

MINUTES OF THE ANKENY CITY COUNCIL

Monday, October 7, 2019 5:30 PM

Ankeny City Hall - City Council Chambers

Gary Lorenz, Mayor

Mark Holm, Mayor Pro tem

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

Mayor Lorenz called the meeting to order at 5:30 PM. Council Member Holm was absent. City Manager, David Jones and City Attorney, Amy Beattie were present. Mayor Lorenz led the Pledge of Allegiance.

PUBLIC FORUM:

1. Jeff Baxter, Ankeny Chamber, informed council of upcoming events planned by the Chamber and encouraged council to attend.
2. John Allen, MAD J Repair and Towing, addressed council regarding concerns with the towing RFP process.
3. Lynda Lawson, 6028 Villa Drive, Johnston, IA addressed council regarding storm water concerns at 7105 NW 4th Ct, Ankeny, a home she recently sold. Mayor Lorenz agreed to meet with Ms. Lawson on this topic.

APPROVAL OF AGENDA:

1. Walter-Ashby moved, Whiting seconded, to approve the October 7, 2019 Agenda as presented. Ayes 4.

PUBLIC HEARING:

1. PH 2019-58: Mayor Lorenz stated that this is the time and place for a public hearing on the matter of the proposed Ordinance 1983 vacating a portion of an access easement located within Vernon Associates Addition Plat 1, Lot 1. Notice of the public hearing was published in the Des Moines Register on the 20th day of September, 2019.

Eric Jensen, Director of Planning and Building, provide a report on this proposed vacation. The City has received a request to vacate a portion of an Access Easement located within Vernon Associates Addition Plat 1, Lot 1. The property owners, Vernon Associates, Inc., are requesting the easement vacation in anticipation of a future development. Casey's General Store is proposing to build on the site and the existing access easement interferes with a proposed gas canopy associated with the proposed convenience store on the site. A new cross access easement is proposed to be located outside of the canopy area to give access to the proposed site.

Doug Beech spoke in favor of the vacation. Hearing no other comments and receiving no written correspondence, Council member Whiting moved, Walter-Ashby seconded, to close public hearing 2019-60. Ayes: 4.

REPORTS OF ADVISORY BOARDS AND COMMISSION:

1. Plan & Zoning Commission Representative, Larry Anderson, informed council of upcoming agenda items.

CONSENT AGENDA:

Minutes:

1. Official council actions of the regular meeting of September 16, 2019, as published.
2. Receive and file minutes of the Plan and Zoning Commission meeting of September 3, 2019.
3. Receive and file minutes of the Library Board meeting of August 15, 2019.

Licenses and Permits:

4. Issuance of liquor license(s) and/or beer / wine permit(s) in the City of Ankeny.

Finance/Budget

5. Payment #8 in the amount of \$14,918.96 to Calhoun-Burns and Associates, Inc., for engineering services on the NE 54th Street Bridge Replacement over Branch of Fourmile Creek - Construction Engineering project.
6. Payment #4 in the amount of \$3,955.20 to Foth Infrastructure and Environment, Inc., for engineering services on the 2019 North Creek Channel Flood Repair project.
7. Payment #8 in the amount of \$47,472.86 to Foth Infrastructure and Environment, Inc., for engineering services on the West First Street Widening and Improvements - Phase 1 project.
8. Payment #3 in the amount of \$17,877.50 to FOX Engineering Associates, Inc., for engineering services on the SE Magazine Road Water Main Improvements project.
9. Payment #13 in the amount of \$10,352.35 to HDR Engineering, Inc., for Engineering Services on the Ankeny Sanitary Sewer Master Plan project.
10. Payment #10 in the amount of \$13,830.00 to JEO Consulting Group, Inc., for engineering services on the N. Ankeny Blvd., and NE/NW Georgetown Blvd., Intersection Signalization project.
11. Payment #2 in the amount of \$18,475.00 to JEO Consulting Group, Inc., for engineering services on the NE 18th Street and NE Trilein Drive signalization project.
12. Payment #7 in the amount of \$1,406.25 to JEO Consulting Group, Inc., for engineering services on the Tradition Park Stormwater Detention Basin Flood Repair project.
13. Payment #3 in the amount of \$4,040.00 to Kirkham Michael and Associates, for engineering services on the Westwinds Channel Flood Repair project.
14. Payment #5 in the amount of \$13,004.30 to MSA Professional Services, Inc., for engineering services on the SE Magazine Road Sidewalk Upgrade - phase 3 project.
15. Payment #8 in the amount of \$28,912.50 to Nilles Associates, Inc., for engineering services on the SW Des Moines Street Improvements project.
16. Payment #7 in the amount of \$90,970.26 to Shive-Hattery for engineering services on the SW Irvinedale Dr., Transmission Main - Phase 1 project.
17. Amendment No. 2 to the Professional Services Agreement increasing the contract amount by \$10,100.00 with SVPA Architects for additional site design services on the Ankeny Public Services Building Renovation project.
18. Payment #20 in the amount of \$894.48 to Snyder & Associates, Inc., for engineering services on the Ash Tower Feeder Main project.
19. Payment #11 in the amount of \$8,255.83 to Snyder & Associates, Inc., for engineering services on the High Trestle Trail Extension SW Ordinance to SE Magazine project.
20. Payment #8 in the amount of \$17,075.40 to Snyder & Associates, Inc., for engineering services on the SW Irvinedale Dr., Transmission Main - Phase 2 project.

