

MINUTES OF THE ANKENY CITY COUNCIL

Tuesday, January 18, 2022 5:30 PM

Ankeny Kirkendall Library - City Council Chambers

Mark Holm, Mayor

Bobbi Bentz, Mayor Pro tem

Council Members: Jeff Perry, Joe Ruddy, Kelly Whiting

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

CEREMONY

1. The Oath of Office was administered to Mayor Pro-Tem Bobbi Bentz by Mayor Mark Holm.

PUBLIC FORUM

1. Greg Edwards and Trina Flack, Catch Des Moines, presented council with an annual report.

APPROVAL OF AGENDA

1. Council Member Bentz moved, Perry seconded, to approve and accept the January 18, 2022 agenda as presented. Ayes: 4.

PUBLIC HEARINGS

1. PH 2022-04. Mayor Holm announced that 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 SE 3rd Street Utility Improvements – Phase 1 project. Notice of this hearing was published in the Des Moines Register on the 30th day of December 2021.

Mark Mueller, Director of Public Works, reported that the SE 3rd Street Utility Improvements – Phase 1 project includes the replacement of PCC street pavement, sanitary sewer, water main, and storm sewer located on SE 3rd Street between SE Sharon Drive and SE Trilein Drive in the City of Ankeny. The improvements include approximately 4,670 SY of 8" thick PCC street pavement, 1,250 LF of sanitary sewer, 1,250 LF of water main, 1,350 LF of storm sewer, 2,400 LF of footing drain collector, Class 10 excavation, subgrade preparation, modified subbase, and removal and replacement of driveways and sidewalks. Other associated improvements include temporary water main, temporary sidewalk, temporary traffic control, erosion control, temporary surface restoration, and miscellaneous associated work necessary to complete the project.

Mayor Holm then asked for any public comment regarding the proposed project. Hearing no comments, Council Member Perry moved, Ruddy seconded, to close public hearing 2022-04. Ayes: 4.

2. PH 2022-05. Mayor Holm announced that 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 NW 36th Street Widening – NW Ash Drive to N Ankeny Blvd project. Notice of this hearing was published in the Des Moines Register on the 30th day of December 2021.

Mark Mueller, Director of Public Works, reported that the NW 36th Street Widening – NW Ash Drive to North Ankeny Boulevard project includes widening NW 36th Street from a 2-lane urban roadway to a 4-lane urban roadway with left turn lanes from approximately 600 feet west of NW Ash Drive to approximately 600 feet east of North Ankeny Boulevard. The project also includes eastbound right turn lanes on NW 36th Street at NW Ash Drive and North Ankeny Boulevard and a northbound right turn lane on NW Ash Drive at NW 36th Street.

Mayor Holm then asked for any public comment regarding the proposed project. Hearing no comments, Council Member Bentz moved, Whiting seconded, to close public hearing 2022-05. Ayes: 4.

3. PH 2022-06. Mayor Holm announced that 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 Well No. 7/ASR No. 3 – Bid Package 1 – Well Construction project. Notice of this hearing was published in the Des Moines Register on the 30th day of December 2021.

Don Clark, Director of Municipal Utilities, announced that the ASR #3 - Bid Package #1 - Well Construction project will include the construction of one aquifer storage and recovery well, including drilling, casing, grouting, mechanical integrity pressure testing, cement bond log, well development, test pumping, water quality testing, video record, disinfection, and other items as detailed in the Construction Documents.

Mayor Holm then asked for any public comment regarding the proposed project. Hearing no comments, Council Member Ruddy moved, Perry seconded, to close public hearing 2022-06. Ayes: 4.

APPROVAL OF CONSENT AGENDA

Minutes

1. Approval of official council actions of the regular meeting of January 3, 2021, as published.
2. Receive and file minutes of the Civil Service Commission meeting of December 13, 2021.
3. Receive and file minutes of the Plan and Zoning Commission meeting of December 21, 2021.
4. Receive and file minutes of the Zoning Board of Adjustment meeting on November 16, 2021.
5. Receive and file minutes of the Zoning Board of Adjustment meeting on December 7, 2021.

Licenses and Permits

6. Issuance of liquor license(s) and/or beer/wine permit(s) in the City of Ankeny.

Finance/Budget

7. Receive and file Financial Reports for December 2021.
8. Receive and file Building Permit Report for December 2021.
9. Receive and file Utility Billing Report for December 2021.
10. Payment #22 in the amount of \$27,090.03 to Civil Design Advantage for engineering services on the NW 18th Street Extension – NW Weigel Drive to NW Spruce Drive project.
11. Payment #1 in the amount of \$37,525.00 to Con-Struct, Inc., for construction services on the Wastewater Plant Partial Demolition project.
12. Payment #5 in the amount of \$176,184.01 to Cramer & Associates, Inc., for construction services on the High Trestle Trail Ext Magazine Rd to Oralabor Rd project.

