



ANKENY CITY COUNCIL

Regular Meeting

Tuesday, January 2, 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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Anyone seeking assistance in communicating with the City should contact Relay Iowa at 1-800-735-2942 (TDY), or 1-800-735-2943 (Voice).

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. Oath of Office: Jeff Perry - Council Member

A. PUBLIC FORUM: none

B. APPROVAL OF AGENDA:

1. Approval of the January 2, 2024 Agenda

Action# B1-1. Consider motion to approve and accept the January 2, 2024 agenda, with or without amendment.

C. PUBLIC HEARING(S):

1. PH 2024-01 Proposed Amendment of Current Budget for Fiscal Year Ending June 30, 2024

Action# C1-1. Consider motion to close Public Hearing 2024-01.

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 18, 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 5, 2023.
- CA - 3** Receive and file minutes of the Human Rights Commission meeting of October 26, 2023.

- **Licenses and Permits**

- CA - 4** Consider motion to approve the issuance of liquor licenses and beer/wine permits in the City of Ankeny.

- **Finance/Budget**

- CA - 5** Consider motion to approve Change Order #2 increasing the contract amount by \$1,137.32 to All-Star Concrete LLC, for construction services on the SE Oralabor Rd & Convenience Blvd/Creekview Dr Traffic Signal Replacement project.
- CA - 6** Consider motion to approve Amendment No. 5 to the Professional Services Agreement increasing the contract amount by \$67,870.00 with JEO Consulting Group for construction engineering services on the SE 3rd Street Utility Improvements - Phase 1 project.
- CA - 7** Consider motion to approve Amendment No. 2 to the Professional Services Agreement increasing the contract amount by \$30,320.01 with McClure Engineering Company for construction services on the NW Irvinedale Drive Transmission Main - Phase 3 project.
- CA - 8** Consider motion to approve Payment #13 in the amount of \$14,042.89 to Absolute Concrete Construction, Inc., for construction services on the NE 36th Street Reconstruction Project - I-35 to NE Four Mile Drive.
- CA - 9** Consider motion to approve Payment #4 in the amount of \$52,183.52 to All-Star

Concrete, LLC, for construction services on the SE Oralabor Rd & Convenience Blvd/Creekview Dr Traffic Signal Replacement project.

- CA - 10** Consider motion to approve Payment #2 in the amount of \$23,724.35 to Concrete Connection, LLC, for construction services on the Midway Park - Phase 2 Improvements project.
- CA - 11** Consider motion to approve Payment #20 in the amount of \$8,265.16 to Foth Infrastructure and Environment, LLC for engineering services on the North Four Mile Creek Trunk Sewer project.
- CA - 12** Consider motion to approve Payment #3 in the amount of \$4,830.10 to Foth Infrastructure and Environment, LLC for engineering services on the North Four Mile Trunk Sewer - Phase 2 project.
- CA - 13** Consider motion to approve Payment #9 in the amount of \$38,365.40 to Foth Infrastructure and Environment, LLC for engineering services on the NW State Street Extension project.
- CA - 14** Consider motion to approve Payment #32 in the amount of \$1,441.00 to FOX Strand, for engineering services on the Ankeny ASR project.
- CA - 15** Consider motion to approve Payment #8 in the amount of \$22,750.00 to FOX Strand, for engineering services on the NE 36th Street & NE 38th Street Water Main Loop project.
- CA - 16** Consider motion to approve Payment #9 in the amount of \$20,932.50 to JEO Consulting Group, Inc., for engineering services on the Transportation Master Plan.
- CA - 17** Consider motion to approve Payment #4 in the amount of \$11,897.50 to Kirkham Michael & Associates, Inc., for engineering services on the NE 62nd St Box Culvert Design project.
- CA - 18** Consider motion to approve Payment #19 in the amount of \$5,096.35 to McClure Engineering Company, for construction engineering services on the NW 18th Street Reconstruction - NW Ash Dr. to N Ankeny Blvd. project.
- CA - 19** Consider motion to approve Payment #23 in the amount of \$30,320.01 to McClure Engineering Company, for engineering services on the Irvinedale Drive Water Main Improvements - Phase 3 project.
- CA - 20** Consider motion to approve Payment #6 in the amount of \$3,135.00 to Nilles Associates, Inc., for engineering services on the NE Crestmoor Sanitary Sewer Replacement project.
- CA - 21** Consider motion to approve Payment #1 in the amount of \$49,278.25 to Nilles Associates, Inc., for engineering services on the SW Magazine Road & SW State Street Improvements - West Leg project.
- CA - 22** Consider motion to approve Payment #1 in the amount of \$9,564.12 to On Track Construction, LLC for construction services on the 2023 Annual Storm Sewer Repairs project.
- CA - 23** Consider motion to approve Payment #17 in the amount of \$40,178.00 to Short Elliott Hendrickson Inc., for engineering services on the S Ankeny Blvd Transmission Main project.
- CA - 24** Consider motion to approve Payment #34 in the amount of \$8,489.56 to Snyder & Associates, Inc., for engineering services on the HTT Transmission Main and Drainage Improvements project.
- CA - 25** Consider motion to approve Payment #33 in the amount of \$5,673.75 to Snyder & Associates, Inc., for engineering services on the N Ankeny Blvd

