



ANKENY CITY COUNCIL

Regular Meeting

Tuesday, January 3, 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: none

A. PUBLIC FORUM: none

B. APPROVAL OF AGENDA:

1. Approval of the January 3, 2023 Agenda

Action# B1-1. Consider motion to approve and accept the January 3, 2023 agenda, with/without amendment.

C. PUBLIC HEARING(S):

1. PH 2023-01 Proposed State Revolving Fund (SRF) Loan - S. Ankeny Blvd.

Action# C1-1. Consider motion to close Public Hearing 2023-01.

2. PH 2023-02 Proposed NE Delaware Avenue Reconstruction - NE 5th Street to 700 feet North of NE 18th Street

Action# C2-1. Consider motion to close Public Hearing 2023-02.

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 December 19, 2022, 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 6, 2022.

- **Licenses and Permits**

CA - 3 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 - 4 Consider motion to approve Change Order #2 decreasing the contract amount by \$17,830.50 to Communication Data Link for construction services on the N Ankeny Blvd Fiber Optic Upgrade project.

CA - 5 Consider motion to approve Payment #9 in the amount of \$25,701.29 to Absolute Concrete Construction, Inc., for construction services on the NW 36th Street Widening - NW Ash Drive to N Ankeny Boulevard project.

CA - 6 Consider motion to approve Payment #2 in the amount of \$48,309.87 to Communication Data Link, for construction services on the N Ankeny Blvd Fiber Optic Upgrade project.

CA - 7 Consider motion to approve Payment #14 in the amount of \$14,649.00 to Cramer & Associates, Inc., for construction services on the High Trestle Trail Ext Magazine Rd to Oralabor Rd project.

CA - 8 Consider motion to approve Payment #8 in the amount of \$1,097.00 to Foth

Infrastructure and Environment, LLC for engineering services on the North Four Mile Creek Trunk Sewer project.

- CA - 9** Consider motion to approve Payment #20 in the amount of \$14,947.87 to FOX Strand, for engineering services on the Ankeny ASR project.
- CA - 10** Consider motion to approve Payment #15 in the amount of \$81,050.64 to HR Green, Inc., for construction administration and construction inspection services on the NE 36th Street Reconstruction Project - I-35 to NE Four Mile Drive.
- CA - 11** Consider motion to approve Payment #7 in the amount of \$29,525.63 to HR Green, Inc., for engineering services on the Oralabor Gateway Trail-SW State Street Underpass and SW Oralabor Road and SW State Street Safety Improvements project.
- CA - 12** Consider motion to approve Payment #3 in the amount of \$291,413.31 to Hydro-Klean, LLC for construction services on the 2022 CIPP Lining project.
- CA - 13** Consider motion to approve Payment #17 in the amount of \$15,372.50 to JEO Consulting Group, Inc., for engineering services on the SE Delaware Avenue HMA Widening project.
- CA - 14** Consider motion to approve Payment #19 in the amount of \$6,223.75 to JEO Consulting Group, Inc. for engineering services on the SE 3rd Street Utility Improvements Phase 1 project.
- CA - 15** Consider motion to approve Payment #6 in the amount of \$10,681.25 to JEO Consulting Group, Inc., for engineering services on the SE 3rd Street Improvements - Phase 2 project.
- CA - 16** Consider motion to approve Payment #1 in the amount of \$26,710.00 to MSA Professional Services, Inc., for engineering services on the Uptown Parking Improvements project.
- CA - 17** Consider motion to approve Payment #5 in the amount of \$20,653.82 to Short Elliott Hendrickson Inc., for engineering services on the S Ankeny Blvd Transmission Main project.
- CA - 18** Consider motion to approve Payment #27 in the amount of \$1,061.00 to Snyder & Associates, Inc., for engineering services on the SE Delaware Ave and SE 8th St Widening and Traffic Signalization project.
- CA - 19** Consider motion to approve Payment #20 in the amount of \$1,805.88 to Snyder & Associates, Inc., for engineering services on the NW 36th St and NW State St Interim Improvements project.
- CA - 20** Consider motion to approve Payment #18 in the amount of \$2,617.50 to Snyder & Associates, Inc., for engineering services on the 2021 Pavement Management Study and Master Plan project.
- CA - 21** Consider motion to approve Payment #25 in the amount of \$17,715.89 to Snyder & Associates, Inc., for engineering services on the NW 36th St Widening - NW Ash Dr to N Ankeny Blvd project.
- CA - 22** Consider motion to approve Payment #9 in the amount of \$2,289.50 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements - Phase 2 project.
- CA - 23** Consider motion to approve Payment #23 in the amount of \$6,754.50 to Snyder & Associates, Inc., for engineering services on the N Ankeny Blvd Landscape Improvements project.

