



ANKENY CITY COUNCIL

Regular Meeting

Tuesday, January 17, 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

CEREMONY:

1. Mayor's Proclamation - Acknowledge Rotary Club's 50 years of service

A. PUBLIC FORUM: none

B. APPROVAL OF AGENDA:

1. Approval of the January 17, 2023 Agenda

Action# B1-1. Consider motion to approve and accept the January 17, 2023 agenda, with/without amendment.

C. PUBLIC HEARING(S):

1. PH 2023-03 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 NGR Inc., from R-1 to M-1, Light Industrial District.

Action# C1-1. Consider motion to close Public Hearing 2023-03.

2. PH 2023-04 Proposed amendment to the Ankeny Plan 2040, comprehensive plan, Figure 12.10, Future Land Use Map, for the City of Ankeny, Iowa.

Action# C2-1. Consider motion to close Public Hearing 2023-04.

3. PH 2023-05 Proposed amendment to the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, by rezoning certain real estate owned by Bricktowne Piper LC., from R-3, Multiple Family Residence District, to C-2, General Retail & Highway Oriented Business District.

Action# C3-1. Consider motion to close Public Hearing 2023-05.

4. PH 2023-06 Proposed SW State Street Reconstruction - Southbound Lanes

Action# C4-1. Consider motion to close Public Hearing 2023-06

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 3, 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 December 20, 2022.

CA - 3 Receive and file minutes of the Zoning Board of Adjustment meeting of December 6, 2022.

CA - 4 Receive and file minutes of the Civil Service Commission meeting of November 14, 2022.

- **Licenses and Permits**

CA - 5 Consider motion to approve the issuance of liquor license(s) and/or beer / wine permit(s) in the City of Ankeny.

• **Finance/Budget**

CA - 6 Consider motion to receive and file Financial Reports for December 2022.

CA - 7 Consider motion to receive and file Building Permit Report for December 2022.

CA - 8 Consider motion to receive and file Utility Billing Report for December 2022.

CA - 9 Consider motion to approve Change Order #4 increasing the contract amount by \$40,597.58 to Absolute Concrete Construction, Inc., for construction services on the NE 36th Street Reconstruction - I-35 to NE Four Mile Drive project.

CA - 10 Consider motion to approve Change Order #5 increasing the contract amount by \$8,250.00 to Reilly Construction Co., Inc., for additional tree removal that damaged improvements from 2021 on the West First St Widening & Improvements-Phase 1 project.

CA - 11 Consider motion to approve Amendment No. 2 to the Professional Services Agreement increasing the contract amount by \$621,800.00 with Snyder & Associates, Inc. for construction engineering services on the NE Delaware Avenue Reconstruction - NE 5th Street to 700 feet North of NE 18th Street project.

CA - 12 Consider motion to approve Payment #9 in the amount of \$501,812.87 to Absolute Concrete Construction, Inc., for construction services on the NE 36th Street Reconstruction Project - I-35 to NE Four Mile Drive.

CA - 13 Consider motion to approve Payment #8 in the amount of \$85,369.85 to Absolute Concrete Construction, Inc. for construction services on the SE 3rd Street Utility Improvements - Phase 1 project.

CA - 14 Consider motion to approve Payment #31 in the amount of \$23,560.68 to Foth Infrastructure and Environment, LLC for engineering services on the West First Street Widening and Improvements - Phase 1 project.

CA - 15 Consider motion to approve Payment #5 in the amount of \$4,357.50 to HR Green, Inc., for engineering services on the SW State Street Fiber Optic Relocation project.

CA - 16 Consider motion to approve Payment #4 in the amount of \$615.00 to ISG (I&S Group) for design and construction work on the High Trestle Trail Park Phase 1 project.

CA - 17 Consider motion to approve Payment #10 in the amount of \$1,514.23 to McClure Engineering Company, for engineering services on the NW 18th Street Reconstruction - NW Ash Dr. to N Ankeny Blvd. (Design) project.

