

MINUTES OF THE ANKENY CITY COUNCIL

Tuesday, January 3, 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

Mayor Mark Holm called the meeting to order at 5:30 p.m. Council Members Bobbi Bentz, Jeff Perry, Joe Ruddy, Todd Shafer, and Kelly Stearns were in attendance. 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, shared information for the Martin Luther King, Jr. week of service, January 12-16th.

APPROVAL OF AGENDA

1. Council Member Stearns moved, Bentz seconded, to approve and accept the January 3, 2023 agenda as presented. Ayes: 5.

PUBLIC HEARING

1. PH 2023-01. Mayor Holm announced this is the time and place for a public hearing on the matter of the proposed review of an application for State Revolving Fund (SRF) Loan and to make available to the public the contents of an environmental information document and the City's project plan. The proposed project involves the construction of the S. Ankeny Blvd Transmission Main Project. Notice of this hearing was published in the Des Moines Register on the 2nd day of December, 2022.

Don Clark, Municipal Utilities Director, reported the S. Ankeny Blvd. Transmission Main Project will be utilizing the State Revolving Fund (SRF) to provide a lower rate of interest. As part of the SRF process, an environmental review is included. The Iowa Department of Natural Resources (IDNR) provided the Environmental Information Document (EID), which summarizes their findings to date. The consultant has provided the Intended Use Plan (IUP) Application as well as the Environmental Review Checklist and pictures. Staff added the project location map. The purpose of this project is to increase water conveyance from High Trestle Trail to the NW Booster Station and to combine the southwest and east pressure zones into one pressure zone. This project is a portion of our transmission main network to provide an improved performance and operation of our water distribution system. This project is still being designed, but the intention is to have it out for bid later this winter, with construction to follow in the spring of 2023.

Mayor Holm then asked for any public comment regarding the proposed project. Hearing no comments, Council Member Stearns moved, Bentz seconded, to close public hearing 2023-01. Ayes: 5.

2. PH 2023-02. Mayor announced this is the time and place for a public hearing on the matter of the adoption of plans, specifications, form of contract, estimate of cost and enhancement of payment for construction of certain public improvements described in general as construction of the NE Delaware Avenue Reconstruction – NE 5th Street to 700 feet north of NE 18th Street project. Notice of this hearing was published in the Des Moines Register on the 16th day of

December, 2022.

Mark Mueller, Public Works Director, reported the project includes the reconstruction of NE Delaware Avenue from an existing two-lane rural roadway into a new five-lane urban street with dedicated left turn lanes from just north of NE 5th Street to just south of the bridge over Fourmile Creek. New traffic signals will be installed at the intersection of NE Delaware Avenue and NE 5th Street and at the intersection of NE Delaware Avenue and NE 18th Street. The project also includes the addition of left turn lanes on the side streets adjacent to NE Delaware Avenue, along with the addition of dedicated right turn lanes at all four legs of the NE Delaware Avenue and NE 18th Street intersection. A portion of this project is being funded with Federal-aid Swap funds; therefore, the project was bid through the Iowa Department of Transportation (DOT).

Mayor Holm then asked for any public comment regarding the proposed project. Hearing no comments, Council Member Bentz moved, Shafer seconded, to close public hearing 2023-02. Ayes: 5.

APPROVAL OF CONSENT AGENDA

Minutes

1. Official council actions of the regular meeting of December 19, 2022, as published.
2. Receive and file minutes of the Plan and Zoning Commission meeting of December 6, 2022.

Licenses and Permits

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

Finance/Budget

4. Change Order #2 decreasing the contract amount by \$17,830.50 to Communication Data Link for construction services on the N Ankeny Blvd Fiber Optic Upgrade project.
5. Payment #9, \$25,701.29 to Absolute Concrete Construction, Inc., for construction services on the NW 36th Street Widening - NW Ash Drive to N Ankeny Boulevard project.
6. Payment #2, \$48,309.87 to Communication Data Link, for construction services on the N Ankeny Blvd Fiber Optic Upgrade project.
7. Payment #14, \$14,649.00 to Cramer & Associates, Inc., for construction services on the High Trestle Trail Ext Magazine Rd to Oralabor Rd project.
8. Payment #8, \$1,097.00 to Foth Infrastructure and Environment, LLC for engineering services on the North Four Mile Creek Trunk Sewer project.
9. Payment #20, \$14,947.87 to FOX Strand, for engineering services on the Ankeny ASR project.
10. Payment #15, \$81,050.64 to HR Green, Inc., for construction administration and construction inspection services on the NE 36th Street Reconstruction Project - I-35 to NE Four Mile Drive.
11. Payment #7, \$29,525.63 to HR Green, Inc., for engineering services on the Oralabor Gateway Trail-SW State Street Underpass and SW Oralabor Road and SW State Street Safety Improvements project.
12. Payment #3, \$291,413.31 to Hydro-Klean, LLC for construction services on the 2022 CIPP Lining project.
13. Payment #17, \$15,372.50 to JEO Consulting Group, Inc., for engineering services on the SE Delaware Avenue HMA Widening project.
14. Payment #19, \$6,223.75 to JEO Consulting Group, Inc. for engineering services on the SE 3rd Street Utility Improvements Phase 1 project.

