

MINUTES OF THE REGULAR MEETING OF THE ANKENY CITY COUNCIL

Monday, June 17, 2019 – 5:30 PM
Ankeny City Hall - City Council Chambers
410 West First Street, Ankeny, Iowa
Gary Lorenz, Mayor
Mark Holm, Mayor Pro tem

Council Members: Bobbi Bentz, Jim McKenna, Kerry Walter-Ashby, Kelly Whiting

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

Mayor Lorenz led the Pledge of Allegiance.

CEREMONY:

1. Special Presentation: Mayor Sara Kurovski, Pleasant Hill, provided a Power Point presentation updating the Council on the Capital Crossroads Stormwater Management initiative.

A. PUBLIC FORUM:

1. **Open Forum:** Al and Lynda Lawson, 7105 NW 4th Ct., Crocker Township, presented pictures to the Council as it relates to drainage issues on their property and inquired as to what the City can do as it relates to such.

Mayor Lorenz stated they would need some time to review the matter and would be back in touch with them.

Sara Volkmann, 2005 S. Ankeny Blvd., representing the Ankeny Area Chamber of Commerce, gave an update on the Chamber's activities and events.

B. APPROVAL OF AGENDA:

1. Approval of the June 17, 2019 Agenda:

Action# B1-1. Whiting made the motion to approve and accept the June 17, 2019 agenda, without amendment, seconded by Holm.

ROLL CALL

2019-0617.B1-1 YES 5 NO 0

C. PUBLIC HEARING(S):

1. **PH 2019-44:** A request to vacate a portion of an ingress/egress easement located on Lot 1, Oralabor Plaza Plat 7

Mayor Lorenz opened the public hearing. Notice of this hearing was published in the Des Moines Register on the 7th day of June, 2019.

Eric Jensen, Planning & Building Department, reported the City has received a request to vacate a portion of a 25-foot ingress/egress easement located on Lot 1, Oralabor Plaza Plat 7. The purpose of the vacation request is to allow construction of a 2,800 square-foot building addition on the west side of the existing Pizza Ranch. The west parking area and drive aisle are being modified and will accommodate a one-way, 15-foot ingress/egress easement.

Action# C1-1. Holm made the motion to close Public Hearing 2019-44, seconded by Walter-Ashby.

ROLL CALL

2019-0617.C1-1 YES 5 NO 0

D. REPORTS OF ADVISORY BOARDS AND COMMISSION:

1. Parks & Recreation Director, Nick Lenox, presented a report on behalf of the Park Board.

E. APPROVAL OF CONSENT AGENDA:

- **Minutes**

CA - 1 Approval of official council actions of the regular meeting of June 3, 2019, 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 May 21, 2019.

CA - 3 Receive and file minutes of the Civil Service Commission meeting of May 20, 2019.

- **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.

CA - 5 Consider motion to approve the issuance of Cigarette/Tobacco/Nicotine/Vapor Permits for July 1, 2019 - June 30, 2020.

- **Finance/Budget**

CA - 6 Consider motion to receive and file Financial Reports for May 2019.

CA - 7 Consider motion to receive and file the Building Permits Report for May 2019.

CA - 8 Consider motion to receive and file Utility Billing Report for May 2019.

CA - 9 Consider motion to approve Payment #2 in the amount of \$212,950.02 to Alliance Construction Group for construction services on the S Ankeny Blvd and SE Shurfine Dr/SW Prairie Trail Pkwy Intersection Improvements project.

CA - 10 Consider motion to approve Payment #2 in the amount of \$29,163.80 to Civil Design Advantage for engineering services on the SE Hulsizer Road Re-alignment Design project.

CA - 11 Consider motion to approve Change Order #1 decreasing the contract amount by \$4,606.44 to Communication Innovators for construction services on the South Ankeny Boulevard Fiber Optic Relocation project.

CA - 12 Consider motion to approve final Payment #2 in the amount of \$40,172.51 to Communication Innovators for construction services on the South Ankeny Boulevard Fiber Optic Relocation project.

