

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

Monday, August 5, 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

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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. Jeff Murphy addressed the council regarding bicycle traffic at High Trestle Trail and Weigel Drive.
2. Susan Hook spoke about services at the aquatic center.
3. Mindy Moore, HDR, presented information about the Des Moines Area MPO Comprehensive Safety Action Plan.

### **APPROVAL OF AGENDA**

1. Council Member Perry moved, Shafer seconded, to approve and accept the August 5, 2024 agenda without amendment. Ayes: 5.

### **PUBLIC HEARING**

2. PH 2024-45. 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 High Trestle Trail Experience Park – Phase 1 project. Notice of this hearing was published in the Des Moines Register on the 19th day of July, 2024.

Nick Lenox, Parks and Recreation Director, reported that the High Trestle Trail Experience Park - Phase 1 project improvements include the placement of new light fixtures, power along an existing trail corridor and construction of a new glow trail segment. Site restoration includes new shade trees, areas of turf, native seeding, and additional landscaping. Low mounds built along the corridor integrated with new trail segments and siting of future art installations, and other associated work necessary to complete the project.

Mayor Holm then asked for any public comment regarding the proposed project. Hearing no comments, Council Member Shafer moved, Perry seconded, to close public hearing 2024-45. Ayes: 5.

### **APPROVAL OF CONSENT AGENDA**

#### Minutes

1. Official council actions of the regular meeting of July 15, 2024, as published.
2. Official council actions of the special meeting of July 25, 2024, as published.
3. Receive and file minutes of the Plan and Zoning Commission meeting of July 2, 2024.
4. Receive and file the minutes of the Civil Service Commission meeting of June 10, 2024.
5. Receive and file minutes of the Library Board of Trustee meeting of June 20, 2024.

## Licenses and Permits

6. Issuance of a special permit to Derek Watson for bow hunting on private property within the city limits.
7. Issuance of cigarette/tobacco/nicotine/vapor permit in the City of Ankeny.
8. Issuance of liquor licenses and beer/wine permits in the City of Ankeny.

## Finance/Budget

9. Change Order #3 increasing the contract amount by \$15,597.50 to Absolute Concrete Construction, for construction services on the Oralabor Gateway Trail - SW State Street Underpass and SW Oralabor Road and SW State Street Intersection Improvements project.
10. Change Order #2 increasing the contract amount by \$117.00 to InRoads, LLC, for construction services on the NW 36th Street and NW Weigel Drive HMA Resurfacing project.
11. Amendment No. 2 to the Professional Services Agreement with RDG Planning & Design increasing the contract amount by \$95,291.00 for an in-depth Phase 1 cultural resources survey, floodplain modeling, preparation and submittal of a Conditional letter of Map Revision (CLOMR), development of post-project documentation related to the CLOMR, and final Letter of Map Revision (LOMR) documents and application on the Four Mile Creek and Tributary Channel Stabilization - NE 47th Street to NE 54th Street project.
12. Payment #8 in the amount of \$575,007.70 to Absolute Concrete Construction, Inc. for construction services on the Oralabor Gateway Trail - SW State Street Underpass and SW Oralabor Road and SW State Street Intersection Improvements project.
13. Payment #5 in the amount of \$1,650.00 to DIXON Engineering, Inc., for engineering services on the Magazine Ground Storage Reservoir Rehabilitation project.
14. Payment #2 in the amount of \$84,823.16 to Foth Infrastructure and Environment, LLC for engineering services on the West First Street Widening and Improvements - Phase 2 project.
15. Payment #3 in the amount of \$55,852.40 to Gus Construction, for construction services on the NE 62nd St. Box Culvert project.
16. Payment #17 in the amount of \$36,420.46 to HDR Engineering, Inc., for engineering services on the NW Irvinedale Elevated Storage Tank project.
17. Payment #18 in the amount of \$34,007.14 to HDR Engineering, Inc., for engineering services on the NW Irvinedale Elevated Storage Tank project.
18. Payment #19 in the amount of \$18,891.19 to HDR Engineering, Inc., for engineering services on the NW Irvinedale Elevated Storage Tank project.
19. Payment #19 in the amount of \$26,403.04 to HR Green, Inc., for construction engineering services on the Oralabor Gateway Trail-SW State Street Underpass and SW Oralabor Road and SW State Street Safety Improvements project.
20. Payment #3 in the amount of \$72,546.75 to InRoads LLC, for construction services on the NW 36th Street and NW Weigel Drive HMA Resurfacing project.
21. Payment #4 in the amount of \$27,468.75 to McClure Engineering Company, for construction engineering services on the SW Des Moines Street Utility Improvements project.
22. Payment #5 in the amount of \$10,381.15 to MSA Professional Services, Inc., for engineering services on the SW Walnut Street and SW Ordnance Road Water Main project.
23. Payment #5 in the amount of \$27,297.19 to Olsson, Inc., for engineering services on the Fiber Optic Network Upgrade project.
24. Payment #10 in the amount of \$26,181.25 to Snyder & Associates, for engineering services on the N Ankeny Blvd Improvements 1st Street to 11th Street project.
25. Payment #36 in the amount of \$37,751.88 to Snyder & Associates, Inc., for engineering services on the NE Delaware Ave Recon - NE 5<sup>th</sup> St to NE 18th St project.
26. Payment #21 in the amount of \$3,952.53 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements - Phase 2 project.
27. Payment #9 in the amount of \$3,157.30 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements - Phase 3 project.