15. Payment #6, \$10,681.25 to JEO Consulting Group, Inc., for engineering services on the SE 3rd Street Improvements - Phase 2 project.
16. Payment #1, \$26,710.00 to MSA Professional Services, Inc., for engineering services on the Uptown Parking Improvements project.
17. Payment #5, \$20,653.82 to Short Elliott Hendrickson Inc., for engineering services on the S Ankeny Blvd Transmission Main project.
18. Payment #27, \$1,061.00 to Snyder & Associates, Inc., for engineering services on the SE Delaware Ave and SE 8th St Widening and Traffic Signalization project.
19. Payment #20, \$1,805.88 to Snyder & Associates, Inc., for engineering services on the NW 36th St and NW State St Interim Improvements project.
20. Payment #18, \$2,617.50 to Snyder & Associates, Inc., for engineering services on the 2021 Pavement Management Study and Master Plan project.
21. Payment #25, \$17,715.89 to Snyder & Associates, Inc., for engineering services on the NW 36th St Widening - NW Ash Dr to N Ankeny Blvd project.
22. Payment #9, \$2,289.50 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements - Phase 2 project.
23. Payment #23, \$6,754.50 to Snyder & Associates, Inc., for engineering services on the N Ankeny Blvd Landscape Improvements project.
24. Payment #17, \$10,748.63 to Snyder & Associates, Inc., for engineering services on the NE Delaware Ave Recon - NE 5th St to NE 18th St project.
25. Payment #36, \$10,093.78 to Snyder & Associates, Inc., for engineering services on the SE Crosswinds Drive – RISE project.
26. Payment #22, \$11,784.50 to Snyder & Associates, Inc., for engineering services on the HTT Transmission Main and Drainage Improvements project.
27. January 3, 2023 Accounts Payable by fund: General 220,343; Hotel Motel Tax 969; Road Use Tax 203,343; Debt Service 1,800; Library Foundation 57; Solid Waste 1,197; Water 57,449; Water Sinking 550; Sewer 69,841; Storm Water 157; Golf Course 9,539; Enterprise Project 908,081; Revolving 22,529; Risk Management 71,069; Health Insurance 373; Capital Projects 518,198; Payroll Totals 1,805,697; Transfers/ACH (197,358); Agenda Payments approved separately (651,207); Grand Total \$ 3,042,627.
28. Receive and file the City of Ankeny Annual Comprehensive Financial Report (ACFR) for the year ended June 30, 2022.
29. **RESOLUTION 2023-001** related to the revision of the Financial Policy of the Standard Administrative Policy and Procedures Manual of the City of Ankeny, Iowa.
30. Biller Order Form, Biller Agreement and Statement of Work with Invoice Cloud, Inc. to provide online payment processing.

Personnel

31. **RESOLUTION 2023-002** increasing the Full-Time Equivalent (FTE) positions authorized for fiscal year 2023 from 357.78 to 358.78.

Community Development

32. **RESOLUTION 2023-003** adopting a new Official Zoning Map for the City of Ankeny, Iowa.
33. **RESOLUTION 2023-004** accepting final plat, warranty deed to streets, subdivision bonds for seeding and erosion control, platted easements, warranty deed to park land and park land dedication agreement; and authorizing cost participation for the extension of water main for The Crossings at Deer Creek Plat 12.
34. **RESOLUTION 2023-005** providing for the notice and hearing of the City Council of the City of Ankeny, Iowa, to rezone certain property owned by NGR Inc., located along the west side of SE Four Mile Drive and three-quarters of a mile north of SE Corporate Woods Drive. (date of hrg: 01/17/23 @ 5:30 p.m.)

