

MINUTES OF THE ANKENY CITY COUNCIL

Monday, February 19, 2024 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 Jeff Perry, Joe Ruddy, and Todd Shafer were in attendance. Council Members Bobbi Bentz and Kelly Stearns joined the meeting electronically. City Manager David Jones and City Attorney Amy Beattie were also present. Mayor Holm led in the Pledge of Allegiance.

PUBLIC FORUM

1. Terry Sabol, Ankeny, expressed concern of her neighbor's not cleaning up their dog's feces.

APPROVAL OF AGENDA

1. Council Member Perry moved, Shafer seconded, to approve and accept the February 19, 2024 agenda with amendment, removing consent agenda item CA-37. Ayes: 5.

PUBLIC HEARING

1. PH 2024-09. Mayor Holm announced this is the time and place for a public hearing on the matter of the adoption of plans, specifications, form of contract and estimate of cost for construction of certain public improvements described in general as construction of the NW 36th Street and NW Weigel Drive HMA Resurfacing project. Notice of this hearing was published in the Des Moines Register on the 2nd day of February, 2024.

Mark Mueller, Public Works Director, reported that the project includes subgrade preparation and Hot Mix Asphalt (HMA) overlay of NW 36th Street from NW Weigel Drive to NW Irvinedale Drive and subgrade preparation and HMA overlay of NW Weigel Drive from NW 18th Street to NW 36th Street.

Mayor Holm then asked for any public comment regarding the proposed project. Hearing no comments, Council Member Ruddy moved, Shafer seconded, to close public hearing 2024-09. Ayes: 5.

2. PH 2024-10. Mayor Holm 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 SE 3rd Street Utility Improvements – Phase 2 project. Notice of this hearing was published in the Des Moines Register on the 2nd day of February, 2024.

Mark Mueller, Public Works Director, reported that the project includes the replacement of PCC street pavement, sanitary sewer, water main, and storm sewer located on SE 3rd Street, from S Ankeny Boulevard to SE Sharon Drive.

Mayor Holm then asked for any public comment regarding the proposed project. Hearing no comments, Council Member Ruddy moved, Shafer seconded, to close public hearing 2024-10. Ayes: 5.

3. PH 2024-11. Mayor Holm 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 Ankeny Fire Station No. 4 project. Notice of this hearing was published in the Des Moines Register on the 2nd day of February, 2024.

Mike Schrock, Assistant City Manager, reported that the project located at 2320 NW Weigel Drive, includes the construction of a new, single story fire station of approximately 12,830 sq. ft. Work includes all civil, landscape, architectural, structural, and mechanical, electrical and technology systems. A bid alternate for a fueling island located on-site is also contemplated with the project's design.

Mayor Holm then asked for any public comment regarding the proposed project. Hearing no comments, Council Member Shafer moved, Ruddy seconded, to close public hearing 2024-11. Ayes: 5.

APPROVAL OF CONSENT AGENDA

Minutes

1. Official council actions of the regular meeting of February 5, 2024, as published.
2. Official council actions of the special meeting of February 12, 2024, as published, subject to correction, as recommended by the City Clerk.
3. Receive and file minutes of the Ankeny Cultural Arts Board meeting of June 12th, 2023.
4. Receive and file minutes of the Civil Service Commission meeting of January 8, 2024.

Licenses and Permits

5. Issuance of liquor licenses and beer/wine permits in the City of Ankeny.

Finance/Budget

6. Receive and file Financial Reports for January 2024.
7. Receive and file Building Permit Report for January 2024.
8. Receive and file Utility Billing Report for January 2024.
9. Approve Amendment No. 1 to the Professional Services Agreement increasing the contract amount by \$75,380.00 with JEO Consulting Group for construction engineering services on the SE 3rd Street Utility Improvements - Phase 2 project.
10. Payment #5 in the amount of \$12,922.50 to Bolton & Menk, Inc., for engineering services on the SE Corporate Woods Drive & Crosswinds Drive Traffic Signalization project.
11. Payment #10 in the amount of \$26,827.25 to Civil Design Advantage for engineering services on the NW 36th Street and NW Weigel Drive HMA Resurfacing project.
12. Payment #36 in the amount of \$4,690.00 to Foth Infrastructure and Environment, LLC for engineering services on the West First Street Widening and Improvements - Phase 1 project.
13. Payment #14 in the amount of \$4,620.00 to HDR Engineering, Inc., for engineering services on the NW Irvinedale Elevated Storage Tank project.
14. Payment #9 in the amount of \$2,677.50 to ISG (I&S Group) for design and construction work on the High Trestle Trail Park Phase 1 project.
15. Payment #7 in the amount of \$19,236.83 to J&K Contracting, for construction services on the North Four Mile Creek Trunk Sewer project.
16. Payment #3 in the amount of \$31,422.75 to Nilles Associates, Inc., for engineering services on the Vintage Business Park North Lake and Saylor Creek Repairs project.

