75 to JEO Consulting Group, Inc., for engineering services on the SE Delaware Avenue HMA Widening project.
- CA - 17** Consider motion to approve Payment #3 in the amount of \$3,499.96 to Olsson, Inc., for engineering services on the Fiber Optic Network Master Plan project.
- CA - 18** Consider motion to approve Payment #9 in the amount of \$20,663.25 to RDG Planning & Design for engineering services on the Fourmile Creek and Tributary to Fourmile Creek Restoration project.
- CA - 19** Consider motion to approve Payment #6 in the amount of \$5,787.29 to Short Elliott Hendrickson Inc., for engineering services on the S Ankeny Blvd Transmission Main project.
- CA - 20** Consider motion to approve Payment #19 in the amount of \$3,011.20 to Snyder & Associates, Inc., for engineering services on the 2021 Pavement Management Study and Master Plan project.
- CA - 21** Consider motion to approve Payment #28 in the amount of \$5,168.00 to Snyder & Associates, Inc., for engineering services on the High Trestle Trail Ext Magazine Rd to Oralabor Rd project.

- CA - 22** Consider motion to approve Payment #23 in the amount of \$13,247.02 to Snyder & Associates, Inc., for engineering services on the HTT Transmission Main and Drainage Improvements project.
- CA - 23** Consider motion to approve Payment #24 in the amount of \$2,129.00 to Snyder & Associates, Inc., for engineering services on the N Ankeny Blvd Landscape Improvements project.
- CA - 24** Consider motion to approve Payment #18 in the amount of \$6,328.25 to Snyder & Associates, Inc., for engineering services on the NE Delaware Ave Recon - NE 5th St to NE 18th St project.
- CA - 25** Consider motion to approve Payment #26 in the amount of \$5,660.60 to Snyder & Associates, Inc., for engineering services on the NW 36th St Widening - NW Ash Dr to N Ankeny Blvd project.
- CA - 26** Consider motion to approve Payment #10 in the amount of \$2,710.50 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements - Phase 2 project.
- CA - 27** Consider motion to approve Payment #37 in the amount of \$3,161.16 to Snyder & Associates, Inc., for engineering services on the SE Crosswinds Drive - RISE project.
- CA - 28** Consider motion to approve Payment #1 in the amount of \$3,582.25 to Snyder & Associates, for engineering services on the SE Oralabor Rd & SE Creekview Dr Traffic Signal Replacement project.
- CA - 29** Consider motion to approve Payment #15 in the amount of \$50,080.77 to Sternquist Construction, for construction services on the NW 18th Street Extension - NW Weigel Drive to NW Spruce Drive project.
- CA - 30** Consider motion to approve the February 6, 2023 Accounts Payable. (Finance Committee: J. Ruddy, Chp, T. Shafer, K. Stearns)

- **Community Development Items**

- CA - 31** Consider motion to adopt **RESOLUTION** accepting a public storm sewer easement located on a portion of Lot 1, John Deere Place Plat 4 and Outlot Z, John Deere Place Plat 5; and associated with the development of 1001 SW Ordinance Road, Aim High Automotive.
- CA - 32** Consider a motion to adopt **RESOLUTION** accepting final plat, platted easements, and subdivision bond for seeding and erosion control for The District at Prairie Trail Plat 13.
- CA - 33** Consider motion to approve the Aspen Ridge Commercial Plat 2 Preliminary Plat.
- CA - 34** Consider motion to adopt **RESOLUTION** accepting a Public Utility Easement associated with the development of Canyon Landing Plat 2.
- CA - 35** Consider motion to adopt **RESOLUTION** providing for the notice and hearing of the City Council of the City of Ankeny, Iowa, to rezone certain property owned by NGR Inc., located along the east side of SE Four Mile Drive and three-quarters of a mile north of SE Corporate Woods Drive. (date of hrg: 02/20/23 @ 5:30 p.m.)

- **Engineering Items**

- CA - 36** Consider motion to adopt a **RESOLUTION** accepting a purchase agreement and approving documents for the acquisition of street right-of-way and temporary construction easement for the NW 18th Street Reconstruction - NW Ash Drive to N

Ankeny Boulevard project in Ankeny, Iowa. (Stonecrest Meadows Townhome Association, Inc.)