Landscape Improvements project.

- CA - 26** Consider motion to approve Payment #3 in the amount of \$46,633.00 to Snyder & Associates, for engineering services on the N Ankeny Blvd Improvements 1st Street to 11th Street project.
- CA - 27** Consider motion to approve Payment #29 in the amount of \$13,498.93 to Snyder & Associates, Inc., for engineering services on the NE Delaware Ave Recon - NE 5th St to NE 18th St project.
- CA - 28** Consider motion to approve Payment #8 in the amount of \$31,836.75 to Snyder & Associates, for engineering services on the S Ankeny Blvd Improvements SE Peterson Dr to 1st St project.
- CA - 29** Consider motion to approve Payment #8 in the amount of \$4,471.78 to Snyder & Associates, for engineering services on the SE Delaware Ave and SE 54th St Traffic Signal project.
- CA - 30** Consider motion to approve Payment #9 in the amount of \$7,005.87 to Snyder & Associates, for engineering services on the SE Oralabor Rd & SE Creekview Dr Traffic Signal Replacement project.
- CA - 31** Consider motion to approve the January 2, 2024 Accounts Payable.
- CA - 32** Consider motion to receive and file the City of Ankeny Annual Comprehensive Financial Report (ACFR) for the year ended June 30, 2023.
- CA - 33** Consider motion to adopt **RESOLUTION** accepting a proposal from Dean Snyder Construction in the amount of \$47,941.16 for the replacement construction of a pedestrian bridge at Cascade Falls Aquatic Center.

- **Personnel Items**

- CA - 34** Consider motion to approve Employer Agreement for Army CSP Individual Internship/Approved DoD SkillBridge Program and authorize the Police Chief to execute said agreement.

- **Community Development Items**

- CA - 35** Consider motion to grant preliminary approval of Deer Creek South Plat 3 Final Plat.
- CA - 36** Consider motion to adopt **RESOLUTION** accepting a Storm Water Management Facility Maintenance Covenant and Permanent Easement Agreement associated with the development of First Street Commons Plat 2.

- **Capital Improvement Projects**

- CA - 37** **NW 36th Street Fiber Optic Redundancy:** Consider motion to approve: a) Change Order #1 & Final in the amount of \$913.50; b) Certificate of Completion; c) **RESOLUTION** accepting the public improvement with Iowa Signal, Inc. in the amount of \$57,808.50; and d) Final Payment in the amount of \$54,918.07; and Retainage Payment in the amount of \$2,890.43.
- CA - 38** **NW Irvinedale Drive Transmission Main - Phase 3:** Consider motion to approve: a) Final Change Order #5 decreasing the contract amount by \$52,461.96; b) Certificate of Completion; c) **RESOLUTION** accepting the public improvement with McAninch Corporation in the amount of \$1,464,902.04; and d) Final Payment #10 in the amount of \$0.00 / Release of Retainage in the amount of \$44,441.09.
- CA - 39** **NW 18th Street Reconstruction - NW Ash Drive to N Ankeny**

Boulevard: Consider motion to approve: a) Final Change Order #5 decreasing the contract amount by \$62,474.49; b) Certificate of Completion; c) **RESOLUTION** accepting the public improvements with Elder Corporation in the amount of \$4,290,894.51; and d) Final Payment #8 in the amount of \$36,105.29 and Release of Retainage in the amount of \$214,544.73.