35. **RESOLUTION 2023-006** providing for the notice and hearing of the City Council of the City of Ankeny, Iowa, to rezone certain property owned by Bricktowne Piper LC., located north of NW Reinhart Drive and west of N Ankeny Boulevard. (date of hrg: 1/17/23 @ 5:30 p.m.)
36. **RESOLUTION 2023-007** providing for the notice and hearing of the City Council of the City of Ankeny, Iowa, to amend the Ankeny Plan 2040 Comprehensive Plan, Figure 12.10, Future Land Use Map to reclassify certain property owned by Bricktowne Piper LC., located north of NW Reinhart Drive and west of N. Ankeny Boulevard (date of hrg: 1/17/23 @ 5:30 p.m.)

Engineering

37. **RESOLUTION 2023-008** accepting maintenance bond for water main, sanitary sewer, and storm sewer in The Crossings at Deer Creek Plat 12.
38. **RESOLUTION 2023-009** accepting maintenance bond for concrete paving in The Crossings at Deer Creek Plat 12.
39. **RESOLUTION 2023-010** accepting maintenance bond for asphalt paving in The Crossings at Deer Creek Plat 12.
40. **RESOLUTION 2023-011** accepting maintenance bond for subgrade prep. in The Crossings at Deer Creek Plat 12.
41. **RESOLUTION 2023-012** accepting a purchase agreement and approving documents for the acquisition of temporary construction easement for the NW 18th Street Reconstruction - NW Ash Drive to N Ankeny Boulevard project in Ankeny, Iowa. (Ankeny Community School District)
42. **RESOLUTION 2023-013** accepting a purchase agreement and approving documents for the acquisition of street right-of-way and temporary construction easement for the NW 18th Street Reconstruction - NW Ash Drive to N Ankeny Boulevard project in Ankeny, Iowa. (Hale Development)
43. **RESOLUTION 2023-014** accepting public improvements in Spectrum 36 Plat 1 for utilities & subgrade prep.
44. **RESOLUTION 2023-015** accepting public improvements in Spectrum 36 Plat 1 for paving.

Administrative

45. **RESOLUTION 2023-016** approving the application for tax abatement under the Urban Revitalization Plan for the City of Ankeny, Iowa, submitted for the property locally known as 709 SW 3rd St., Ankeny, Iowa.
46. **RESOLUTION 2023-017** approving the application for tax abatement under the Urban Revitalization Plan for the City of Ankeny, Iowa, submitted for the property locally known as 617 SW 3rd St., Ankeny, Iowa.

Approval of Consent Agenda Items

1. Council Member Perry moved, second by Shafer, to approve the recommendations for Consent Agenda Items CA-1 through CA-46. Ayes: Perry, Shafer, Bentz, Ruddy, Stearns.

LEGISLATIVE BUSINESS

Approval of Ordinances

1. **Ord 2127.** An Ordinance vacating a portion of a Public Storm Sewer Easement located on Lot 1, John Deere Place Plat 4. Council Member Bentz moved, Ruddy seconded, to accept second consideration of Ordinance 2127. Ayes: Bentz, Ruddy, Perry, Shafer, Stearns.
2. **Ord 2128.** An Ordinance vacating a portion of a Public Ingress/Egress Easement located on Lot 1, John Deere Place Plat 4. Council Member Stearns moved, Ruddy seconded, to accept second consideration of Ordinance 2128. Ayes: Stearns, Ruddy, Bentz, Perry, Shafer.

3. **Ord 2129.** An Ordinance amending the code of ordinances of the City of Ankeny, Iowa, by modifying provisions pertaining to liquor license and wine and beer permits. Council Member Ruddy moved, Stearns seconded, to accept second consideration of Ordinance 2129. Ayes: Ruddy, Stearns, Bentz, Perry, Shafer.