- CA - 37** Consider motion to adopt a **RESOLUTION** accepting a purchase agreement and approving documents for the acquisition of street right-of-way and temporary construction easement for the Oralabor Gateway Trail-SW State Street Grade Separated Crossing and SW Oralabor Road and SW State Street Safety Improvements project in Ankeny, Iowa. (Hurd Industrial SPE, LLC)
- CA - 38** Consider motion to adopt **RESOLUTION** accepting public improvements for utilities (storm sewer) and subgrade in SE Convenience Blvd. Extension (Crosswinds Business Park Plat 1).
- CA - 39** Consider motion to adopt **RESOLUTION** accepting public improvements for utilities in Parkway Townhomes at Prairie Trail Plat 1.
- CA - 40** Consider motion to adopt **RESOLUTION** accepting public improvements for utilities (water main, sanitary sewer, and storm sewer) in Swanwood Logistics Center Plat 1.
- CA - 41** Consider motion to adopt **RESOLUTION** accepting public improvements for paving in Swanwood Logistics Center Plat 1.
- CA - 42** Consider motion to adopt **RESOLUTION** accepting public improvements for utilities (water main, sanitary sewer, and storm sewer) in Swanwood Logistics Center Plat 2.
- CA - 43** Consider motion to adopt **RESOLUTION** accepting public improvements for paving in Swanwood Logistics Center Plat 2.
- CA - 44** Consider motion to adopt **RESOLUTION** accepting public improvements for utilities in The Sterling North at Prairie Trail Plat 1.
- CA - 45** Consider motion to adopt **RESOLUTION** authorizing the execution of Addendum No. 4 to Agreement No. 2016-4-186 between the Iowa Department of Transportation and the City of Ankeny for the City of Ankeny's cost participation to facilitate the proposed reconstruction of the Interstate 35 and East First Street Interchange.
- CA - 46** Consider motion to adopt **RESOLUTION** accepting public improvements in Centennial Estates Plat 3 for utilities.
- CA - 47** Consider motion to adopt **RESOLUTION** accepting public improvements in Centennial Estates Plat 3 for paving.
- CA - 48** Consider motion to adopt **RESOLUTION** accepting public improvements for paving in SE Convenience Blvd. Extension (Crosswinds Business Park Plat 1).
- CA - 49** Consider motion to adopt **RESOLUTION** authorizing the execution of an Urban-State Traffic Engineering Program (U-STEP) funding agreement between the Iowa Department of Transportation (DOT) and the City of Ankeny, Iowa, for the sharing of construction costs for the proposed N Ankeny Boulevard & 18th Street Improvements.

- **Capital Improvement Projects**

- CA - 50** Consider motion to adopt an amended and substituted **RESOLUTION** accepting the Ankeny Parks Maintenance Facility Renovation - Phase 2 project.

- **Administrative Items**

- CA - 51** Consider motion to adopt **RESOLUTION** setting dates of a consultation and a public hearing on proposed Amendment No. 3 to the Amended and Restated

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-51.

Action# E1-1. Consider motion to approve the recommendations for Consent Agenda Items CA-1 through CA-51.

F. SUPPLEMENTAL AND REMOVED CONSENT AGENDA ITEMS: none

G. RECESS - Mark Holm, Mayor

H. LEGISLATIVE BUSINESS:

- **Boards/Commissions Appointments:**

1. Consider Mayor's Appointments to Boards and Commissions as follows:

Examiners & Appeals Board

- BJ Frideres - effective immediately - term expires 12/31/2025 (Seat 4)

Park Board

- Katie Maki - effective immediately - term expires 12/31/2026 (Seat 3)

Action# H1-1. Consider motion to approve Mayor's appointments to expired Board and Commission terms as presented.

- **Approval of Ordinances:**

1. Ord 2130 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 2130.

2. Ord 2131 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 Bricktowne Piper LC.

Action# H2-1. Consider motion to accept second consideration of ORDINANCE 2131.

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Proposed SW State Street Fiber Optic Relocation (PH 2023-07)

Action# J1-1. Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$248,875.75; 2) receive and file report of bids received January 31, 2023; 3) adopt RESOLUTION making award of construction contract with Iowa Signal, Inc. in the amount of \$257,156.40; and 4) adopt RESOLUTION approving contract and bonds with Iowa Signal, Inc. in the amount of \$257,156.40.