13. Payment #18 in the amount of \$2,737.77 to McClure Engineering Company, for engineering services on the Irvinedale Drive Water Main Improvements - Phase 3 project.
14. Payment #4 in the amount of \$7,557.98 to McClure Engineering Company, for engineering services on the NW 18th Street Reconstruction - NW Ash Dr. to N Ankeny Blvd. project.
15. January 18, 2022 Accounts Payable by fund: General 177,635; Hotel Motel Tax 2,000; Road Use Tax 100,316; Solid Waste 83,822; Water 671,009; Sewer 547,496; Stormwater 11,774; Golf Course 774; Enterprise Projects 610,574; Revolving 5,477; Risk Management 29,925; Health Insurance 132; Capital Projects 250,112; Payroll 1,251,868; Transfers/ACH Drafts (181,306); Agenda payments (251,095). Grand Total \$3,310,513.
16. **RESOLUTION 2022-019** authorizing the purchase of traffic signal pole assemblies for installation with the NW 36th Street Widening: NW Ash Drive to N Ankeny Blvd.

Personnel

17. Accept the Civil Service Commission certified lists for appointment to: Police Officer, Equipment Operator; subject to passing any further departmental requirements.

Community Development

18. **RESOLUTION 2022-020** accepting public utility easements associated with the development of The Crossings at Deer Creek Plat 14.
19. **RESOLUTION 2022-021** providing for the notice and hearing of the City Council of the City of Ankeny, Iowa, to consider a request to vacate a portion of a public utility easement, located on Lot 20, Ashland Ridge Plat 2 (date of hrg: 2/7/22 @ 5:30 p.m.)
20. Receive and file correspondence from Nilles Associates, Inc. on behalf of DRA Properties, LC dated December 22, 2021, requesting to vacate a portion of public land, Lot 2, The District at Prairie Trail Plat 8; and refer to the Plan & Zoning Commission for its study and recommendation.
21. **RESOLUTION 2022-022** accepting final plat, platted easements and subdivision bond for seeding and erosion control for Vintage Business Park at Prairie Trail Plat 9.
22. **RESOLUTION 2022-023** approving plans and specifications and accepting contracts, performance and maintenance bonds for the construction of water main and sanitary sewer for Vintage business Park at Prairie Trail Plat 9.
23. **RESOLUTION 2022-024** accepting a Public Ingress / Egress Easement associated with the development of Lot 1, Vintage Business Park at Prairie Trail Plat 2.

Approval of Consent Agenda Items

1. Council Member Bentz moved, second by Perry, to approve the recommendations for Consent Agenda Items CA-1 through CA-23. Ayes: Bentz, Perry, Ruddy, Whiting.

BOARDS AND COMMISSIONS

1. Council Member Perry moved, Bentz seconded, to approve the Mayors appointments to expiring Board and Commission Members as presented. Ayes: Perry, Bentz, Ruddy, Whiting.
2. Council Member Perry moved, Ruddy seconded, to amend RESOLUTION 2021-461 by replacing Makai Echer as the 2nd Representative to the Polk County Joint 911 Commission with Robert Chiappano. Ayes: Perry, Ruddy, Bentz, Whiting.

APPROVAL OF ORDINANCES

1. **Ord 2074.** An Ordinance amending the Zoning Regulations, Chapter 195, Signs, of the Municipal Code of the City of Ankeny, Iowa, Clarifying and Modifying Requirements for Flags, Political Signs and Non-Commercial Signs. Council Member Perry moved, Bentz seconded, to accept the third reading of Ordinance 2074, sending it on its final passage and publication as required by law. Ayes: Perry, Bentz, Ruddy, Whiting.
2. **Ord 2092.** An Ordinance amending Chapter 66, Load and Weight Restrictions, of the Municipal Code of the City of Ankeny, Iowa. Council member Ruddy moved, Perry seconded, to accept the third consideration of Ordinance 2092, sending it on its final passage and publication as required by law. Ayes: Ruddy, Perry, Bentz, Whiting.
3. **Ord 2093.** An Ordinance amending the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, by amending the PUD zoning of certain property owned by Stubbs Development and Lemar Koethe. Council Member Bentz moved, Perry seconded, to accept second consideration of ORDINANCE 2093. Ayes: Bentz, Perry, Ruddy, Whiting.
4. **Ord 2094.** 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 Dan and Beverly Jury. Council Member Perry moved, Whiting seconded, to accept second consideration of ORDINANCE 2094. Ayes: Perry, Whiting, Bentz, Ruddy.
5. **Ord 2095.** An Ordinance amending Chapter 30, Economic Development Council, of the Municipal Code of the City of Ankeny, Iowa. Council Member Whiting moved, Bentz seconded, to accept first consideration of ORDINANCE 2095. Ayes: Whiting, Bentz, Perry, Ruddy.

