

## **MINUTES OF THE ANKENY CITY COUNCIL**

Monday, April 17, 2023 5:30 p.m.

Ankeny Kirkendall Library - City Council Chambers

Mark Holm, Mayor

Bobbi Bentz, Mayor Pro tem

Council Members: Jeff Perry, Joe Ruddy, Todd Shafer, Kelly Stearns

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Mayor Mark Holm called the meeting to order at 5:30 p.m. Council Members Jeff Perry, Joe Ruddy, Todd Shafer and Kelly Stearns were in attendance. Council Member Bobbi Bentz was absent. City Manager David Jones and City Attorney Amy Beattie were also present. Mayor Holm led in the Pledge of Allegiance.

### **PUBLIC FORUM**

1. Renee Potts, Ankeny Community Network, spoke of the Juneteenth Festival on June 17, 2023. Information is at <https://www.signupgenius.com/go/30e0c4eafa72da1fe3-vendor1#/>.

### **APPROVAL OF AGENDA**

1. Council Member Shafer moved, Ruddy seconded, to approve and accept the April 17, 2023 agenda as presented. Ayes: 4.

### **PUBLIC HEARING**

1. PH 2023-31. Mayor Holm announced this is the time and place for the public hearing and meeting on the matter of a proposed amendment to the provisions of the zoning ordinance Chapter 193, of the Municipal Code of the City of Ankeny, Iowa, regarding flood plain regulations. The Notice of Hearing was published in the Des Moines Register on the 7th day of April, 2023.

Eric Jensen, Director of Community Development, reported that staff is in the application process to enter the City into the Community Rating System (CRS). Updated provisions are required to maintain the City of Ankeny's participation in the National Flood Insurance Program and make eligible for FEMA's Community Rating System. Updates include: terminology changes, adding new requirements for electrical and utility equipment, and adding new regulations concerning Maximum Damage Potential Development.

Mayor Holm then asked for any public comment regarding the proposed amendment. Hearing no comments, Council Member Ruddy moved, Stearns seconded, to close public hearing 2023-31. Ayes: 4.

### **APPROVAL OF CONSENT AGENDA**

#### **Minutes**

1. Official council actions of the regular meeting of April 3, 2023, as published.
2. Receive and file minutes of the Plan and Zoning Commission meeting of March 21, 2023.
3. Receive and file minutes of the Human Rights Commission meeting of February 23, 2023.
4. Receive and file minutes of the Civil Service Commission meeting of March 13, 2023.

#### **Licenses and Permits**

5. Issuance of liquor licenses, beer/wine permits, and Automatic Renewal Program of class "E" retail alcohol licenses in the City of Ankeny.

## Finance/Budget

6. Receive and file Financial Reports for March 2023.
7. Receive and file Building Permit Report for March 2023.
8. Receive and file Utility Billing Report for March 2023.
9. Change Order #4 increasing the contract amount by \$16,956.00 to Absolute Concrete Construction, Inc., for construction services on the NW 36th St Widening - NW Ash Dr to N Ankeny Blvd project.
10. Amendment No. 2 to the Professional Services Agreement increasing the contract amount by \$162,000.00 with Foth Infrastructure and Environment, LLC, for construction services on the North Four Mile Creek Trunk Sewer Project.
11. Change Order #1 increasing the contract amount by \$450.00 to Iowa Signal, Inc., for construction services on the SW State St Fiber Relocation project.
12. Payment #10, \$58,996.47 to Absolute Concrete Construction, Inc., for construction services on the NW 36th St Widening - NW Ash Dr to N Ankeny Blvd project.
13. Payment #1, \$5,850.00 to DIXON Engineering, Inc., for engineering services on the Delaware Ground Storage Reservoir Rehabilitation project.
14. Payment #1, \$193,428.65 to Elder Corporation, for construction services on the NE Delaware Ave Reconstruction - NE 5th St to Fourmile Creek project.
15. Payment #1, \$75,546.81 to Elder Corporation, for construction services on the NW 18th St Reconstruction – NW Ash Dr to N Ankeny Blvd project.
16. Payment #8, \$2,082.00 to HR Green, Inc., for engineering services on the SW State St Fiber Optic Relocation project.
17. Payment #8, \$2,240.40 to Kirkham Michael and Associates, for engineering services on the Westwinds Storm Sewer Extension Project - SW Westwinds Dr.
18. Payment #8, \$25,060.50 to McClure Engineering Company, for engineering services on the SW State St Reconstruction - Southbound Lanes project.
19. Payment #11, \$27,551.00 to RDG Planning & Design for engineering services on the Fourmile Creek and Tributary to Fourmile Creek Restoration project.
20. Payment #5, \$634,936.90 to Synergy Contracting, LLC, for construction services on the HTT Water Transmission Main & Drainage Improvements project.
21. April 17, 2023 Accounts Payable by fund: General 267,187; Road Use Tax 24,487; Police/Fire Pension 1,039; Library Foundation 2,295; Solid Waste 98,004; Water 761,598; Sewer 548,489; Storm Water 11,490; Golf Course 40,114; Enterprise Project 698,578; Revolving 23,592; Risk Management 7,991; Health Insurance 511; BAN/Bond Activity 371,399; Payroll Totals 1,304,806; Transfers/ACH (196,140); Agenda Payments approved separately (1,025,693); Grand Total \$2,939,747.
22. **RESOLUTION 2023-173** authorizing the purchase of a crane and service body for a Public Works Department Sign Truck (replace existing truck #275) in the amount of \$179,621.00 to National Auto Fleet Group.
23. **RESOLUTION 2023-174** accepting a proposal from Crouch Recreation in the amount of \$90,000.00 for the purchase and installation of a playground for Midway Park.
24. **RESOLUTION 2023-175** fixing date for a meeting on the authorization of a loan and disbursement agreement and the issuance of not to exceed \$3,248,000 Water Revenue Capital Loan Notes of the City of Ankeny, State of Iowa, and providing for publication of notice thereof (date of hrg: 5/1/23 @ 5:30 p.m.).