21. Payment #25 in the amount of \$6,919.06 to Snyder & Associates, Inc., for engineering services on the NE Delaware Avenue Pedestrian Bridge & Sidewalk Connection project.
22. Payment #18 in the amount of \$31,015.86 to Snyder & Associates, Inc., for engineering services on the S Ankeny Blvd & SE Shurfine Dr/SW Prairie Trail Pkwy Intersection Improvements project.
23. Payment #21 in the amount of \$16,162.93 to Snyder & Associates, Inc., for engineering services on the SE Creekview Dr Drainage & Pavement Improvements project.
24. Payment #5 in the amount of \$13,086.32 to Snyder & Associates, Inc., for engineering services on the SE Crosswinds Drive – RISE project.
25. Payment #17 in the amount of \$2,796.53 to Snyder & Associates, Inc., for engineering services on the Traffic Signal System Timings Update project.
26. Payment #4 in the amount of \$3,054.56 to Snyder & Associates, Inc., for engineering services on the Wildflower Basin Improvements project.
27. Change Order #22 increasing the contract amount by \$5,009.74 to Stahl Construction for construction services on the Ankeny Kirkendall Public Library project.
28. Payment #15 in the amount of \$459,246.72 to Stahl Construction for construction services associated with the Kirkendall Library project.
29. October 7, 2019 Accounts Payable from the following funds: General \$639,908.13, Hotel Motel Tax \$4,659.71, Road Use Tax \$111,436.93, Library Foundation \$482.93, Miracle Park Fund \$1,309.00, Solid Waste \$219.93, Water \$222,240.84, Sewer \$16,881.38, Stormwater \$13,477.64, Golf Course \$29,365.79, Enterprise Project \$166,588.58, Revolving \$55,347.18, Risk Mgmt \$88,382.81, Health Insurance \$281.34, Capital Projects \$1,077,178.03, Payroll \$2,445,372.62, Less Service Transfers/ACH Drafts (\$341,125.71), Less Agenda Pymts Apprvd Separately (\$835,456.45). Grand Total \$3,696,460.68.
30. RESOLUTION 2019-404 authorizing the purchase of interior furnishings for the Ankeny Kirkendall Public Library.
31. RESOLUTION 2019-405 authorizing the purchase of audio visual systems for the Ankeny Kirkendall Public Library and City Council Chambers.
32. Service Agreement with Print-to-Mail Master with InfoSend, Inc. and authorize the Mayor's signature.

Community Development Items

33. RESOLUTION 2019-406 accepting final plat, warranty deed to streets, subdivision bonds for seeding and erosion control, contracts and performance and maintenance bonds for public improvements, cost participation requests for water main and trail, water connection fee, platted easements, and park site dedication agreement for Northgate East Plat 2.
34. RESOLUTION 2019-407 approving plans and specifications, contracts, and performance and maintenance bonds for the construction of water main, sanitary sewer, and storm sewer in Northgate East Plat 2.
35. RESOLUTION 2019-408 approving plans and specifications, contracts, and performance and maintenance bonds for the construction of street paving in Northgate East Plat 2.
36. RESOLUTION 2019-409 providing for the notice and hearing of the City Council of the City of Ankeny regarding the voluntary urbanized annexation of property owned by Scott A. and Gale O'Mara and D.R.A. Properties L.L.C. (date of hrg: 11/04/2019 @ 5:30 p.m.)
37. RESOLUTION 2019-410 initiating the annexation of, and providing for the giving of notice and the filing of an application for annexation of certain territory located adjacent to the southeast quadrant of the City of Ankeny, owned by Grand Capital, LC.
38. RESOLUTION 2019-411 accepting final plat, platted easements, warranty deed for streets and parkland dedication, performance bond for erosion control, and performance and

maintenance bonds for paving and underground improvements for Parkway South at Prairie Trail Plat 2.

39. RESOLUTION 2019-412 approving plans and specifications and accepting contracts and performance and maintenance bonds for the construction of water main, sanitary sewer and storm sewer in Parkway South at Prairie Trail Plat 2.
40. RESOLUTION 2019-413 approving plans and specifications and accepting contracts, performance and maintenance bonds for the construction of street paving in Parkway South at Prairie Trail Plat 2.
41. RESOLUTION 2019-414 setting a public hearing on a proposal to vacate a portion of a public storm sewer easement located on Lot 3, John Deere Place Plat 5 (date of hrg: 10/21/19 @ 5:30 p.m.)

Engineering Items

42. RESOLUTION 2019-415 approving plans and specifications and accepting contracts, performance and maintenance bonds for the construction of public traffic improvements for the Trestle Corner Plat 1 Traffic Signal Modifications project.