28. Payment #4 in the amount of \$23,331.00 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements - Phase 4 project.
29. Payment #14 in the amount of \$26,859.50 to Snyder & Associates, for engineering services on the S Ankeny Blvd Improvements SE Peterson Dr to 1st St project.
30. Payment #14 in the amount of \$6,896.59 to Snyder & Associates, for engineering services on the SE Delaware Ave and SE 54th St Traffic Signal project.
31. Payment #12 in the amount of \$9,019.52 to Snyder & Associates, for engineering services on the SE Oralabor Rd & SE Creekview Dr Traffic Signal Replacement project.
32. Payment #6 in the amount of \$4,464.75 to Snyder & Associates, Inc. for engineering services on the Watercrest Park Expansion project.
33. Payment #14 in the amount of \$7,224.58 to Strand, for engineering services on the NE 36th Street & NE 38th Street Water Main Loop project.
34. August 5, 2024 Accounts Payable by fund: General \$1,122,409; Hotel/Motel Tax \$625; Parks Improvements \$4,246; Police Gift \$1,600; Road Use Tax \$140,031; Library Foundation \$20,602; Miracle Park \$2,611; Solid Waste \$109,018; Water \$183,691; Sewer \$22,778; Storm Water \$14,077; Golf Course \$96,907; Enterprise Project \$308,834; Revolving \$61,069; Risk Management \$813,611; Health Insurance \$206; BAN/Bond Activity \$28,708; Capital Projects \$1,069,313; Payroll Totals \$3,911,006; Transfers/ACH (\$427,874); Grand Total \$7,483,468.
35. Receive and file the Adopted Annual Budget Document for Fiscal Year 2025.
36. Approve the ambulance billing services contract with EMS Management & Consultants, Inc. of Winston-Salem, North Carolina, and authorize the Mayor to sign the Letter of Agreement.

#### Community Development

37. **RESOLUTION 2024-313** accepting final plat, letter of credit for seeding and erosion control, performance and maintenance bonds for paving, subgrade, and underground improvements, platted easements, park site dedication agreement, warranty deed for streets, and authorizing cost-participation for installation of sidewalk and extending sewer and water service to existing lots along NE Berwick Drive, for Berwick Estates Plat 1.
38. **RESOLUTION 2024-314** approving plans and specifications and accepting contracts, performance and maintenance bonds for the construction of water main, sanitary sewer, and storm sewer in Berwick Estates Plat 1.
39. **RESOLUTION 2024-315** approving plans and specifications and accepting contracts, performance and maintenance bonds for the construction of street paving and subgrade in the Berwick Estates Plat 1.
40. **RESOLUTION 2024-316** accepting final plat, warranty deed to streets, letter of credit for erosion control, and platted easements for Kwik Trip 1707 Plat 1 final plat.
41. **RESOLUTION 2024-317** accepting final plat, warranty deed to streets, letter of credit for seeding and erosion control, and platted easements for Kwik Trip 1707 Plat 2 final plat.
42. **RESOLUTION 2024-318** authorizing the Mayor to sign a Development Agreement with Kwik Trip, Inc concerning the reimbursement of fifty percent (50%) of the costs related to the preparation, construction, and installation of a traffic signal on SE Delaware Avenue associated with the development of Kwik Star #1707.
43. **RESOLUTION 2024-319** accepting a Storm Water Management Facility Maintenance Covenant and Permanent Easement Agreement, located on Lot 3, Hicklin Industrial Plat 1; and associated with the development of 2402 SE Hulsizer Road Site Improvements Site Plan.
44. **RESOLUTION 2024-320** authorizing the Mayor to sign a hold harmless agreement allowing Community State Bank to place a ground sign within a portion of the City of Ankeny's Public Sanitary Sewer Easement located on Lot 1, Spectrum 36 Plat 3.
45. **RESOLUTION 2024-321** setting a public hearing on a proposal to vacate a series of public easements located East of SE Delaware Avenue, West of Interstate 35, and North of SE Corporate Woods Drive. (date of hrg; 8/19/24 @ 5:30 p.m.)