- CA - 24** Consider motion to approve Payment #17 in the amount of \$10,748.63 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 #36 in the amount of \$10,093.78 to Snyder & Associates, Inc., for engineering services on the SE Crosswinds Drive - RISE project.
- CA - 26** Consider motion to approve Payment #22 in the amount of \$11,784.50 to Snyder & Associates, Inc., for engineering services on the HTT Transmission Main and Drainage Improvements project.
- CA - 27** Consider motion to approve the January 3, 2023 Accounts Payable. (Finance Committee: K. Stearns, Chp, J. Perry, J. Ruddy)
- CA - 28** Consider motion to receive and file the City of Ankeny Annual Comprehensive Financial Report (ACFR) for the year ended June 30, 2022.
- CA - 29** Consider motion to adopt **RESOLUTION** related to the revision of the Financial Policy of the Standard Administrative Policy and Procedures Manual of the City of Ankeny, Iowa.
- CA - 30** Consider motion to approve Biller Order Form, Biller Agreement and Statement of Work with Invoice Cloud, Inc. to provide online payment processing.

- **Personnel Items**

- CA - 31** Consider motion to adopt **RESOLUTION** increasing the Full-Time Equivalent (FTE) positions authorized for fiscal year 2023 from 357.78 to 358.78.

- **Community Development Items**

- CA - 32** Consider motion to adopt **RESOLUTION** adopting a new Official Zoning Map for the City of Ankeny, Iowa.
- CA - 33** Consider motion to adopt **RESOLUTION** accepting final plat, warranty deed to streets, subdivision bonds for seeding and erosion control, platted easements, warranty deed to park land and park land dedication agreement; and authorizing cost participation for the extension of water main for The Crossings at Deer Creek Plat 12.
- CA - 34** 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 west side of SE Four Mile Drive and three-quarters of a mile north of SE Corporate Woods Drive. (date of hrg: 01/17/23 @ 5:30 p.m.)
- 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 Bricktowne Piper LC., located north of NW Reinhart Drive and west of N Ankeny Boulevard. (date of hrg: 1/17/23 @ 5:30 p.m.)
- CA - 36** Consider motion to adopt **RESOLUTION**, providing for the notice and hearing of the City Council of the City of Ankeny, Iowa, to amend the Ankeny Plan 2040 Comprehensive Plan, Figure 12.10, Future Land Use Map to reclassify certain property owned by Bricktowne Piper LC., located north of NW Reinhart Drive and west of N. Ankeny Boulevard (date of hrg: 1/17/23 @ 5:30 p.m.)

- **Engineering Items**

- CA - 37** Consider motion to adopt **RESOLUTION** accepting maintenance bond for water main, sanitary sewer, and storm sewer in The Crossings at Deer Creek Plat 12.
- CA - 38** Consider motion to adopt **RESOLUTION** accepting maintenance bond for

concrete paving in The Crossings at Deer Creek Plat 12

CA - 39 Consider motion to adopt **RESOLUTION** accepting maintenance bond for asphalt paving in The Crossings at Deer Creek Plat 12

CA - 40 Consider motion to adopt **RESOLUTION** accepting maintenance bond for subgrade prep. in The Crossings at Deer Creek Plat 12.

CA - 41 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. (Ankeny Community School District)

CA - 42 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. (Hale Development)

CA - 43 Consider motion to adopt **RESOLUTION** accepting public improvements in Spectrum 36 Plat 1 for utilities & subgrade prep.

CA - 44 Consider motion to adopt **RESOLUTION** accepting public improvements in Spectrum 36 Plat 1 for paving.

- **Capital Improvement Projects - none**

- **Administrative Items**

CA - 45 Consider motion to adopt **RESOLUTION** approving the application for tax abatement under the Urban Revitalization Plan for the City of Ankeny, Iowa, submitted for the property locally known as 709 SW 3rd St., Ankeny, Iowa.

CA - 46 Consider motion to adopt **RESOLUTION** approving the application for tax abatement under the Urban Revitalization Plan for the City of Ankeny, Iowa, submitted for the property locally known as 617 SW 3rd St., Ankeny, Iowa.

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-46.

Action# E1-1. Consider motion to approve the recommendations for Consent Agenda Items CA-1 through CA-46.

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 second consideration of ORDINANCE 2127.

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 second consideration of ORDINANCE 2128.

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 second consideration of ORDINANCE 2129.

