



ANKENY CITY COUNCIL

Regular Meeting

Monday, February 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=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:

1. Special Presentation: Catch Des Moines - Greg Edwards

B. APPROVAL OF AGENDA:

1. Approval of the February 5, 2024 Agenda

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

C. PUBLIC HEARING(S):

1. PH 2024-03 Proposed amendment to 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, from the current R-1, One Family Residence District, C-2, General Retail, Highway Oriented and Central Business District, and M-1, Light Industrial District, to PUD, Planned Unit Development.

Action# C1-1. Consider motion to close Public Hearing 2024-03.

2. PH 2024-04 Proposed amendment to the Ankeny Plan 2040 Comprehensive Plan, Figure 12.10, Future Land Use Map, for the City of Ankeny, Iowa, for property owned by Hope Kimberley, LLC from Low Density Residential to High Density Residential use classification (LUPA 'A').

Action# C2-1. Consider motion to close Public Hearing 2024-04.

3. PH 2024-05 Proposed amendment to the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, by rezoning certain property owned by Hope Kimberley, LLC from R-1 One Family Residential District to Planned Unit Development, PUD (Rezoning Area A).

Action# C3-1. Consider motion to close Public Hearing 2024-05.

4. PH 2024-06 Proposed amendment to the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, by rezoning certain property owned by Hope Kimberley, LLC from R-1 One Family Residence District to R-3, Multiple Family Residence District (Rezoning Area B).

Action# C4-1. Consider motion to close Public Hearing 2024-06.

5. PH 2024-07 Proposed Permanent Electrical Easement - NW Water Tower

Action# C5-1. Consider motion to close Public Hearing 2024-07.

6. PH 2024-08 Proposed SW Oralabor Road and SW Edgewood Lane Intersection Improvements

Action# C6-1. Consider motion to close Public Hearing 2024-08.

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 16, 2024, 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 3, 2024.

CA - 3 Receive and file minutes of the Library Board of Trustee meeting of November 16, 2023.

- **Licenses and Permits**

CA - 4 Consider motion to approve tobacco/nicotine/vapor permits in the City of Ankeny.

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 approve Amendment No. 1 to the Professional Services Agreement increasing the contract amount by \$528,787.00 with HDR Engineering, Inc. (HDR), for construction services on the NW Elevated Water Storage Tank Project.

CA - 7 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 3 project.

CA - 8 Consider motion to approve Payment #1 in the amount of \$7,175.00 to DIXON Engineering, Inc., for engineering services on the Magazine Ground Storage Reservoir Rehabilitation project.

CA - 9 Consider motion to approve Payment #21 in the amount of \$9,290.74 to Foth Infrastructure and Environment, LLC for engineering services on the North Four Mile Creek Trunk Sewer project.

CA - 10 Consider motion to approve Payment #4 in the amount of \$1,909.04 to Foth Infrastructure and Environment, LLC for engineering services on the North Four Mile Trunk Sewer - Phase 2 project.

CA - 11 Consider motion to approve Payment #10 in the amount of \$32,300.10 to Foth Infrastructure and Environment, LLC for engineering services on the NW State Street Extension project.

CA - 12 Consider motion to approve Payment #14 in the amount of \$35,957.25 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 - 13 Consider motion to approve Payment #26 in the amount of \$57,869.50 to JEO Consulting Group, Inc. for construction engineering services on the SE 3rd Street Utility Improvements Phase 1 project.

CA - 14 Consider motion to approve Payment #10 in the amount of \$16,697.50 to JEO Consulting Group, Inc., for engineering services on the Transportation Master Plan.

CA - 15 Consider motion to approve Payment #5 in the amount of \$12,672.03 to Kirkham

Michael & Associates, Inc., for engineering services on the NE 62nd St Box Culvert Design project.