CA - 13 Consider motion to approve Payment #2 in the amount of \$143,144.10 to Construct, Inc., for construction services on the 2019 - PCC Street Patching Program project.

CA - 14 Consider motion to approve Payment #2 in the amount of \$38,299.49 to Concrete Technologies, Inc., for construction services on the SW Des Moines Street - Prairie Trail to Magazine project.

CA - 15 Consider motion to approve Payment #10 in the amount of \$212,097.29 to Concrete Technologies, Inc., for construction services on the NW Irvinedale Drive and NW 5th Street Intersection Improvements project.

CA - 16 Consider motion to approve Payment #10 in the amount of \$15,540.08 to HDR Engineering, Inc., for Engineering Services on the Ankeny Sanitary Sewer Master Plan project.

CA - 17 Consider motion to approve Payment #2 in the amount of \$38,309.70 to Henriksen Contracting, LLC for construction services on the 2019 PCC Pavement Preservation Program project.

CA - 18 Consider motion to approve Change Order #1 increasing the contract amount by \$4,244.84 to Herberger Construction Co., Inc., for construction services on the NE 54th Street Bridge Replacement over Branch of Fourmile Creek project.

CA - 19 Consider motion to approve Payment #2 in the amount of \$207,324.69 to Herberger Construction Co., Inc., for construction services on the NE 54th Street Bridge Replacement over Branch of Fourmile Creek project.

CA - 20 Consider motion to approve Payment #1 in the amount of \$148,780.93 to On Track Construction for construction services on the SW Irvinedale Drive Transmission Main - Phase 1 project.

CA - 21 Consider motion to approve Payment #29 in the amount of \$76,846.50 to OPN Architects for construction administration services on the Ankeny Kirkendall Public Library project.

CA - 22 Consider motion to approve Payment #1 in the amount of \$11,865.50 to RedBud Landscaping, LLC for construction services on the Ankeny Boulevard and First Street Intersection Landscaping project.

CA - 23 Consider motion to approve Amendment No. 1 to the Professional Services Agreement increasing the contract amount by \$270,700.00 with Snyder & Associates, Inc., for construction engineering services on the High Trestle Trail Extension - SW Ordinance Road to SE Magazine Road project.

CA - 24 Consider motion to approve Payment #6 in the amount of \$26,220.38 to SVPA Architects, Inc., for design services for the Public Services Building Renovation project.

CA - 25 Consider motion to approve Change Order #2 decreasing the contract amount by \$1,400.00 to WW Sandblasting, Inc., for construction services on the 2018 Ash Drive Water Tower Repair and Coating project.

CA - 26 Consider motion to approve Payment #3 in the amount of \$65,312.50 to WW Sandblasting, Inc., for construction services on the 2018 Ash Drive Water Tower Repair and Coating project.

CA - 27 Consider motion to approve the June 17, 2019 Accounts Payable from the following funds: General \$325,468.52, Fire Gift \$1,562.41, Hotel/Motel Tax \$131,482.04, Road Use Tax \$97,742.66, Library Foundation \$758.75, Miracle Park \$29.96, Solid Waste \$52,925.87, Water \$522,272.29, Sewer \$122,592.62, Golf Course \$34,552.68, Enterprise Project \$287,674.50, Risk Mgmt \$123,958.45, Health Insurance \$4,880.00, BAN/Bond Activity \$80,229.90, Capital Projects \$1,091,549.86, Payroll \$1,061,367.81, Less Svc Trnsfrs/ACH Drafts (\$176,456.62), Less Agenda Pymts Apprvd Separately (\$1,266,027.49), Grand Total \$2,525,287.70), (Finance Committee: K. Walter-Ashby, Chp, M. Holm, J. McKenna)

CA - 28 Consider motion to receive and file the Adopted Annual Budget Document for Fiscal Year 2020.

