

MINUTES OF THE REGULAR MEETING OF THE ANKENY CITY COUNCIL

Monday, November 20, 2017 – 5:30 PM
Ankeny City Hall - City Council Chambers
410 West First Street, Ankeny, Iowa

Gary Lorenz, Mayor

Bobbi Bentz, Mayor Pro tem

Council Members: Mark Holm, Jim McKenna, Wade Steenhoek, Kerry Walter-Ashby

Mayor Lorenz called the meeting to order at 5:30 p.m. Council member McKenna was absent. City Manager, David Jones and City Attorney, Amy Beattie were present.

Mayor Lorenz led the Pledge of Allegiance.

A. PUBLIC FORUM:

1. Open Forum: Kyle Luttgeharm, 2802 Homestead Circle, addressed the council with safety concerns for cyclists at the State Street and Oralabor Road Intersection.

Misti Linn and several Social Science students from Southview Middle School addressed the Council requesting to create a pollinator garden at Crestbruck Park that would be funded by the students. They stated they will also be addressing the Park Board at their upcoming meeting on November 27th.

Renee Murphy, representing the Ankeny Area Chamber of Commerce, presented an update on the Chamber's activities and events.

B. APPROVAL OF AGENDA:

1. Approval of the November 20, 2017 Agenda:

Action# B1-1. Holm made the motion to approve and accept the November 20, 2017 agenda, without amendment, seconded by Bentz.

ROLL CALL

2017-1120.B1-1	YES	4	NO	0
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C. PUBLIC HEARING(S):

1. **PH 2017-56:** Proposed Sale of Abandoned Sewer Lift Station Site located at 3102 NW 5th Street

Mayor Lorenz opened the public hearing. Notice of this hearing was published in the Des Moines Register on the 10th day of November, 2017.

No written objections were filed and no oral objections were offered from the audience.

Paul Moritz, Assistant City Manager, reported the Rock Creek Sanitary Sewer was completed in 2013, effectively taking the sanitary sewer lift station located on 3102 NW 5th Street out of service. Since that time, the station has been abandoned and is of limited value to the City. Earlier this year, staff solicited interest from the residents adjacent to the station property to see if there would be an interest in acquiring the

property. Bill Kimberley, who owns the residential property directly to the east of the station, expressed an interest and subsequently presented a purchase agreement to the City. The City completed an appraisal on the property showing the value to be \$10,000.00, which is Mr. Kimberley's offering price per the agreement.

Pending council approval, the property will be sold as-is, without demolition of the station by the city. Mr. Kimberley plans on utilizing the lift station property as part of the redevelopment of his residence on the property to the east.

Action# C1-1. Steenhoek made the motion to close Public Hearing 2017-56, seconded by Walter-Ashby.

ROLL CALL

2017-1120.C1-1

YES 4 NO 0

D. REPORTS OF ADVISORY BOARDS AND COMMISSION:

1. Park Board Director, Nick Lenox, reported on the activities of the Plan and Zoning Commission.

E. APPROVAL OF CONSENT AGENDA:

- **Minutes**

CA - 1 Approval of official council actions of the regular meeting of November 6, 2017, 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 October 17, 2017.

CA - 3 Receive and file minutes of the Zoning Board of Adjustment meeting of October 3, 2017.

- **Licenses and Permits**

CA - 4 Consider motion to approve the issuance of liquor license(s) and/or beer / wine permit(s) in the City of Ankeny.

- **Finance/Budget**

CA - 5 Consider motion to receive and file financial reports for October 2017.

CA - 6 Consider motion to receive and file the Building Permits Report for October 2017.

CA - 7 Consider motion to receive and file Utility Billing Report for October 2017.

CA - 8 Consider motion to approve Payment #2 in the amount of \$10,668.00 to Civil Design Advantage for engineering services on the Deer Creek Trunk Sewer Extension Design project.

CA - 9 Consider motion to approve Amendment No. 1 to the Professional Services Agreement increasing the contract amount by \$7,350.00 with Civil Design Advantage for engineering services on the SE East Lawn Area Utility Improvements and SE Peterson / SE Trilein Storm Sewer Improvements project.

CA - 10 Consider motion to approve Payment #3 in the amount of \$14,964.47 to Civil

Design Advantage for engineering services on the SE East Lawn Area Utility Improvements - Phase 1 and SE Peterson/SE Trilein Storm Sewer Improvements project.

CA - 11 Consider motion to approve Payment #5 in the amount of \$22,267.31 to HR Green, Inc., for engineering services on the NW Irvinedale Drive Reconstruction (Design) project.

CA - 12 Consider motion to approve Payment #14 in the amount of \$9,207.13 to HR Green, Inc., for engineering services on the 2016-Tradition Park Stormwater Detention Basin Remediation project.