- CA - 16** Consider motion to approve Payment #20 in the amount of \$11,790.00 to McClure Engineering Company, for construction engineering services on the NW 18th Street Reconstruction - NW Ash Dr. to N Ankeny Blvd. project.
- CA - 17** Consider motion to approve Payment #2 in the amount of \$14,000.00 to Romtech Companies, for construction services on the restroom facility at the Rally Complex.
- CA - 18** Consider motion to approve Payment #37 in the amount of \$442.70 to Shive Hattery for construction administration services associated with the Ankeny Senior Community Center project.
- CA - 19** Consider motion to approve Payment #18 in the amount of \$7,066.00 to Short Elliott Hendrickson Inc., for engineering services on the S Ankeny Blvd Transmission Main project.
- CA - 20** Consider motion to approve Payment #35 in the amount of \$5,319.77 to Snyder & Associates, Inc., for engineering services on the HTT Transmission Main and Drainage Improvements project.
- CA - 21** Consider motion to approve Payment #4 in the amount of \$74,484.90 to Snyder & Associates, for engineering services on the N Ankeny Blvd Improvements 1st Street to 11th Street project.
- CA - 22** Consider motion to approve Payment #30 in the amount of \$8,450.07 to Snyder & Associates, Inc., for engineering services on the NE Delaware Ave Recon - NE 5th St to NE 18th St project.
- CA - 23** Consider motion to approve Payment #9 in the amount of \$63,574.18 to Snyder & Associates, for engineering services on the S Ankeny Blvd Improvements SE Peterson Dr to 1st St project.
- CA - 24** Consider motion to approve Payment #10 in the amount of \$1,426.40 to Snyder & Associates, for engineering services on the SE Oralabor Rd & SE Creekview Dr Traffic Signal Replacement project.
- CA - 25** Consider motion to approve Payment #9 in the amount of \$4,450.75 to Snyder & Associates, for engineering services on the SE Delaware Ave and SE 54th St Traffic Signal project.
- CA - 26** Consider motion to approve Payment #33 in the amount of \$1,089.00 to Strand, for engineering services on the Ankeny ASR project.
- CA - 27** Consider motion to approve Payment #9 in the amount of \$3,500.00 to Strand, for engineering services on the NE 36th Street & NE 38th Street Water Main Loop project.
- CA - 28** Consider motion to approve the February 5, 2024 Accounts Payable.
- CA - 29** Consider motion to adopt **RESOLUTION** authorizing the purchase of a one-ton, four-wheel drive pickup truck for the Public Works Department (replace existing truck #274).

- **Engineering Items**

- CA - 30** Consider motion to adopt a **RESOLUTION** authorizing the execution of an agreement with Iowa Department of Transportation for DOT-Initiated Detour of Primary Highways onto Local Roads for the Iowa DOT's U.S. 69 Bridge Replacement - PPCB Project.

- **Capital Improvement Projects**

- CA - 31** Consider motion to adopt **RESOLUTION** ordering construction on the SW Magazine Road & SW State Street Intersection Improvements - West Leg Project and fixing a date for hearing thereon and taking of bids therefor. (date of bid opening: 2/27/24 @ 10:30 A.M. / date of hrg: 3/4/24 @ 5:30 P.M.)
- CA - 32** Consider motion to adopt **RESOLUTION** ordering construction on the Magazine Ground Storage Reservoir Rehabilitation project and fixing a date for hearing thereon and taking of bids therefor. (date of bid opening: 2/27/24 @ 10:30 A.M. / date of hrg: 3/4/24 @ 5:30 P.M.)
- CA - 33** Consider motion to adopt **RESOLUTION** ordering construction on the 2024 PCC Pavement Preservation Program - SE Shurfine Drive project and fixing a date for hearing thereon and taking of bids therefor. (date of bid opening: 2/27/24 @ 10:30 A.M. / date of hrg: 3/4/24 @ 5:30 P.M.)
- CA - 34** Consider motion to adopt **RESOLUTION** to authorize the execution of a Cooperative Public Service Agreement between Polk County, Iowa and the City of Ankeny, Iowa for the sharing of project costs for the NW 36th Street and NW Weigel Drive HMA Resurfacing Project.

- **Administrative Items**

- CA - 35** Consider motion to approve K-9 purchase agreement for the sale of retired K-9 Officer Bosco, and authorize the Mayor to sign purchase agreement.
- CA - 36** Consider motion to adopt **RESOLUTION** approving a mowing contract for Ankeny's Facilities Zone, between the City of Ankeny and Sustainable Sites Snow and Maintenance.
- CA - 37** Consider motion to adopt **RESOLUTION** approving a mowing contract for Ankeny's North Zones, between the City of Ankeny and A Cut Above.
- CA - 38** Consider motion to adopt **RESOLUTION** approving a mowing contract for Ankeny's South Zones, between the City of Ankeny and ADA Mowing.
- CA - 39** Consider a motion to adopt **RESOLUTION** approving exclusive beverage contract between the City of Ankeny, Iowa and Atlantic Bottling Company.
- CA - 40** Consider motion authorizing the Mayor to sign a letter of support for a grant application by Kwik Star, Inc. for improvements through the National Electric Vehicle Infrastructure program.
- CA - 41** Consider motion to approve a professional services agreement with Polco to administer the National Community Survey, also known as the "Citizen Survey".