Capital Improvement Projects

43. North Creek Slope and Channel Flood Repairs Project Consider motion to approve: a) Final Change Order #1 decreasing the contract amount by \$8,485.48; b) Certificate of completion; c) RESOLUTION 2019-416 accepting the public improvements with Jensen Construction Company in the amount of \$128,171.52; and d) Final Payment #2 in the amount of \$5,415.00 / Release of Retainage in the amount of \$6,408.58.

Administrative Items

44. Authorize the Mayor to execute an amendment to the Iowa Department of Transportation RISE grant agreement for the Crosswinds Business Park roadway project.
45. RESOLUTION 2019-417 approving the application for tax abatement under the Urban Revitalization Plan for the City of Ankeny, Iowa, submitted for the property locally known as 301 - 309 SW Walnut St., Ankeny.

Approval of Consent Agenda Items

1. Council member Bentz moved, Whiting seconded, to approve consent agenda Items CA-1 through CA-45. Ayes: Bentz, Whiting, McKenna, Walter-Ashby. Nays: none.

LEGISLATIVE BUSINESS:

Ordinances:

1. Council member Walter-Ashby moved, Whiting seconded, to accept the second consideration of Ord 1982- 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 D.R.Horton - Iowa LLC. Ayes: Walter-Ashby, Whiting, Bentz, McKenna. Nays: none.
2. Council member Whiting moved, Bentz seconded, to accept the first consideration of Ord 1983 - An Ordinance vacating a portion of an Access Easement located within Vernon Associates Addition Plat 1, Lot 1. Ayes: Whiting, Bentz, McKenna, Walter-Ashby. Nays: none.
3. Council member Walter-Ashby moved, Bentz seconded, to accept the first consideration of Ord 1984 - An Ordinance amending Chapter 122 - Non-Franchise Utility Accommodation of the Code of Ordinances of the City of Ankeny, Iowa by replacing the provisions for annual

utility licenses for conduits within the street rights-of-way with provisions for occupancy permits. Ayes: Walter-Ashby, Bentz, Whiting, McKenna. Nays: none.

Boards/Commissions Appointments:

4. Council member Whiting moved, Walter-Ashby seconded, to approve appointments to the Economic Development Council as presented: Andy Moffitt - 10/7/19 - 6/30/21; Dejan Djordjevich - 10/7/19 - 6/30/21; Phyliss Tinker - 10/7/19 - 6/30/21; Ben Digmann - 10/7/19 - 6/30/22; Dustin Leo - 10/7/19 - 6/30/22; Corey Morrison - 10/7/19 - 6/30/22. Ayes: 4.

NEW BUSINESS:

1. Council member Walter-Ashby moved, McKenna second, to adopt RESOLUTION 2019-418 ordering construction on the NW Irvinedale Water Main Improvement Project and fixing a date for hearing thereon and taking of bids therefor. (Date of bid-letting: 10/29/19 @ 10:30 a.m./date of hrg: 11/4/19 @ 5:30 p.m.) Ayes: Walter-Ashby, McKenna, Bentz, Whiting. Nays: none.
2. Council member Whiting moved, Walter-Ashby seconded, to adopt RESOLUTION 2019-419 authorizing the execution of one certain Subscriber Agreement by and between the City of Ankeny, Iowa, and Polk County, Iowa, for public safety dispatch services. Ayes: Whiting, Walter-Ashby, Bentz, McKenna. Nays: none.
3. Council member Whiting moved, Bentz seconded, to adopt a RESOLUTION 2019-420 authorizing the execution of a 28E Agreement for Cooperative Public Service between Polk County, Iowa and the City of Ankeny, Iowa for the cooperative funding and utilization of the proposed Ankeny Senior Community Center. Ayes: Whiting, Bentz, McKenna, Walter-Ashby. Nays: none.
4. Council member Walter-Ashby moved, Whiting seconded, to adopt RESOLUTION 2019-421 authorizing the temporary closing of SW 3rd Street from SW Maple to SW Walnut including the intersections of SW 3rd and SW Cherry for the Uptown Ankeny Halloween Event on October 24, 2019. Ayes: Walter-Ashby, Whiting, Bentz, McKenna. Nays: none.
5. Council member Whiting moved, Walter-Ashby seconded, to reverse the denial of a Noise Permit for Kamala Harris at the AMP, October 7, 2019 from 6 PM to 8 PM - Democratic Presidential Candidate Speaking Event. Ayes: 4.

ADMINISTRATIVE BUSINESS:

- Council Member Bentz - mentioned DART and inquired about the Massage Ordinance
- Council Member McKenna –inquired about the storm sewer survey report
- Council Member Walter-Ashby & Whiting – inquired about the contract process

ADJOURNMENT - 5:56 PM

Denise L. Hoy, City Clerk

Gary Lorenz, Mayor

Published in the Des Moines Register on the 14 day of October, 2019. Audio file of this meeting is available by contacting the City Clerk's Office.