CA - 29 Consider motion to adopt RESOLUTION 2019-261 authorizing the purchase of a new sewer jet truck for the Municipal Utilities Department.

CA - 30 Consider motion to adopt a RESOLUTION 2019-262 authorizing the purchase of a walk-in van to be used by the Municipal Utilities Department as a service vehicle for water main breaks.

- **Personnel Items**

CA - 31 Consider motion to accept the Civil Service Commission certified lists for appointment to Police Officer, subject to passing any further department requirements.

- **Community Development Items**

CA - 32 Consider motion to adopt RESOLUTION 2019-263 providing for the notice and hearing of the City Council of the City of Ankeny regarding the voluntary urbanized annexation of property owned by Randy and Carol Miller (date of hrg: 7/15/19 @ 5:30 p.m.)

CA - 33 Consider motion to adopt RESOLUTION 2019-264 accepting the final plat for the Greens at Woodland Hills Plat 5, subject to applicable Polk County Subdivision requirements in lieu of the City of Ankeny Subdivision Regulations.

CA - 34 Consider motion to adopt RESOLUTION 2019-265 accepting final plat, warranty deed to streets, subdivision bonds for seeding and erosion control, performance and maintenance bonds for public improvements, platted easements, cost share requests for water main and sanitary sewer and park site dedication agreement for the Crossings at Deer Creek Plat 5

CA - 35 Consider motion to adopt RESOLUTION 2019-266 approving plans and specifications, contracts, and performance and maintenance bonds for the construction of water main, sanitary sewer, and storm sewer in the Crossings at Deer Creek Plat 5.

CA - 36 Consider motion to adopt RESOLUTION 2019-267 approving plans and specifications, contracts, and performance and maintenance bonds for the construction of street paving in the Crossings at Deer Creek Plat 5.

CA - 37 Consider motion to adopt RESOLUTION 2019-268 accepting final plat, subdivision bonds for seeding and erosion control, warranty deed for streets and platted easements for Crosswinds Plat 1.

CA - 38 Consider motion to adopt RESOLUTION 2019-269 setting a public hearing of the City Council of the City of Ankeny, Iowa, to consider a proposal to vacate a portion of public right-of-way described as Street Lot A, Otter Creek Commercial Plat 2, containing 0.45 acres, and more commonly known as NE Otterview Cir. (date of hrg: 7/15/19 @ 5:30 p.m.)

- **Engineering Items:** none

- **Capital Improvement Projects:** none

- **Administrative Items**

CA - 39 Consider motion to adopt RESOLUTION 2019-270 approving a proposed public interest landmark sign by the Uptown Ankeny Association to be located at the SW corner of West First Street and SW Cherry Street.

CA - 40 Consider motion to adopt RESOLUTION 2019-271 authorizing the City of Ankeny to sign off on a settlement agreement between the Iowa Economic Development Authority and Agilent Technologies, Inc. (formerly dba Advanced Analytical Technologies, Inc.).

CA - 41 Consider motion to receive and file the City of Ankeny's Bicycle Tourism Strategy dated May 2019.

CA - 42 Consider motion to adopt RESOLUTION 2019-272 adopting a certain supplement prepared by Iowa Codification, Inc., as an official supplement to the 2008 Code of Ordinances. (Covering ordinances through 1970)

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-42:

Action# E1-1. Holm made the motion to approve the recommendations for Consent Agenda Items CA-1 through CA-42, seconded by Walter-Ashby.

ROLL CALL

2019-0617.E1-1 YES 5 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 1975:** An Ordinance vacating a portion of an Ingress/Egress Easement located on Lot 1, Oralabor Plaza Plat 7. (PH 2019-44)

Action# H1-1. Holm made the motion to accept first consideration of ORDINANCE 1975, seconded by Whiting.

ROLL CALL

2019-0617.H1-1 YES 5 NO 0

- Boards/Commissions Appointments:

2. Library Board of Trustees - 07/01/19 - 06/30/23

- Kent Patterson

Action# H2-1. Walter-Ashby made the motion to approve the reappointment of Kent Patterson to the Library Board of Trustees, effective 7/1/19 through 6/30/23, seconded by Bentz.