CA - 18 Consider motion to approve Payment #6 in the amount of \$9,948.05 to McClure Engineering Company, for engineering services on the SW State Street Reconstruction - Southbound Lanes project.

CA - 19 Consider motion to approve Payment #18 in the amount of \$13,534.50 to Reilly Construction Company Inc., for construction services on the West First Street Widening and Improvements - Phase 1 project.

CA - 20 Consider motion to approve Payment #2 in the amount of \$130,628.89 to Synergy Contracting, LLC, for construction services on the HTT Water Transmission Main & Drainage Improvements project.

CA - 21 Consider motion to approve Payment #4 in the amount of \$158,944.50 to WRH, Inc., for construction services on the Well No. 7/ASR No. 3 - Bid Package 2 - Well

Pump and Control Building project.

- CA - 22** Consider motion to approve the January 17, 2023 Accounts Payable. (Finance Committee: J. Perry, Chp, J. Ruddy, T. Shafer)

- **Personnel Items**

- CA - 23** Consider motion to accept the Civil Service Commission certified lists for appointment to: Police Officer-Police Department and Fire Chief-Fire Department; subject to passing any further departmental requirements.

- **Community Development Items**

- CA - 24** Consider motion to adopt **RESOLUTION** waiving approval of Schmidt's Acres final plat.

- CA - 25** Consider motion to approve the Albaugh Four Mile Industrial Preliminary Plat.

- **Engineering Items**

- CA - 26** Consider motion to adopt a **RESOLUTION** accepting a purchase agreement and approving documents for the acquisition of temporary construction easement for the NW 18th Street Reconstruction - NW Ash Drive to N Ankeny Boulevard project in Ankeny, Iowa. (Maples Condos, LC)

- CA - 27** Consider motion to adopt **RESOLUTION** accepting public improvements for Veridian Credit Union - NW Georgetown Boulevard Widening for paving and related work.

- CA - 28** Consider motion to adopt **RESOLUTION** accepting a proposal and Performance, Payment, and Maintenance Bond from Absolute Concrete in the amount of \$31,590.00 for the construction of the 2023 - SW Westview Drive Storm Sewer Repair project.

- **Capital Improvement Projects**

- CA - 29** **NW 36th Street & NW State Street Interim Improvements:** Consider motion to approve: a) Certificate of Completion; b) **RESOLUTION** accepting the public improvement with Con-Struct, Inc. in the amount of \$633,988.00; and c) Final Payment #5 in the amount of \$8,921.44; and Retainage Payment in the amount of \$9,509.82.

- CA - 30** **Ankeny Parks Maintenance Facility Renovation - Phase 2:** Consider motion to approve: a) The Architect's Certificate of Completion; b) **RESOLUTION** accepting the public improvement with Burkett Construction, LLC in the amount of \$763,697.00; and c) Approval of Change Order #2 in the amount of \$8,076.00; d) Approval of Pay Application #9 in the amount of \$7,672.20; and e) Final Payment #10/Release of Retainage in the amount of \$38,184.85 which will be released 30 days after project acceptance.

- **Administrative Items**

- CA - 31** Consider motion to approve certification to the Treasurer of State the population of the NGR Four Mile Drive annexed territory as determined by the last certified federal census of said territory.

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-31.

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

CA-1 through CA-31.

F. **SUPPLEMENTAL AND REMOVED CONSENT AGENDA ITEMS: none**

G. **RECESS - Mark Holm, Mayor**

H. **LEGISLATIVE BUSINESS:**

- **Approval of Ordinances:**

1. Ord 2127 An Ordinance vacating a portion of a Public Storm Sewer Easement located on Lot 1, John Deere Place Plat 4.

Action# H1-1. Consider motion to accept third consideration of ORDINANCE 2127, sending it on its final passage and publication as required by law.

Action# H1-2. Consider motion to adopt RESOLUTION authorizing the sale of property vacated by the City of Ankeny, Iowa, to William Doyle, Aim High Automotive, LLC.

2. Ord 2128 An Ordinance vacating a portion of a Public Ingress/Egress Easement located on Lot 1, John Deere Place Plat 4.