17. Payment #10 in the amount of \$42,109.00 to SVPA Architects Inc. for design services associated with the Ankeny Fire Station No. 4 project.
18. February 19, 2024 Accounts Payable by fund: General \$139,378; Parks Improvements \$2,794; Police Gift \$4,921; Road Use Tax \$27,122; Police/Fire Pension \$941; Library Foundation \$273; Water \$955,888; Sewer \$597,268; Storm Water \$8,022; Golf Course \$7,572; Enterprise Project \$56,005; Revolving \$23,277; Risk Management \$2,659; Health Insurance \$159; Capital Projects \$432,108; Payroll Totals \$1,881,815; Transfers/ACH (\$202,599); Agenda Payments Approved Separately (\$458,356); Grand Total \$3,479,247.
19. **RESOLUTION 2024-042** authorizing the purchase of traffic signal cabinets for installation with the SE Delaware Avenue Traffic Signal Upgrades.
20. **RESOLUTION 2024-043** authorizing the purchase of video detection equipment for installation with the SE Delaware Avenue Traffic Signal Upgrades.

Personnel

21. Authorize a side-by-side position in the police department which will temporarily increase the authorized FTE count by one.
22. Authorize a side letter agreement with AFSCME Local #1868 to amend the wages of the AFSCME Collective Bargaining Agreement for July 1, 2024 to June 30, 2025.
23. Accept the Civil Service Commission certified lists for appointment to: Plans Examiner, Police Officer, and Fire Lieutenant; subject to passing any further departmental requirements.

Community Development

24. **RESOLUTION 2024-044** accepting final plat, subdivision bonds for seeding and erosion control, performance and maintenance bonds for public improvements, sewer and water connection fees, NW 18th Street improvement fees, warranty deed to streets and parkland, and platted easements; and authorizing cost participation for sidewalk oversizing for Savannah at Ankeny.
25. **RESOLUTION 2024-045** authorizing the Mayor to sign a development agreement by and between the City of Ankeny, Iowa, and SCS Ankeny, LLC regarding the construction of Savannah at Ankeny.
26. **RESOLUTION 2024-046** approving plans and specifications, and accepting contracts and performance and maintenance bonds for the construction of subgrade, sanitary sewer, storm sewer, and water main in Savannah at Ankeny.
27. **RESOLUTION 2024-047** approving plans and specifications, and accepting contracts and performance and maintenance bonds for the construction of street paving in Savannah at Ankeny.
28. **RESOLUTION 2024-048** accepting final plat and authorizing the Mayor to sign a consent to plat and easements for Ankeny Fire Station No. 4.
29. **RESOLUTION 2024-049** adopting a new Official Zoning Map for the City of Ankeny, Iowa.
30. **RESOLUTION 2024-050** approving plans and specifications, contracts, and performance and maintenance bonds for the construction of subgrade and storm sewer associated with the Rueter Property Site Plan.
31. **RESOLUTION 2024-051** approving plans and specifications, contracts, and performance and maintenance bonds for the construction of street paving associated with the Rueter Property Site Plan.
32. **RESOLUTION 2024-052** authorizing the Mayor to sign a Development Agreement with Rueter Company concerning the maintenance of NE Rueter Drive associated with the development of the Rueter Property Site Plan.
33. **RESOLUTION 2024-053** accepting acquisition plat, warranty deed to streets, subdivision bond for seeding and silt fence, and storm water management facility maintenance covenant and permanent easement agreement associated with Rueter Property Site Plan.