CA - 40 **SE 3rd Street Utility Improvements - Phase 1:** Consider motion to approve: a) Final Change Order #5 increasing the contract amount by \$41,864.80; b) Certificate of Completion; c) **RESOLUTION** accepting the public improvements with Absolute Group in the amount of \$1,931,178.95; and d) Final Payment #16 in the amount of \$20,343.19 and Release of Retainage in the amount of \$96,558.95.

CA - 41 Consider motion to adopt **RESOLUTION** setting a public hearing for the approval of documents for the conveyance of proposed Permanent Electric Easement for MidAmerican Energy Company (MEC) across a portion of City-owned property at the Northwest Elevated Water Storage Tank location at 3755 NW Irvinedale Drive. (date of hrg: 2/5/2024 @ 5:30 p.m.)

CA - 42 Consider motion to adopt **RESOLUTION** ordering construction on the SW Oralabor Road and SW Edgewood Lane Intersection Improvements project and fixing a date for hearing thereon and taking of bids therefor. (date of bid opening: 1/30/24 @ 10:30 A.M. / date of hrg: 2/5/24 @ 5:30 P.M.)

- **Administrative Items**

CA - 43 Consider motion to receive and file the 2023 Human Rights Commission Annual Report.

CA - 44 Consider motion to adopt **RESOLUTION** authorizing the Mayor to execute a Memorandum of Agreement (MOA) with the U.S. Census Bureau.

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-44

Action# E1-1. Consider motion to approve the recommendations for Consent Agenda Items CA-1 through CA-44.

F. SUPPLEMENTAL AND REMOVED CONSENT AGENDA ITEMS: none

G. RECESS - Mark Holm, Mayor

H. LEGISLATIVE BUSINESS:

- **Boards/Commissions Appointments:**

1. Zoning Board of Adjustment - 02/01/24 - 12/31/2028
 - Matt Ott
 - Brett Walker

Action# H1-1. Consider motion to approve the reappointments of Matt Ott and Brett Walker to the Zoning Board of Adjustment, effective through 12/31/28.

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Proposed Amendment of Current Budget for Fiscal Year Ending June 30, 2024 (PH 2024-01)

Action# J1-1. Consider motion to adopt RESOLUTION amending the current budget for fiscal year ending June 30, 2024.

2. Proposed 2024 State Legislative Priorities

Action# J2-1. Consider motion to adopt RESOLUTION establishing the City of Ankeny's 2024 State Legislative Priorities.

3. Central Iowa Water Works 28E/28F

Action# J3-1. Consider motion to adopt RESOLUTION conditionally authorizing the inclusion of the City of Ankeny as a founding agency of Central Iowa Water Works; and conditionally approving the Central Iowa Water Works 28E/28F agreement; and conditionally authorizing the execution of the Central Iowa Water Works 28E/28F agreement by the City of Ankeny.

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 - 2024 PCC Reconstruction Program - NW Westwood St - 1/16/24 @ 5:30 p.m.***
- ***Council Action Planning Session - Department Budget Presentations - 1/19/24 @ 8:30 a.m.***
- ***Public Hearing - Permanent Electric Easement - MEC - NW Elevated Water Storage Tank - 2/5/24 @ 5:30 p.m.***
- ***Public Hearing - SW Oralabor & SW Edgewood Lane Intersection Improvements - 2/5/24 @ 5:30 p.m.***

L. ADJOURNMENT

1. Request for Executive Session under Code Section 21.5.1 (C)

Following adjournment of the Executive Session, Council may take action on any matter discussed during the Executive Session.

Action# L1-1. Consider motion to go into Executive Session, pursuant to the provisions of Iowa Code Section 21.5.1, subparagraph (c) “to discuss strategy with counsel in matters

that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation”.

2. Adjournment