CA - 13 Consider motion to approve Change Order #1 increasing the contract amount by \$31.20 to Hydro-Klean, LLC for construction services on the 2017 Sanitary Sewer System Maintenance Program-CIPP Lining project.

CA - 14 Consider motion to approve Payment #1 in the amount of \$97,850.19 to Hydro-Klean, LLC for construction services on the 2017 Sanitary Sewer Maintenance Program-CIPP Lining project.

CA - 15 Consider motion to approve Payment #1 in the amount of \$2,047.50 to Kirkham Michael & Associates, Inc. for engineering services on the NE Four Mile Drive RCB Culvert for Deer Creek project.

CA - 16 Consider motion to approve Payment #10 in the amount of \$46,052.41 to OPN Architects for design services on the Ankeny Kirkendall Library project.

CA - 17 Consider motion to approve Payment #4 in the amount of \$192,437.18 to Quam Construction Company, Inc., for construction services on the SW District Drive & SW Merchant Street project.

CA - 18 Consider motion to approve Payment #5 in the amount of \$16,977.73 to RW Excavating Solutions, LC for construction services on the Tradition Park Stormwater Detention Basin Remediation project.

CA - 19 Consider motion to approve Payment #8 in the amount of \$3,589.36 to SVPA Architects, Inc. for architectural services on the Ankeny Fire Station No. 3 project.

CA - 20 Consider motion to approve the November 20, 2017 Accounts Payable from the following funds: General \$203,052.81, Hotel Motel Tax \$83.79, Road Use Tax \$231,805.58, Library Foundation \$195.31, Solid Waste \$53,204.69, Water \$366,381.33, Sewer \$1,130,027.40, Storm Water \$7,109.17, Golf Course \$29,082.43, Enterprise Project \$161,753.41, Revolving \$19,035.04, Risk Mgmt \$4,868.50, Health Insurance \$36.00, Equipment Reserve \$32,473.09, Capital Projects \$375,832.72, Payroll \$1,140,646.67, Less Srvc Trnsfrs/ACH Drafts (\$150,856.04), Less Agenda Pymts Apprvd Separately (\$420,646.18), Grand Total \$3,184,085.72 (Finance Committee: B. Bentz, Chp, K. Walter-Ashby, M. Holm)

CA - 21 Consider motion to adopt RESOLUTION 2017-412 approving the Annual Urban Renewal Report for Urban Renewal Areas within the City of Ankeny.

CA - 22 Consider motion to adopt RESOLUTION 2017-413 approving debt certification forms, appropriating funds and directing filing of certifications.

- **Personnel Items:** none

- **Community Development Items**

CA - 23 Consider motion for preliminary approval of Clover Ridge East Plat 3 final plat.

CA - 24 Consider motion to adopt RESOLUTION 2017-414 accepting final plat and final PUD site plan, deed to streets, letter of credit for seeding and erosion control, performance and maintenance bonds for paving and underground improvements, platted easements and parksite dedication agreement for Willow Run Plat 1.

CA - 25 Consider motion to adopt RESOLUTION 2017-415 approving plans and specifications and accepting contracts and performance and maintenance bonds for the construction of water main, sanitary sewer and storm sewer in Willow Run Plat 1.

CA - 26 Consider motion to adopt RESOLUTION 2017-416 approving plans and specifications and accepting contracts and performance and maintenance bonds for the construction of street paving in Willow Run Plat 1.

CA - 27 Consider motion to adopt RESOLUTION 2017-417 accepting public utility easement for Parcel 2016-8 of Parcel "I" of the north half of Section 26, Township 80 North, Range 24 West (Book 15946 / 662) associated with SW Prairie Trail Parkway - East Extension 2017.

CA - 28 Consider motion to approve the James E. Rasmussen Industrial Park Plat 4 Preliminary Plat, subject to applicable Polk County subdivision requirements in lieu of the City of Ankeny subdivision regulations.

- **Engineering Items**

CA - 29 Consider motion to adopt RESOLUTION 2017-418 accepting public improvements in Precedence West at Prairie Trail Plat 4 for utilities.

CA - 30 Consider motion to adopt RESOLUTION 2017-419 accepting public improvements in Precedence West at Prairie Trail Plat 4 for paving.

- **Capital Improvement Projects**

CA - 31 2017 Pedestrian Ramp Improvements Project: Consider motion to approve: a) acceptance of Certificate of Completion; b) RESOLUTION 2017-420 accepting the public improvement with Concrete Connection, LLC in the amount of \$91,697.90; and c) Release of Retainage Payment in the amount of \$4,584.90.

- **Administrative Items:**

CA - 32 Consider motion to adopt RESOLUTION 2017-421 approving a 28E Agreement between the City of Ankeny and the Iowa Alcoholic Beverages Division ("ABD") for a Tobacco, Alternative Nicotine and Vapor Product Enforcement Program in the City of Ankeny. **CA - 32** Consider motion to adopt RESOLUTION 2017-421 approving a 28E Agreement between the City of Ankeny and the Iowa Alcoholic Beverages Division ("ABD") for a Tobacco, Alternative Nicotine and Vapor Product Enforcement Program in the City of Ankeny.

