

MINUTES OF THE ANKENY CITY COUNCIL

Monday, February 6, 2023 5:30 p.m.

Ankeny Kirkendall Library - City Council Chambers

Mark Holm, Mayor

Bobbi Bentz, Mayor Pro tem

Council Members: Jeff Perry, Joe Ruddy, Todd Shafer, Kelly Stearns

Mayor Mark Holm called the meeting to order at 5:30 p.m. Council Members Bobbi Bentz, Jeff Perry, Joe Ruddy, Todd Shafer and Kelly Stearns were in attendance. City Manager David Jones and City Attorney Amy Beattie were also present. Mayor Holm led in the Pledge of Allegiance.

PUBLIC FORUM

1. Renee Potts, Ankeny Community Network, reported on activities that took place on January 16 for the MLK Jr Day of Service.

APPROVAL OF AGENDA

1. Council Member Stearns moved, Bentz seconded, to approve and accept the February 6, 2023 agenda as presented. Ayes: 5.

PUBLIC HEARING

1. PH 2023-07. Mayor Holm announced this is the time and place for a public hearing on the matter of the adoption of plans, specifications, form of contract and estimate of cost for construction of certain public improvements described in general as construction of the SW State Street Fiber Optic Relocation project. Notice of this hearing was published in the Des Moines Register on the 20th day of January, 2023.

Mark Mueller, Public Works Director, reported that the project includes fiber optic cable and conduit modifications, and installation of traffic signal components at the intersection of SW State Street and SW Oralabor Road.

Mayor Holm then asked for any public comment regarding the proposed project. Hearing no comments, Council Member Stearns moved, Ruddy seconded, to close public hearing 2023-07. Ayes: 5.

2. PH 2023-08. Mayor announced this is the time and place for a public hearing on the matter of the adoption of plans, specifications, form of contract and estimate of cost for construction of certain public improvements described in general as construction of the 2023 PCC Pavement Preservation Program. Notice of this hearing was published in the Des Moines Register on the 20th day of January, 2023.

Mark Mueller, Public Works Director, reported that the project includes: Site 1) Cleaning and filling of cracks and joints in the Meadowlark Plateau, Golfview Terrace, North Creek, and Westwood Ankeny Neighborhoods; Site 2) Full depth PCC patching on NW North Creek Drive and NW Cedarwood Drive; and Site 3) PCC paving on SW Meadowlark Lane.

Mayor Holm then asked for any public comment regarding the proposed project. Hearing no comments, Council Member Shafer moved, Bentz seconded, to close public hearing 2023-08. Ayes: 5.

3. PH 2023-09. Mayor announced this is the time and place for a public hearing on the matter of the adoption of plans, specifications, form of contract and estimate of cost for construction of certain public improvements described in general as construction of the 2023 PCC Reconstruction Program – SE 8th Street. Notice of this hearing was published in the Des Moines Register on the 20th day of January, 2023.

Mark Mueller, Public Works Director, reported the project includes pavement reconstruction and minor utility improvements along SE 8th Street from just west of SE Rio Circle/SE Richland Court to just west of SE Michael Drive in the City of Ankeny.

Mayor Holm then asked for any public comment regarding the proposed project. Hearing no comments, Council Member Shafer moved, Perry seconded, to close public hearing 2023-09. Ayes: 5.

4. PH 2023-10. Mayor announced this is the time and place for a public hearing on the matter of the adoption of plans, specifications, form of contract and estimate of cost for construction of certain public improvements described in general as construction of the S. Ankeny Boulevard Transmission Main project. Notice of this hearing was published in the Des Moines Register on the 20th day of January, 2023.

Don Clark, Municipal Utilities Director, reported the project includes the installation of approximately 5,400 lineal feet of 24-inch diameter transmission main from SW Magazine Road to SW Oralabor Road along the west side of S. Ankeny Blvd.

Mayor Holm then asked for any public comment regarding the proposed project. Hearing no comments, Council Member Stearns moved, Shafer seconded, to close public hearing 2023-10. Ayes: 5.