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-41

Action# E1-1. Consider motion to approve the recommendations for Consent Agenda Items CA-1 through CA-41.

F. SUPPLEMENTAL AND REMOVED CONSENT AGENDA ITEMS: none

G. RECESS - Mark Holm, Mayor

H. LEGISLATIVE BUSINESS:

- **Boards/Commissions Appointments:**

1. Park Board Craig Robinson, Ankeny, Iowa - term effective 2/05/2024 - 12/31/2024

Action# H1-1. Consider motion to approve the appointment of Craig Robinson to the Park Board, effective 2/05/2024 through 12/31/2024.

- **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. (PH 2024-03)

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

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) (PH 2024-05).

Action# H2-1. Consider motion to accept first 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) (PH 2024-06).

Action# H3-1. Consider motion to accept first 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 first consideration of ORDINANCE 2164.

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Request for barbed wire fencing - Old Dominion Freight Line West PUD.

Action# J1-1. Consider motion to approve/deny the request for barbed wire fencing at the Old Dominion Freight Line West site.

2. Proposed amendment to The Ankeny Plan 2040 Comprehensive Plan, Figure 12.10, Future Land Use Map for the City of Ankeny, Iowa, reclassifying property owned by Hope Kimberley LLC from Low Density Residential to High Density Residential use classification (LUPA 'A') (PH 2024-04).

Action# J2-1. Consider motion to adopt RESOLUTION approving a proposed amendment to The Ankeny Plan 2040 Comprehensive Plan, Figure 12.10, Future Land Use Map, reclassifying property from Low Density Residential to High Density Residential (LUPA 'A').

3. Proposed Permanent Electrical Easement - NW Water Tower (PH 2024-07)

Action# J3-1.

Consider motion to adopt RESOLUTION granting permanent electrical easement to MidAmerican Energy Company to provide electrical service to the Northwest Elevated Water Storage Tank and for Mayor to execute said easement.

4. Proposed SW Oralabor Road & SW Edgewood Lane Intersection Improvements (PH 2024-08)

Action# J4-1.

Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$220,297.50; 2) receive and file report of bids received January 30, 2024; 3) adopt RESOLUTION making award of construction contract with Absolute Concrete Construction, Inc. dba Absolute Group in the amount of \$197,837.00; and 4) adopt RESOLUTION approving contract and bonds with Absolute Concrete Construction, Inc. dba Absolute Group in the amount of \$197,837.00.

5. Proposed SW Walnut Street and SW Ordinance Road Water Main Professional Services Agreement with MSA Professional Services, Inc.

Action# J5-1. Consider motion to approve the Professional Services Agreement with MSA Professional Services, Inc., for the design engineering and bidding phase services on the SW Walnut Street and SW Ordinance Road Water Main Project in an amount not to exceed \$210,000.00 and the Mayor to execute said agreement.

6. Proposed 2024 State Legislative Priorities

Action# J6-1. Consider motion to adopt RESOLUTION establishing the City of Ankeny's 2024 State Legislative Priorities.

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 - Operating Funds - 2/12/24 @ 5:30p.m.***
- ***Public Hearing - NW 36th St & NW Weigel Dr HMA Resurfacing - 2/19/24 @ 5:30 p.m.***
- ***Public Hearing - SE 3rd St Utility Improvements - Phase 2 - 2/19/24 @ 5:30 p.m.***
- ***Public Hearing - Ankeny Fire Station No. 4 - 2/19/24 @ 5:30 p.m.***
- ***Budget Workshop - Hotel/Motel and Enterprise Funds - 2/26/24 @ 5:30p.m.***
- ***Public Hearing - SW Magazine Road & SW State Street Intersection Improvements -***

West Leg Rehabilitation - 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 Drive - 3/4/24 @ 5:30 p.m.***

L. ADJOURNMENT

1. Adjournment