2. Proposed 2023 PCC Pavement Preservation Program (PH 2023-08)

Action# J2-1. Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$352,148.25; 2) receive and file report of bids received January 31, 2023; 3) adopt RESOLUTION making award of construction contract with Iowa Civil Contracting, Inc. in the amount of \$429,015.00; and 4) adopt RESOLUTION approving contract and bonds with Iowa Civil Contracting, Inc. in the amount of \$429,015.00.

3. Proposed 2023 PCC Reconstruction Program - SE 8th Street (PH 2023-09)

Action# J3-1. Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$775,410.00; 2) receive and file report of bids received January 31, 2023; 3) adopt RESOLUTION making award of construction contract with All Star Concrete, LLC in the amount of \$642,101.00; and 4) adopt RESOLUTION approving contract and bonds with All Star Concrete, LLC in the amount of \$642,101.00.

4. Proposed S. Ankeny Boulevard Transmission Main (PH 2023-10)

Action# J4-1. Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$2,500,000.00; 2) receive and file report of bids received January 31, 2023; and 3) adopt RESOLUTION making award of construction contract with Granite Excavating in the amount of \$2,649,525.00.

5. Proposed North Four Mile Creek Trunk Sewer (PH 2023-11)

Action# J5-1. Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$2,555,345.00; 2) receive and file report of bids received January 31, 2023; and 3) adopt RESOLUTION rejecting bids for the North Four Mile Creek Trunk Sewer project.

6. Proposed N Ankeny Boulevard & 18th Street Intersection Improvements
Initiate Proceedings

Action# J6-1. Consider motion to adopt RESOLUTION ordering construction on the N Ankeny Boulevard & 18th Street Intersection Improvements and fixing a date for hearing thereon and taking of bids therefor. (date of bid letting: 2/28/23 @ 10:30 A.M. / date of hrg: 3/6/23 @ 5:30 P.M.)

7. Proposed Oralabor Gateway Trail-SW State Street Underpass and SW Oralabor Road and SW State Street Intersection Improvements
Initiate Proceedings

Action# J7-1. Consider motion to adopt RESOLUTION ordering construction on the Oralabor Gateway Trail – SW State Street Underpass and SW Oralabor Road and SW State Street Intersection Improvements project, and fixing a date for hearing thereon and taking of bids therefor. (date of bid letting: 02/21/23 @ 10:00 A.M. / date of hrg: 03/06/23 @ 5:30 P.M.)

8. Proposed SE Delaware Avenue & SE 54th Street Traffic Signal
Professional Services Agreement with Snyder & Associates, Inc.

Action# J8-1.

Consider motion to approve the Professional Services Agreement with Snyder & Associates, Inc., for the design engineering and bidding phase services on the SE Delaware Avenue & SE 54th Street Traffic Signal in an amount not to exceed \$69,300.00 and the Mayor to execute said agreement.

9. 2023 SW Prairie Trail Parkway Complex
Professional Services Agreement with Nilles, Associates, Inc.

Action# J9-1. Consider motion to approve the Professional Services Agreement with Nilles Associates, Inc. for design, bidding phase and construction services on the SW Prairie Trail Parkway Complex Project in an amount not to exceed \$85,000.00 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:**

- ***Council Action Planning Session - 2/13/23 @ 5:30 p.m.***
- ***Public Hearing - SRF Loan Application - 2/20/23 @ 5:30 p.m.***
- ***Public Hearing - 2023 PCC Reconstruction Program - SE Creekview Dr - 2/20/23 @ 5:30 p.m.***
- ***Public Hearing - 2023 PCC Street Patching Program - 2/20/23 @ 5:30 p.m.***
- ***Public Hearing - rezone NGR East - 2/20/23 @ 5:30 p.m.***
- ***Council Action Planning Session - 2/27/23 @ 5:30 p.m.***
- ***Public Hearing - N. Ankeny Blvd & 18th St Intersection Improvements - 3/6/23 @ 5:30 p.m.***
- ***Public Hearing - Oralabor Gateway Trail - SW State Street Underpass & SW Oralabor Road & SW State St Intersection Improvements - 3/6/23 @ 5:30 p.m.***
- ***Public Hearing - Amendment No. 3 to the Amended and Restated 1991 Ankeny Urban Renewal Plan - 3/6/23 @ 5:30 p.m.***

L. ADJOURNMENT

1. Adjournment

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