Engineering

- 34. **RESOLUTION 2024-054** approving and authorizing the acquisition of property and property interests for the NE 36th Street and NE 38th Street Water Main project.
- 35. **RESOLUTION 2024-055** approving and authorizing the acquisition of property and property interests for the SE Delaware Avenue & SE 54th Street Traffic Signal.

Capital Improvement Projects

- 36. **RESOLUTION 2024-056** accepting a proposal from On Track Construction in the amount of \$130,499.00 for the construction of the 2024 Annual Storm Sewer Repairs project.
- 37. Removed from Agenda: Proposal for the construction of the 2024 Pedestrian Ramp Improvements Program - NE 18th Street project.
- 38. **RESOLUTION 2024-058** accepting a proposal from Vice Construction in the amount of \$176,220.00 for the construction of the 2024 Pedestrian Ramp Improvements Program - Northbrook project.
- 39. **NE 36th Street Reconstruction Project - I-35 to NE Fourmile Drive**: a) Final Change Order #7 increasing the contract amount by \$19,175.00; b) Certificate of Completion; c) **RESOLUTION 2024-059** accepting the public improvement with Absolute Concrete Construction Inc. in the amount of \$5,545,722.53; and d) Final Payment #14 in the amount of \$36,564.08; and Retainage Payment in the amount of \$277,286.13.
- 40. **RESOLUTION 2024-060** ordering preparation of final plat and schedule of assessments for the NE 36th Street Reconstruction Project - I-35 to NE Fourmile Drive.
- 41. **RESOLUTION 2024-061** ordering construction on the SE Corporate Woods Drive & SE Crosswinds Drive Traffic Signal and fixing a date for hearing thereon and taking of bids therefor. (date of bid opening: 3/12/24 @ 10:30 A.M. / date of hrg: 3/18/24 @ 5:30 P.M.)

Administrative

- 42. **RESOLUTION 2024-062** authorizing the City Manager's Office to submit a grant application for the Energy Efficiency & Conservation Block Grant Program through the US Department of Energy.
- 43. **RESOLUTION 2024-063** authorizing the City of Ankeny, Iowa to submit an application for grant funding from the Iowa Department of Natural Resources in the amount of \$9,900 through the Community Forestry Program, with the City match in the amount not to exceed \$4,950 for tree planting projects.
- 44. Authorize the Police Department to submit a grant application for the Adopt A K-9 Cop Matching Grant through AKC Reunite.
- 45. **RESOLUTION 2024-064** fixing date for a meeting on the proposition of the issuance of not to exceed \$17,500,000 General Obligation Bonds of the City of Ankeny, State of Iowa (for essential corporate purposes), and providing for publication of notice thereof (date of hrg: 3/4/24).
- 46. **RESOLUTION 2024-065** fixing date for a meeting on the proposition of the issuance of not to exceed \$500,000 General Obligation Urban Renewal Bonds of the City of Ankeny, State of Iowa (for essential corporate urban renewal purposes), and providing for publication of notice thereof (date of hrg: 3/4/24).
- 47. **RESOLUTION 2024-066** fixing date for a meeting on the proposition of the issuance of not to exceed \$4,500,000 Water Revenue Bonds of the City of Ankeny, State of Iowa, and providing for publication of notice thereof (date of hrg: 3/4/24).

APPROVAL OF CONSENT AGENDA

1. Council Member Shafer moved, second by Ruddy, to approve the recommendations for Consent Agenda Items CA-1 through CA-47, removing CA-37. Ayes: Shafer, Ruddy, Bentz, Perry, Stearns.

LEGISLATIVE BUSINESS

Boards Appointments

1. **Central Iowa Water Works (CIWW) Appointment:** Council Member Ruddy moved, Shafer seconded, to adopt **RESOLUTION 2024-067** appointing David Jones as the primary representative, and Jeff Perry as an alternative representative to the CIWW Board of Trustees. Ayes: Ruddy, Shafer, Bentz, Perry, Stearns.