Action# H2-1. Consider motion to accept third consideration of ORDINANCE 2128, sending it on its final passage and publication as required by law.

Action# H2-2. Consider motion to adopt RESOLUTION authorizing the sale of property vacated by the City of Ankeny, Iowa, to William Doyle, Aim High Automotive, LLC.

3. Ord 2129 An Ordinance amending the code of ordinances of the City of Ankeny, Iowa, by modifying provisions pertaining to liquor license and wine and beer permits.

Action# H3-1. Consider motion to accept third consideration of ORDINANCE 2129, sending it on its final passage and publication as required by law.

4. 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. (PH 2023-03)

Action# H4-1. Consider motion to accept first consideration of ORDINANCE 2130.

5. 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. (PH 2023-05)

Action# H5-1. Consider motion to accept first consideration of ORDINANCE 2131.

I. **OLD BUSINESS: none**

J. **NEW BUSINESS:**

1. Proposed amendment to The Ankeny Plan 2040, comprehensive plan, Figure 12.10, Future Land Use Map for the City of Ankeny, Iowa (PH 2023-04).

Action# J1-1. Consider motion to adopt RESOLUTION amending The Ankeny Plan 2040,

comprehensive plan, Figure 12.10, Future Land Use Map for the City of Ankeny, Iowa.

2. Proposed SW State Street Reconstruction - Southbound Lanes (PH 2023-06)

Action# J2-1. Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract and estimate of cost \$1,664,700.30; 2) receive and file report of bids received January 10, 2023; 3) adopt RESOLUTION making award of construction contract with Alliance Construction Group, LLC in the amount of \$1,407,593.05; and 4) adopt RESOLUTION approving contract and bonds with Alliance Construction Group, LLC in the amount of \$1,407,593.05.

3. Proposed 2023 PCC Reconstruction Program - SE Creekview Drive
Initiate Proceedings

Action# J3-1. Consider motion to adopt RESOLUTION ordering construction on the 2023 PCC Reconstruction Program - SE Creekview Drive project and fixing a date for hearing thereon and taking of bids therefor. (date of bid letting: 2/14/23 @ 10:30 A.M. / date of hrg: 2/20/23 @ 5:30 P.M.)

4. Proposed 2023 PCC Street Patching Program
Initiate Proceedings

Action# J4-1. Consider motion to adopt RESOLUTION ordering construction on the 2023 PCC Street Patching Program project and fixing a date for hearing thereon and taking of bids therefor. (date of bid letting: 02/14/23 @ 10:30 AM / date of public hearing: 02/20/23 @ 5:30 PM)

5. 2023 SW Des Moines Street Parks Phase 2
Professional Services Agreement with Nilles Associates, Inc.

Action# J5-1. Consider motion to approve the Professional Services Agreement with Nilles Associates, Inc. for design, bidding phase and construction services on the SW Des Moines Street Parks Phase 2 Project in an amount not to exceed \$26,000.00 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 - Department Budget Presentations - 1/20/23 @ 8:30 a.m.***
- ***Public Hearing - SW State Street Fiber Optic Relocation - 2/6/23 @ 5:30 p.m.***
- ***Public Hearing - 2023 PCC Pavement Preservation Program - 2/6/23 @ 5:30 p.m.***
- ***Public Hearing - 2023 PCC Reconstruction Program - SE 8th Street - 2/6/23 @ 5:30 p.m.***
- ***Public Hearing - North Four Mile Creek Trunk Sewer - 2/6/23 @ 5:30 p.m.***
- ***Public Hearing - S Ankeny Blvd Transmission Main - 2/6/23 @ 5:30 p.m.***
- ***Public Hearing - SRF Loan Application - NW Water Tower - 2/20/23 @ 5:30 p.m.***
- ***Public Hearing - 2023 PCC Street Patching Program - 2/20/23 @ 5:30 p.m.***
- ***Public Hearing - 2023 PCC Reconstruction Program - SE Creekview Drive - 2/20/23 @ 5:30 p.m.***

L. ADJOURNMENT

1. Adjournment