1. Consent Agenda Items CA-1 through CA-32:

Action# E1-1. Holm made the motion to approve the recommendations for Consent Agenda Items CA-1 through CA-32, seconded by Walter-Ashby.

ROLL CALL

2017-1120.E1-1 YES 4 NO 0

F. SUPPLEMENTAL AND REMOVED CONSENT AGENDA ITEMS:

1. Supplemental and Removed Consent Agenda

Action# F1-1. No action taken.

G. RECESS: None taken.

H. LEGISLATIVE BUSINESS:

- Approval of Ordinances:

1. **Ord 1929:** An Ordinance amending Chapter 179 Electrical Code, of the Municipal Code of the City of Ankeny, Iowa, by adopting the National Electrical Code as currently adopted and amended by the Iowa Electrical Examining Board, Iowa Department of Public Safety.

Action# H1-1. Holm made the motion to accept second consideration of ORDINANCE 1929, seconded by Bentz.

ROLL CALL

2017-1120.H1-1 YES 4 NO 0

2. **Ord 1930:** An Ordinance amending the Municipal Code of the City of Ankeny, Iowa. Chapter 4 Municipal Infractions.

Action# H2-1. Walter-Ashby made the motion to accept second consideration of ORDINANCE 1930, seconded by Steenhoek.

ROLL CALL

2017-1120.H2-1 YES 4 NO 0

3. **Ord 1931:** An Ordinance amending the Municipal Code of the City of Ankeny, Iowa, Chapter 41 Public Health and Safety

Action# H3-1. Holm made the motion to accept first consideration of ORDINANCE 1931, seconded by Steenhoek.

ROLL CALL

2017-1120.H3-1 YES 4 NO 0

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Proposed Sale of Abandoned Sewer Lift Station Site located at 3102 NW 5th Street (PH 2017-56)

Action# J1-1. Steenhoek made the motion to adopt RESOLUTION 2017-422 making final determination on the potential sale of the abandoned sewer lift

station site located at 3102 NW 5th Street and authorizing the execution of a purchase agreement by and between the City of Ankeny and William B. Kimberley, seconded by Bentz.

ROLL CALL

2017-1120.J1-1 YES 4 NO 0

Action# J1-2. Walter-Ashby made the motion to adopt RESOLUTION 2017-423 authorizing the sale of real estate vacated by the City of Ankeny to William B. Kimberley, seconded by Holm.

ROLL CALL

2017-1120.J1-2 YES 4 NO 0

2. Proposed IA 415 and West First Street Traffic Signal
Initiate Proceedings

Action# J2-1. Holm made the motion to adopt RESOLUTION 2017-424 ordering certain public improvements and fixing a date for hearing thereon and taking of bids therefore, seconded by Walter-Ashby. (date of bid-letting: 12/12/17 @ 10:30 a.m. / date of hrg: 12/18/17 @ 5:30 p.m.)

ROLL CALL

2017-1120.J2-1 YES 4 NO 0

3. Ankeny Boulevard (U.S. Highway 69) and First Street Intersection Improvements
Notice of Intent to Commence a Public Improvement Project and to Acquire Property Interests

Action# J3-1. Walter-Ashby made the motion to adopt a RESOLUTION 2017-425 fixing a date for hearing on intent to commence a public improvement and to acquire property interests for the Ankeny Boulevard (U.S. Highway 69) and First Street Intersection Improvements project, seconded by Bentz. (date of hrg: 12/18/17 @ 5:30 p.m.)

ROLL CALL

2017-1120.J3-1 YES 4 NO 0

4. Proposed SE Convenience Boulevard Extension Project for the Polk County Aviation Authority - Professional Services Agreement with Snyder & Associates, Inc.

Action# J4-1. Steenhoek made the motion to approve the Professional Services Agreement with Snyder & Associates, Inc., for engineering services on the SE Convenience Boulevard Extension project in an amount not to exceed \$78,400.00 and authorize the Mayor to execute said agreement, seconded by Walter-Ashby.

ROLL CALL

2017-1120.J4-1 YES 4 NO 0

K. ADMINISTRATIVE BUSINESS:

- Report of the City Staff: none
- Report of the Governing Body:

Mayor Lorenz reported he continues to attend meetings to discuss regionalization of water production.

L. ADJOURNMENT

- There being no further business, the meeting was adjourned at 6:00 p.m.

Pamela DeMouth, City Clerk

Gary Lorenz, Mayor

Published in the Des Moines Register on the 1st day of December, 2017.
Audio file of meeting is available by contacting the City Clerk's Office.