Approval of Ordinances

1. **Ord 2161.** 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 Beasley Farms Inc., Stephen L Banning Trust, and Bettye J Banning Trust. Council Member Shafer moved, Perry seconded, to accept second consideration of ORDINANCE 2161. Ayes: Shafer, Perry, Bentz, Ruddy, Stearns. Council Member Shafer moved, Ruddy seconded, to accept request to suspend the rule that all ordinances must be considered on three different days and accept third consideration of ORDINANCE 2161, sending it on its final passage and publication as required by law. Ayes: Shafer, Ruddy, Bentz, Perry, Stearns.
2. **Ord 2162.** An Ordinance amending the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, to rezone property owned by Hope Kimberley, LLC R-1 One-Family Residential District to Planned Unit Development, PUD (Rezoning Area A). Council Member Ruddy moved, Shafer seconded, to accept second consideration of ORDINANCE 2162. Ayes: Ruddy, Shafer, Bentz, Perry. Abstain: Stearns due to family connection with business owner.
3. **Ord 2163.** An Ordinance amending the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, to rezone property owned by Hope Kimberley, LLC from R-1 One-Family Residential District to R-3, Multiple-Family Residential District (Rezoning Area B). Council Member Ruddy moved, Perry seconded, to accept second consideration of ORDINANCE 2163. Ayes: Ruddy, Perry, Bentz, Shafer. Abstain: Stearns due to family connection with business owner.
4. **Ord 2164.** An Ordinance amending Chapter 66 Load and Weight Restrictions of the Municipal Code of the City of Ankeny, Iowa, by amending Section 66.05 Truck Routes. Council Member Ruddy moved, Perry seconded, to accept second consideration of ORDINANCE 2164. Ayes: Ruddy, Perry, Bentz, Shafer, Stearns.

NEW BUSINESS

1. Proposed NW 36th Street & NW Weigel Drive HMA Resurfacing (PH 2024-09). Council Member Perry moved, Shafer seconded, to adopt **1) RESOLUTION 2024-068** adopting plans, specifications, form of contract and estimate of cost \$2,114,420.00; 2) receive and file report of bids received February 13, 2024; 3) adopt **RESOLUTION 2024-069** making award of construction contract with InRoads, LLC in the amount of \$1,691,525.00; and 4) adopt **RESOLUTION 2024-070** approving contract and bonds with InRoads, LLC in the amount of \$1,691,525.00. Ayes: Perry, Shafer, Bentz, Ruddy, Stearns.
2. Proposed SE 3rd Street Utility Improvements - Phase 2 (PH 2024-10). Council Member Ruddy moved, Shafer seconded, to adopt **1) RESOLUTION 2024-071** adopting plans, specifications, form of contract, estimate of cost \$2,500,000.00 and enhancement of payment; 2) receive and file report of bids received February 13, 2024; 3) adopt **RESOLUTION 2024-072** making award of construction contract with Rognes Corp in the amount of \$2,244,000.00;

and 4) adopt **RESOLUTION 2024-073** approving contract and bonds with Rognes Corp in the amount of \$2,244,000.00. Ayes: Ruddy, Shafer, Bentz, Perry, Stearns.

3. Proposed Ankeny Fire Station No. 4 (PH 2024-11). Council Member Perry moved, Shafer seconded, to adopt 1) **RESOLUTION 2024-074** adopting plans, specifications, form of contract and estimate of cost \$6,600,000.00; 2) receive and file report of bids received February 13, 2024; 3) adopt **RESOLUTION 2024-075** making award of construction contract with HPC, LLC in the amount of \$5,950,000.00. Ayes: Perry, Shafer, Bentz, Ruddy, Stearns.
4. Proposed Request for Council Initiated Rezoning from R-1 to PUD Berwick Holdings, LLC. Council Member Ruddy moved, Shafer seconded, to receive and file correspondence dated January 29, 2024 regarding a rezoning request for a 104-acre parcel located at NW Berwick Drive. Ayes: Ruddy, Shafer, Bentz, Perry, Stearns. Council Member Shafer moved, Perry seconded, to initiate a rezoning request for a 104-acre parcel located at NW Berwick Drive and refer to the Plan and Zoning Commission for review and recommendation. Ayes: Shafer, Perry, Bentz, Ruddy, Stearns.

ADJOURNMENT

1. Meeting was adjourned at 6:07 p.m. and was immediately followed by a Council Action Planning Session.

Michelle Yuska, City Clerk

Mark E. Holm, Mayor

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