## Engineering

46. **RESOLUTION 2024-322** approving plans and specifications and accepting the contract, performance and maintenance bonds for the construction of paving for the NE Four Mile Dr Raised Median Improvements project.
47. **RESOLUTION 2024-323** accepting public improvements for paving and subgrade prep associated with Copeland Commercial Intersection Improvements.
48. **RESOLUTION 2024-324** accepting traffic signal improvements and termination of associated development agreement for Copeland Commercial Intersection Improvements.
49. **RESOLUTION 2024-325** accepting public improvements for utilities in Aspen Ridge Commercial Plat 3.
50. **RESOLUTION 2024-326** accepting public improvements for paving in Aspen Ridge Commercial Plat 3.
51. **RESOLUTION 2024-327** accepting public improvements for subgrade prep in Aspen Ridge Commercial Plat 3.

## Capital Improvement Projects

52. **RESOLUTION 2024-328** accepting a purchase agreement and approving documents for the acquisition of permanent sidewalk easement and temporary construction easement for the SE Delaware Avenue & SE 54th Street Traffic Signal in Ankeny, Iowa. (5500 SE Delaware Avenue)
53. **Ankeny Senior Community Center:** a) Change Order #15 decreasing the contract amount by \$26,629.41; b) Certificate of Completion; c) **RESOLUTION 2024-329** accepting the public improvements with Graphite Construction Group in the amount of \$5,983,901.04; and d) Pay Application #21, Release of Retainage in the amount of \$87,358.77.
54. **2024 CIPP Lining Project:** a) Certificate of Completion; b) **RESOLUTION 2024-330** accepting the public improvements with Municipal Pipe Tool Company, L.L.C., of Hudson, Iowa in the amount of \$584,162.73; c) Change Order #1 in the amount of \$7,680.23; d) Final Payment #3 in the amount of \$86,809.79 / Release of Retainage in the amount of \$29,208.15.

## Administrative

55. Approve agreement with Keystone Construction Services in the amount of \$24,900.00 for maintenance work associated with the Ankeny City Hall facility.

## APPROVAL OF CONSENT AGENDA

1. Council Member Shafer moved, second by Ruddy, to approve the recommendations for Consent Agenda Items CA-1 through CA-55. Ayes: Shafer, Ruddy, Bentz, Perry, Stearns.

## LEGISLATIVE BUSINESS

### Approval of Ordinances

1. **Ord 2176.** An Ordinance amending Chapter 69 Parking Regulations of the Municipal Code of the City of Ankeny, Iowa, by amending Section 69.10 No Parking on North and East Sides of Streets, and Section 69.11 No Parking on Both Sides. Council Member Ruddy moved, Shafer seconded, to accept first consideration of ORDINANCE 2176. Ayes: Ruddy, Shafer, Bentz, Perry, Stearns.
2. **Ord 2177.** An Ordinance amending Chapter 4 of the code of ordinances of the City of Ankeny, Iowa, by amending provisions pertaining to alternative penalties. Council Member Ruddy moved, Shafer seconded, to accept first consideration of ORDINANCE 2177. Ayes: Ruddy, Shafer, Bentz, Perry, Stearns.

## NEW BUSINESS

1. Proposed High Trestle Trail Experience Park Phase 1 (PH 2024-45). Council Member Perry moved, Ruddy seconded, to 1) approve **RESOLUTION 2024-331** adopting plans, specifications, form of contract and estimate of cost \$967,828.00 base bid and \$79,120 alternate a for a total of \$1,046,947.95; 2) receive and file report of bids received July 30, 2024; and 3) adopt **RESOLUTION 2024-332** making award of construction contract with Mainline Construction, Inc. in the amount of \$868,754.00. Ayes: Perry, Ruddy, Bentz, Stearns. Nays: Shafer.
2. Proposed NW Prairie Ridge Drive, NW 9th Street, and NW Ash Drive Intersection Improvements Professional Services Agreement with Bolton & Menk, Inc. Council Member Shafer moved, Perry seconded, to approve the Professional Services Agreement with Bolton & Menk, Inc. for design engineering services on the NW Prairie Ridge Drive, NW 9th Street, and NW Ash Drive Intersection Improvements project in an amount not to exceed \$402,531.00 and authorize the Mayor to execute said Agreement. Ayes: Shafer, Perry, Bentz, Ruddy, Stearns.

## ADJOURNMENT

1. Meeting was adjourned at 6:15 p.m.

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Michelle Yuska, City Clerk

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Mark E. Holm, Mayor

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