## Personnel

25. Civil Service Commission certified list for appointment to GIS Specialist, subject to passing any further departmental requirements.

## Community Development

26. **RESOLUTION 2023-176** accepting a public ingress egress easement located on Lot 5 Northview Centre Plat 2; and associated with the development of 245 NW 18th St, Lot 5 Northview Centre Plat 2 Site Plan.
27. **RESOLUTION 2023-177** accepting Easements associated with the development of Lot 1, Park Sight Office Park at Prairie Trail Plat 4.
28. **RESOLUTION 2023-178** authorizing the Mayor to sign a Hold Harmless Agreement allowing Veridian Credit Union to place a monument sign within a Sanitary Sewer Easement.
29. **RESOLUTION 2023-179** providing for the notice and hearing of the City Council of the City of Ankeny, Iowa, to consider a request to vacate a portion of roadway easement along SW 3rd St at 2943 SW 3rd St. (date of hrg: 5/1/23 @ 5:30 p.m.).

#### Engineering

30. **RESOLUTION 2023-180** accepting a proposal from JC Construction, Inc. in the amount of \$130,702.00 for construction of the School Walkability Improvements.
31. **RESOLUTION 2023-181** updating the Policy on the Installation of School Speed Zones within Ankeny.
32. **RESOLUTION 2023-182** authorizing the Mayor to execute the proposed Cooperative Public Service Agreement between Polk County, Iowa and the City of Ankeny, Iowa, for the routine maintenance of joint jurisdictional (boundary) roadways.

#### Capital Improvement Projects

33. **RESOLUTION 2023-183** ordering construction on the Delaware Ground Storage Reservoir Rehabilitation project and fixing a date for hearing thereon and taking of bids therefor. (date of bid opening: 5/9/23 @ 10:30 A.M. / date of hrg: 5/15/23 @ 5:30 P.M.)

#### Administrative

34. **RESOLUTION 2023-184** authorizing the Certificate of Termination of Development Agreement between the City of Ankeny, Iowa and Diamond Development, LLC for the Trestle Ridge Estates Trunk Sewer.
35. **RESOLUTION 2023-185** authorizing the Certificate of Termination of Development Agreement between the City of Ankeny, Iowa and Absolute Farms, LLC for the Trestle Ridge Estates Plat 6 Trunk Sewer.
36. **RESOLUTION 2023-186** authorizing the execution of an Agreement with the Berwick Water Association related to the right to serve customers located within the existing Berwick Water District boundary which has been or may in the future be annexed into the City of Ankeny.
37. **RESOLUTION 2023-187** setting a public hearing on a development agreement between the City of Ankeny and SPAL-USA, Inc. (date of hrg: 5/1/2023 @ 5:30 p.m.)

#### Approval of Consent Agenda Items

1. Council Member Stearns moved, second by Shafer, to approve the recommendations for Consent Agenda Items CA-1 through CA-37. Ayes: Stearns, Shafer, Perry, Ruddy.

### LEGISLATIVE BUSINESS

#### Board Appointment

1. Mayor's Appointment to Cultural Arts Board. Council Member Ruddy moved, Stearns seconded, to approve Mayor's reappointment of Bill Konnath to expiring Cultural Arts Board seat. Term 5/01/2023 - 4/30/2027. Ayes: Ruddy, Stearns, Perry, Shafer.

## Approval of Ordinances

1. **Ord 2141.** An Ordinance amending the Zoning Ordinance, Chapter 193, of the Municipal Code of the City of Ankeny, Iowa, regarding Flood Plain Regulations. (PH 2023-31) Council Member Perry moved, Stearns seconded, to accept first consideration of ORDINANCE 2141. Ayes: Perry, Stearns, Ruddy, Shafer.

## NEW BUSINESS

1. Proposed NE 62nd Street Box Culvert Design -Professional Services Agreement with Kirkham, Michael & Associates, Inc. Council Member Stearns moved, Ruddy seconded to approve the Professional Services Agreement with Kirkham, Michael & Associates, Inc., for the design engineering services for the NE 62nd Street Box Culvert Design in an amount not to exceed \$71,240.00 and the Mayor to execute said agreement. Ayes: Stearns, Ruddy, Perry, Shafer.

## REPORT OF GOVERNING BODY

Mayor Holm announced that tonight's Council Action Planning Session is postponed.

## ADJOURNMENT

1. Meeting adjourned at 5:58 p.m.

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Michelle Yuska, City Clerk

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Mark Holm, Mayor

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