5. PH 2023-11. Mayor announced this is the time and place for a public hearing on the matter of the adoption of plans, specifications, form of contract and estimate of cost for construction of certain public improvements described in general as construction of the North Four Mile Creek Trunk Sewer project. Notice of this hearing was published in the Des Moines Register on the 20th day of January, 2023.

Don Clark, Municipal Utilities Director, reported the project will extend a 30-inch diameter sanitary sewer west/northwest along NE 54th Street to N. Ankeny Blvd, and then continue north along N. Ankeny Blvd. for approximately 2700 lineal feet to the end of the project.

Mayor Holm then asked for any public comment regarding the proposed project. Hearing no comments, Council Member Shafer moved, Stearns seconded, to close public hearing 2023-11. Ayes: 5.

APPROVAL OF CONSENT AGENDA

Minutes

1. Official council actions of the regular meeting of January 17, 2023, as published.
2. Receive and file minutes of the Plan and Zoning Commission meeting of January 4, 2023.
3. Receive and file minutes of the Park Board meeting of November 28, 2022.

Licenses and Permits

4. Issuance of liquor licenses, beer/wine permits, and Automatic Renewal Program of class "E" retail alcohol licenses in the City of Ankeny.

Finance/Budget

5. 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.
6. 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 Blvd project.
7. 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.
8. 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.
9. Payment #31, \$1,101.50, Civil Design Advantage for engineering services on the NW 18th St Extension – NW Weigel Dr to NW Spruce Dr project.
10. Payment #1, \$63,673.17, Electric Conduit Construction Company, for construction services on the SE Quadrant Fiber Upgrade, Phase One project.
11. Payment #9, \$18,565.20, Foth Infrastructure and Environment, LLC for engineering services on the North Four Mile Creek Trunk Sewer project.
12. Payment #21, \$19,540.34, FOX Strand, for engineering services on the Ankeny ASR project.
13. Payment #7, \$62,370.00, HDR Engineering, Inc., for engineering services on the NW Irvinedale Elevated Storage Tank project.
14. Payment #4, \$209,205.27, Hydro-Klean, LLC for construction services on the 2022 CIPP Lining project.
15. Payment #7, \$7,326.25, JEO Consulting Group, Inc., for engineering services on the SE 3rd St Improvements - Phase 2 project.
16. Payment #18, \$2,828.75, JEO Consulting Group, Inc., for engineering services on the SE Delaware Ave HMA Widening project.
17. Payment #3, \$3,499.96, Olsson, Inc., for engineering services on the Fiber Optic Network Master Plan project.
18. Payment #9, \$20,663.25, RDG Planning & Design for engineering services on the Fourmile Creek and Tributary to Fourmile Creek Restoration project.
19. Payment #6, \$5,787.29, Short Elliott Hendrickson Inc., for engineering services on the S Ankeny Blvd Transmission Main project.
20. Payment #19, \$3,011.20, Snyder & Associates, Inc., for engineering services on the 2021 Pavement Management Study and Master Plan project.
21. Payment #28, \$5,168.00, Snyder & Associates, Inc., for engineering services on the High Trestle Trail Ext Magazine Rd to Oralabor Rd project.
22. Payment #23, \$13,247.02, Snyder & Associates, Inc., for engineering services on the HTT Transmission Main and Drainage Improvements project.
23. Payment #24, \$2,129.00, Snyder & Associates, Inc., for engineering services on the N Ankeny Blvd Landscape Improvements project.
24. Payment #18, \$6,328.25, Snyder & Associates, Inc., for engineering services on the NE Delaware Ave Recon - NE 5th St to NE 18th St project.
25. Payment #26, \$5,660.60, Snyder & Associates, Inc., for engineering services on the NW 36th St Widening - NW Ash Dr to N Ankeny Blvd project.
26. Payment #10, \$2,710.50, Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements - Phase 2 project.