NEW BUSINESS

1. Proposed Environmental Review for SRF Loan Projects (PH 2023-01) Council Member Ruddy moved, Bentz seconded, to adopt **RESOLUTION 2023-018** accepting the environmental information document for SRF loan application with the Iowa Department of Natural Resources. Ayes: Ruddy, Bentz, Perry, Shafer, Stearns.
2. Proposed NE Delaware Avenue Reconstruction - NE 5th Street to 700 Feet North of NE 18th Street (PH 2023-02) Council Member Stearns moved, Bentz seconded, to adopt 1) **RESOLUTION 2023-019** adopting plans, specifications, form of contract. estimate of cost \$10,654,525.25 and enhancement of payment; 2) receive and file report of bids received December 20, 2022; 3) adopt **RESOLUTION 2023-020** making award of construction contract with Elder Corporation in the amount of \$9,993,000.00; and 4) adopt **RESOLUTION 2023-021** approving contract and bonds with Elder Corporation in the amount of \$9,993,000.00. Ayes: Stearns, Bentz, Perry, Ruddy, Shafer.
3. Proposed SW State Street Fiber Optic Relocation Initiate Proceedings Council Member Ruddy moved, Stearns seconded, to adopt **RESOLUTION 2023-022** ordering construction on the SW State Street Fiber Optic Relocation and fixing a date for hearing thereon and taking of bids therefor. (date of bid opening: 1/31/23 @ 10:30 A.M. / date of hrg: 2/6/23 @ 5:30 P.M.) Ayes: Ruddy, Stearns, Bentz, Perry, Shafer.
4. Proposed 2023 PCC Pavement Preservation Program Initiate Proceedings Council Member Bentz moved, Stearns seconded, to adopt **RESOLUTION 2023-023** ordering construction of the 2023 PCC Pavement Preservation Program project and fixing a date for hearing thereon and taking of bids therefor. (date of bid opening: 1/31/23 @ 10:30 A.M. / date of hrg: 2/6/23 @ 5:30 P.M.) Ayes: Bentz, Stearns, Perry, Ruddy, Shafer.
5. Proposed 2023 PCC Reconstruction Program - SE 8th Street Initiate Proceedings Council Member Stearns moved, Ruddy seconded, to adopt **RESOLUTION 2023-024** ordering construction on the 2023 PCC Reconstruction Program - SE 8th Street project and fixing a date for hearing thereon and taking of bids therefor. (date of bid opening: 1/31/23 @ 10:30 A.M. / date of hrg: 2/6/23 @ 5:30 P.M.) Ayes: Stearns, Ruddy, Bentz, Perry, Shafer.
6. Proposed North Four Mile Creek Trunk Sewer Initiate Proceedings Council Member Stearns moved, Bentz seconded, to adopt **RESOLUTION 2023-025** ordering construction on the North Four Mile Creek Trunk Sewer project and fixing a date for hearing thereon and taking of bids therefor. (date of bid opening: 1/31/23 @ 10:30 A.M. / date of hrg: 2/6/23 @ 5:30 P.M.) Ayes: Stearns, Bentz, Perry, Ruddy, Shafer.
7. Proposed S. Ankeny Blvd. Transmission Main Initiate Proceedings Council Member Bentz moved, Stearns seconded, to adopt **RESOLUTION 2023-026** ordering construction on the S. Ankeny Blvd. Transmission Main project and fixing a date for hearing thereon and taking of bids therefor. (date of bid opening: 1/31/23 @ 10:30 A.M. / date of hrg: 2/6/23 @ 5:30 P.M.) Ayes: Bentz, Stearns, Perry, Ruddy, Shafer.
8. Proposed application for a State Revolving Fund (SRF) loan and to make available to the public the contents of an environmental information document and the City's project plan. Council Member Bentz moved, Ruddy seconded, to set public hearing to review an application for a State Revolving Fund (SRF) loan and to make available to the public the contents of an environmental information document and the City's project plan and direct City Clerk to publish notice 30 days prior to hearing (date of hrg: 2/20/23 @ 5:30 p.m.). Ayes: Bentz, Ruddy, Perry, Shafer, Stearns.
9. Proposed Delaware Ground Storage Tank Painting Professional Services Agreement with Dixon Engineering Council Member Stearns moved, Bentz seconded, to approve the

Professional Services Agreement with Dixon Engineering, for the design engineering and bidding phase services on the Delaware Ground Storage Tank Painting Project in an amount not to exceed \$7,225.00 and the Mayor to execute said agreement. Ayes: Stearns, Bentz, Perry, Ruddy, Shafer.

10. Proposed SE Oralabor Road & Convenience Blvd/ Creekview Drive Traffic Signal Replacement Professional Services Agreement with Snyder & Associates, Inc. Council Member Stearns moved, Perry seconded, to approve the Professional Services Agreement with Snyder & Associates, Inc., for the design engineering and bidding phase services on the Uptown Parking Improvements in an amount not to exceed \$41,700.00 and the Mayor to execute said agreement. Correction: The Professional Services Agreement with Snyder & Associates, Inc., was for the design engineering and bidding phase services on the SE Oralabor Road & Convenience Blvd/ Creekview Drive Traffic Signal Replacement project and not the Uptown Parking Improvements. Ayes: Stearns, Perry, Bentz, Ruddy, Shafer.

ADJOURNMENT

1. Meeting was adjourned at 5:59 p.m.

Michelle Yuska, City Clerk

Mark Holm, Mayor

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