ROLL CALL

2019-0617.H2-1 YES 5 NO 0

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Proposed SW Des Moines Street - Magazine to 11th Project
Initiate Proceedings

Action# J1-1. Whiting made the motion to adopt RESOLUTION 2019-273 ordering construction on the SW Des Moines Street - Magazine to 11th project and fixing a date for hearing thereon and taking of bids therefor, seconded by Walter-Ashby. (date of bid-letting: 7/9/19 @ 10:30 a.m./date of hrg: 7/15/19 @ 5:30 p.m.)

ROLL CALL

2019-0617.J1-1 YES 5 NO 0

2. Proposed SE Magazine Road Sidewalk Upgrade - Phase 3 Project
Initiate Proceedings

Action# J2-1. Holm made the motion to adopt RESOLUTION 2019-274 ordering construction for the SE Magazine Road Sidewalk Upgrade - Phase 3 project and fixing a date for hearing thereon and taking of bids therefor, seconded by Whiting. (date of bid-letting: 7/9/19 @ 10:30 a.m. / date of hrg: 7/15/19 @ 5:30 p.m.)

ROLL CALL

2019-0617.J2-1 YES 5 NO 0

3. Karl Johnk- 2937 Old Hwy 141, Hornick, Iowa
Noise Permit - June 18 and June 25, 2019 (Ankeny Food Truck Tuesday)

Action# J3-1. Walter-Ashby made the motion to reverse the denial of Noise Permits for Karl Johnk, 2937 Old Hwy. 141, Hornick, Iowa on June 18 and 25, 2019 from 5:30 p.m. to 9:30 p.m., seconded by Holm. (Ankeny Food Truck Tuesday), seconded by Holm.

ROLL CALL

2019-0617.J3-1 YES 5 NO 0

4. Request for Council Initiated Rezoning from R-1 to R-2
D.R. Horton - Iowa, LLC

Action# J4-1. Holm made the motion to receive and file correspondence dated May 28, 2019 regarding a rezoning request for a 10-acre parcel located at NW Abilene Road and NW 43rd Street, seconded by Bentz.

ROLL CALL

2019-0617.J4-1 YES 5 NO 0

Action# J4-2. Whiting made the motion to initiate a rezoning request for a 10-acre parcel located at NW Abilene Road and NW 43rd Street and refer to the Plan and Zoning Commission for review and recommendation, seconded by Bentz

ROLL CALL

2019-0617.J4-2 YES 5 NO 0

K. ADMINISTRATIVE BUSINESS:

- Report of the City Staff:

City Manager, David Jones, reported he is in discussion with Polk County related to the Central Iowa Regional Public Safety Communication System 28E Agreement as it relates to the County evaluating the possibility of purchasing additional hardware for said system. More information will be forthcoming as further discussion takes place on said matter.

Report of the Governing Body:

Mayor Lorenz reported he would be attending the Metropolitan Planning Organization (MPO) Policy Committee meeting on Thursday, June 20th. The use of unallocated STBG funds is one of the agenda items where discussion will take place on designating those funds as the local match for the metro for federal funds used for design and engineering costs associated with the water trails project. He requested Council let him know if they have any thoughts regarding this matter.

Mayor Lorenz further stated the CVB is hosting their annual golf outing tomorrow, June 18th at Otter Creek Golf Course.

Council Member Bentz inquired as to whether there will be information provided to the community as it relates to use of fireworks.

City Manager Jones stated information will be posted on our social media sites as to lawful use of fireworks in Ankeny.

L. ADJOURNMENT

1. There being no further business, the meeting was adjourned at 6:08 p.m.

Debra M. Arend, Interim City Clerk

Gary Lorenz, Mayor

Published in the Des Moines Register on the 2nd day of July, 2019.

Audio file of meeting is available by contacting the City Clerk's Office.