27. Payment #37, \$3,161.16, Snyder & Associates, Inc., for engineering services on the SE Crosswinds Dr – RISE project.
28. Payment #1, \$3,582.25, Snyder & Associates, for engineering services on the SE Oralabor Rd & SE Creekview Dr Traffic Signal Replacement project.
29. Payment #15, \$50,080.77, Sternquist Construction, for construction services on the NW 18th St Extension – NW Weigel Dr to NW Spruce Dr project.
30. February 6, 2023 Accounts Payable by fund: General 340,893; Police gift 175; Road Use Tax 150,267; Library Foundation 5,057; Solid Waste 100,277; Water 163,505; Sewer 51,595; Storm Water 6,638; Golf Course 8,130; Enterprise Project 629,011; Revolving 103,457; Risk Management 44,322; Health Insurance 437; BAN/Bond Activity 3,991; Capital Projects 303,802; Payroll Totals 3,112,387; Transfers/ACH (391,155); Agenda Payments approved separately (509,640); Grand Total \$4,123,149.

Community Development

31. **RESOLUTION 2023-041** 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.
32. **RESOLUTION 2023-042** accepting final plat, platted easements, and subdivision bond for seeding and erosion control for The District at Prairie Trail Plat 13.
33. Approve the Aspen Ridge Commercial Plat 2 Preliminary Plat.
34. **RESOLUTION 2023-043** accepting a Public Utility Easement associated with the development of Canyon Landing Plat 2.
35. **RESOLUTION 2023-044** 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

36. **RESOLUTION 2023-045** accepting a purchase agreement and approving documents for the acquisition of street right-of-way and temporary construction easement for the NW 18th St Reconstruction - NW Ash Dr to N Ankeny Blvd project in Ankeny, Iowa. (Stonecrest Meadows Townhome Association, Inc.)
37. **RESOLUTION 2023-046** 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 St Grade Separated Crossing and SW Oralabor Rd and SW State St Safety Improvements project in Ankeny, Iowa. (Hurd Industrial SPE, LLC)
38. **RESOLUTION 2023-047** accepting public improvements for utilities (storm sewer) and subgrade in SE Convenience Blvd Extension (Crosswinds Business Park Plat 1).
39. **RESOLUTION 2023-048** accepting public improvements for utilities in Parkway Townhomes at Prairie Trail Plat 1.
40. **RESOLUTION 2023-049** accepting public improvements for utilities (water main, sanitary sewer, and storm sewer) in Swanwood Logistics Center Plat 1.
41. **RESOLUTION 2023-050** accepting public improvements for paving in Swanwood Logistics Center Plat 1.
42. **RESOLUTION 2023-051** accepting public improvements for utilities (water main, sanitary sewer, and storm sewer) in Swanwood Logistics Center Plat 2.
43. **RESOLUTION 2023-052** accepting public improvements for paving in Swanwood Logistics Center Plat 2.
44. **RESOLUTION 2023-053** accepting public improvements for utilities in The Sterling North at Prairie Trail Plat 1.
45. **RESOLUTION 2023-054** 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.

46. **RESOLUTION 2023-055** accepting public improvements in Centennial Estates Plat 3 for utilities.
47. **RESOLUTION 2023-056** accepting public improvements in Centennial Estates Plat 3 for paving.
48. **RESOLUTION 2023-057** accepting public improvements for paving in SE Convenience Blvd Extension (Crosswinds Business Park Plat 1).
49. **RESOLUTION 2023-058** 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 Blvd & 18th St Improvements

Capital Improvement Projects

50. Amended and substituted **RESOLUTION 2023-059** accepting the Ankeny Parks Maintenance Facility Renovation - Phase 2 project.

Administrative

51. **RESOLUTION 2023-060** setting dates of a consultation and a public hearing on proposed Amendment No. 3 to the Amended and Restated 1991 Ankeny Urban Renewal Plan in the City of Ankeny, State of Iowa. (date of hrg: 3/6/23 @ 5:30 p.m.)

Approval of Consent Agenda Items

1. Council Member Bentz moved, second by Ruddy, to approve the recommendations for Consent Agenda Items CA-1 through CA-51. Ayes: Bentz, Ruddy, Perry, Shafer, Stearns.

LEGISLATIVE BUSINESS

Boards and Commissions

2. **Boards and Commissions Appointments:** Examiners & Appeals Board, BJ Frideres effective immediately, term expires 12/31/2025; Park Board, Katie Maki effective immediately, term expires 12/31/2026. Council Member Ruddy moved, Shafer seconded, to approve Mayor appointments to expired Board and Commission terms as presented. Ayes: Ruddy, Shafer, Bentz, Perry, Stearns.