OLD BUSINESS:

1. Council Member Whiting moved, Perry seconded, to approve the temporary appointment of Kerry Walter-Ashby until the special election to fill such vacancy is held by the City on March 29, 2022 and the election results are certified by the County Auditor Office. Ayes: Whiting, Perry, Bentz, Ruddy. Mayor Mark Holm then administered the oath of office to Kerry Walter-Ashby.

NEW BUSINESS:

1. Proposed SE 3rd Street Utility Improvements – Phase 1 (PH 2022-04)
Council Member Perry moved, Bentz seconded, to adopt 1) **RESOLUTION 2022-025** adopting plans, specifications, form of contract and estimate of cost \$1,890,000.00; 2) receive and file report of bids received January 11, 2022; 3) adopt **RESOLUTION 2022-026** making award of construction contract with Absolute Concrete Construction, Inc. in the amount of \$1,816,990.10; and 4) adopt **RESOLUTION 2022-027** approving contract and bonds with Absolute Concrete Construction, Inc. in the amount of \$1,816,990.10. Ayes: Perry, Bentz, Ruddy, Walter-Ashby, Whiting.
2. Proposed NW 36th Street Widening - NW Ash Drive to North Ankeny Boulevard (PH 2022-05)
Council Member Perry moved, Bentz seconded, to adopt 1) **RESOLUTION 2022-028** adopting plans, specifications, form of contract and estimate of cost \$3,833,383.00; 2) receive and file report of bids received January 11, 2022; 3) adopt **RESOLUTION 2022-029** making award of construction contract with Absolute Concrete Construction, Inc. in the amount of \$3,996,224.75; and 4) adopt **RESOLUTION 2022-030** approving contract and bonds with Absolute Concrete Construction, Inc. in the amount of \$3,996,224.75. Ayes: Perry, Bentz, Ruddy, Walter-Ashby, Whiting.
3. Proposed Well #7 - ASR #3 - Bid Package 1 - Well Construction (PH 2022-06)
Council Member Ruddy moved, Bentz seconded, to adopt 1) **RESOLUTION 2022-031** adopting plans, specifications, form of contract and estimate of cost \$2,950,000.00; 2) receive and file report of bids received January 11, 2022; 3) adopt **RESOLUTION 2022-032** making award of construction contract with Gingerich Well & Pump Service LLC in the amount of \$3,234,033.00. Ayes: Ruddy, Bentz, Perry, Walter-Ashby, Whiting.

4. Proposed NW 36th Street & NW State Street Interim Improvements - Initiate Proceedings
Council Member Perry moved, Ruddy seconded, to adopt **RESOLUTION 2022-033** ordering construction of the NW 36th Street & NW State Street Interim Improvements and fixing a date for hearing thereon and taking of bids therefor. (date of bid letting: 2/15/22 @ 10:30 AM / date of hrg: 2/21/22 @ 5:30 PM) Ayes: Perry, Ruddy, Bentz, Walter-Ashby, Whiting.
5. Proposed NW 36th Street and NW Weigel Drive Water Main - Initiate Proceedings
Council Member Walter-Ashby moved, Bentz seconded, to adopt **RESOLUTION 2022-034** ordering construction on the NW 36th Street and NW Weigel Drive Water Main project and fixing a date for hearing thereon and taking of bids therefor. (date of bid-letting: 2/15/22 @ 10:30 a.m. / date of hrg: 2/21/22 @ 5:30 p.m.) Ayes: Walter-Ashby, Bentz, Perry, Ruddy, Whiting.
6. Proposed ASR#3 - Bid Package #2 - Well Pump and Control Building - Initiate Proceedings
Council Member Whiting moved, Perry seconded, to adopt **RESOLUTION 2022-035** ordering construction on the ASR #3 - Bid Package #2 - Well Pump and Control Building project and fixing a date for hearing thereon and taking of bids therefor. (date of bid-letting: 2/15/22 @ 10:30 a.m./date of hrg: 2/21/22 @ 5:30 p.m.) Ayes: Whiting, Perry, Bentz, Ruddy, Walter-Ashby.

ADJOURNMENT

1. Meeting was adjourned at 6:31 PM and was followed by a CAPS meeting immediately after.

Denise L. Hoy, City Clerk

Mark E. Holm, Mayor

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