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Proposed Environmental Review for SRF Loan Projects (PH 2023-01)

Action# J1-1. Consider motion to adopt RESOLUTION accepting the environmental information document for SRF loan application with the Iowa Department of Natural Resources.

2. Proposed NE Delaware Avenue Reconstruction - NE 5th Street to 700 Feet North of NE 18th Street (PH 2023-02)

Action# J2-1. Consider motion to adopt 1) RESOLUTION adopting plans, specifications, form of contract. estimate of cost \$10,654,525.25 and enhancement of payment; 2) receive and file report of bids received December 20, 2022; 3) adopt RESOLUTION making award of construction contract with Elder Corporation in the amount of \$9,993,000.00; and 4) adopt RESOLUTION approving contract and bonds with Elder Corporation in the amount of \$9,993,000.00.

3. Proposed SW State Street Fiber Optic Relocation
Initiate Proceedings

Action# J3-1. Consider motion to adopt RESOLUTION ordering construction on the SW State Street Fiber Optic Relocation and fixing a date for hearing thereon and taking of bids therefor. (date of bid opening: 1/31/23 @ 10:30 A.M. / date of hrg: 2/6/23 @ 5:30 P.M.)

4. Proposed 2023 PCC Pavement Preservation Program
Initiate Proceedings

Action# J4-1. Consider motion to adopt RESOLUTION ordering construction on the 2023 PCC Pavement Preservation Program project and fixing a date for hearing thereon and taking of bids therefor. (date of bid opening: 1/31/23 @ 10:30 A.M. / date of hrg: 2/6/23 @ 5:30 P.M.)

5. Proposed 2023 PCC Reconstruction Program - SE 8th Street
Initiate Proceedings

Action# J5-1. Consider motion to adopt RESOLUTION ordering construction on the 2023 PCC Reconstruction Program - SE 8th Street project and fixing a date for hearing thereon and taking of bids therefor. (date of bid opening: 1/31/23 @ 10:30 A.M. / date of hrg: 2/6/23 @ 5:30 P.M.)

6. Proposed North Four Mile Creek Trunk Sewer
Initiate Proceedings

Action# J6-1. Consider motion to adopt RESOLUTION ordering construction on the North

Four Mile Creek Trunk Sewer project and fixing a date for hearing thereon and taking of bids therefor. (date of bid opening: 1/31/23 @ 10:30 A.M. / date of hrg: 2/6/23 @ 5:30 P.M.)

7. Proposed S. Ankeny Blvd. Transmission Main
Initiate Proceedings

Action# J7-1. Consider motion to adopt RESOLUTION ordering construction on the S. Ankeny Blvd. Transmission Main project and fixing a date for hearing thereon and taking of bids therefor. (date of bid opening: 1/31/23 @ 10:30 A.M. / date of hrg: 2/6/23 @ 5:30 P.M.)

8. Proposed application for a State Revolving Fund (SRF) loan and to make available to the public the contents of an environmental information document and the City's project plan.

Action# J8-1. Consider motion to set public hearing to review an application for a State Revolving Fund (SRF) loan and to make available to the public the contents of an environmental information document and the City's project plan and direct City Clerk to publish notice 30 days prior to hearing (date of hrg: 2/20/23 @ 5:30 p.m.).

9. Proposed Delaware Ground Storage Tank Painting
Professional Services Agreement with Dixon Engineering

Action# J9-1. Consider a motion to approve the Professional Services Agreement with Dixon Engineering, for the design engineering and bidding phase services on the Delaware Ground Storage Tank Painting Project in an amount not to exceed \$7,225.00 and the Mayor to execute said agreement.

10. Proposed SE Oralabor Road & Convenience Blvd/ Creekview Drive Traffic Signal Replacement
Professional Services Agreement with Snyder & Associates, Inc.

Action# J10-1. Consider a motion to approve the Professional Services Agreement with Snyder & Associates, Inc., for the design engineering and bidding phase services on the Uptown Parking Improvements in an amount not to exceed \$41,700.00 and 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:**

- *Public Hearing - SW State Street Reconstruction - Southbound Lanes - 1/17/23 @ 5:30 p.m.*
- *Public Hearing - rezone - Bricktowne Piper LC - 1/17/23 @ 5:30 p.m.*
- *Public Hearing - rezone - NGR, Inc. - 1/17/23 @ 5:30 p.m.*
- *Public Hearing - amendment - 2010 Ankeny Comp Plan Future Land Use Map - 1/17/23 @ 5:30 p.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.*

L. ADJOURNMENT

1. Adjournment