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. Council Member Ruddy moved, Stearns seconded, to accept second consideration of Ordinance 2130. Ayes: Ruddy, Stearns, Bentz, Perry, Shafer.
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. Council Member Bentz moved, Stearns seconded, to accept second consideration of Ordinance 2131. Ayes: Bentz, Stearns, Ruddy, Perry, Shafer.

NEW BUSINESS

1. Proposed SW State Street Fiber Optic Relocation (PH 2023-07). Council Member Bentz moved, Ruddy seconded, to adopt 1) **RESOLUTION 2023-061** 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 2023-062** making award of construction contract with Iowa Signal, Inc. in the amount of \$257,156.40; and 4) adopt **RESOLUTION 2023-063** approving contract and bonds with Iowa Signal, Inc. in the amount of \$257,156.40. Ayes: Bentz, Ruddy, Perry, Shafer, Stearns.
2. Proposed 2023 PCC Pavement Preservation Program (PH 2023-08). Council Member Stearns moved, Ruddy seconded, to adopt 1) **RESOLUTION 2023-064** 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 2023-065** making award of construction contract with Iowa Civil Contracting, Inc. in the amount of \$429,015.00; and 4) adopt **RESOLUTION 2023-066** approving contract and bonds with Iowa Civil Contracting, Inc. in the amount of \$429,015.00. Ayes: Stearns, Ruddy, Bentz, Perry, Shafer.
3. Proposed 2023 PCC Reconstruction Program - SE 8th Street (PH 2023-09). Council Member Stearns moved, Ruddy seconded, to adopt 1) **RESOLUTION 2023-067** 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 2023-068** making award of construction contract with All Star Concrete, LLC in the amount of \$642,101.00; and 4) adopt **RESOLUTION 2023-069** approving contract and bonds with All Star Concrete, LLC in the amount of \$642,101.00. Ayes: Stearns, Ruddy, Bentz, Perry, Shafer.
4. Proposed S. Ankeny Boulevard Transmission Main (PH 2023-10). Council Member Bentz moved, Ruddy seconded, to adopt 1) **RESOLUTION 2023-070** 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 2023-071** making award of construction contract with Granite Excavating in the amount of \$2,649,525.00. Ayes: Bentz, Ruddy, Perry, Shafer, Stearns.
5. Proposed North Four Mile Creek Trunk Sewer (PH 2023-11) Council Member Stearns moved, Ruddy seconded, to adopt 1) **RESOLUTION 2023-072** 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 2023-073** rejecting bids for the North Four Mile Creek Trunk Sewer project. Ayes: Stearns, Ruddy, Bentz, Perry, Shafer.
6. Proposed N Ankeny Boulevard & 18th Street Intersection Improvements Initiate Proceedings Council Member Ruddy moved, Bentz seconded, to adopt **RESOLUTION 2023-074** 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.) Ayes: Ruddy, Bentz, Perry, Shafer, Stearns.
7. Proposed Oralabor Gateway Trail-SW State Street Underpass and SW Oralabor Road and SW State Street Intersection Improvements Initiate Proceedings Council Member Perry moved, Ruddy seconded, to adopt **RESOLUTION 2023-075** 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.) Ayes: Perry, Ruddy, Bentz, Shafer, Stearns.
8. Proposed SE Delaware Avenue & SE 54th Street Traffic Signal Professional Services Agreement with Snyder & Associates, Inc. Council Member Ruddy moved, Stearns seconded, 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. Ayes: Ruddy, Stearns, Bentz, Perry, Shafer.
9. 2023 SW Prairie Trail Parkway Complex Professional Services Agreement with Nilles, Associates, Inc. Council Member Bentz moved, Ruddy seconded, 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. Ayes: Bentz, Ruddy, Perry, Shafer, Stearns.

ADJOURNMENT

1. Meeting adjourned at 6:24 p.m.

Michelle Yuska, City Clerk

Mark Holm, Mayor

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