

MINUTES OF THE REGULAR MEETING OF THE ANKENY CITY COUNCIL

Monday, May 21, 2018 – 5:30 PM
Ankeny City Hall - City Council Chambers
410 West First Street, Ankeny, Iowa
Gary Lorenz, Mayor
Mark Holm, Mayor Pro tem

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

Mayor Lorenz called the meeting to order at 5:30 p.m. Council members McKenna and Bentz were absent. City Manager, David Jones and City Attorney, Amy Beattie were present.

Mayor Lorenz led the Pledge of Allegiance.

CEREMONY: none

A. PUBLIC FORUM:

1. Open Forum: Heather Lilienthal, representing the Ankeny Area Chamber of Commerce, presented an update on the Chamber's activities and events.

B. APPROVAL OF AGENDA:

1. Approval of the May 21, 2018 Agenda:

Action# B1-1. Whiting made the motion to approve and accept the May 21, 2018 agenda without amendment, seconded by Walter-Ashby.

ROLL CALL

2018-0521.B1-1 YES 3 NO 0

Council member Bentz arrived at 5:36 p.m.

C. PUBLIC HEARING(S):

1. **PH 2018-36:** Proposed Amendment #9 - 1989 Ankeny Economic Development Urban Renewal Plan

Mayor Lorenz opened the public hearing. Notice of this hearing was published in the Des Moines Register on the 4th day of May, 2018.

No written objections were filed and no oral objections were offered from the audience.

Derek Lord, Economic Development Director, reported this proposed Amendment No. 9 to the 1989 Ankeny Economic Development Urban Renewal Plan, which plan was amended earlier in 2018, is being updated for the reason that undeveloped property is being added.

This Urban Renewal area is being added because it is being prepared for development and interest in the area is increasing.

Action# C1-1. Holm made the motion to close Public Hearing 2018-36, seconded by Whiting.

ROLL CALL

2018-0521.C1-1

YES 4 NO 0

2. **PH 2018-37:** Proposed Amended Development Agreement between the City of Ankeny and Accu-Mold, LLC

Mayor Lorenz opened the public hearing. Notice of this hearing was published in the Des Moines Register on the 11th day of May, 2018.

No written objections were filed and no oral objections were offered from the audience.

Derek Lord, Economic Development Director, reported as part of Accu-Mold's recent expansion completed in 2016, they committed to creating 200 new jobs within 36 months of approval of their development agreement approved by the City Council on February 16, 2015. This development agreement provided TIF rebates to support the project and outlined the terms of their award, which included claw back provisions. They have created over 125 new jobs over the past 36 months and exceeded their projections for the higher paying positions. They have requested a 12-month extension and feel they can meet their overall job creation targets within this time frame. The proposed extension and amendment will provide four years to create the positions and one year to maintain the positions.

Action# C2-1. Whiting made the motion to close Public Hearing 2018-37, seconded by Bentz.

ROLL CALL

2018-0521.C2-1

YES 4 NO 0

3. **PH 2018-38:** Proposed SW Plaza Parkway and SW College Avenue Extension

Mayor Lorenz opened the public hearing. Notice of this hearing was published in the Des Moines Register on the 4th day of May, 2018.

No written objections were filed and no oral objections were offered from the audience.

Mark Mueller, Public Works Director, reported this project consists of the construction of SW Plaza Parkway from just west of SW 23rd Street to just east of SW Cascade Falls Drive, SW College Avenue from SW Oralabor Road to SW Plaza Parkway and turn lanes on SW Oralabor Road at SW College Avenue.

The bid opening for this project was held on Tuesday, May 15, 2018 at which seven (7) bids were received with low bid submitted by Manatt's Inc., of Johnston, Iowa, in the amount of \$1,010,015.62.

The engineer's estimate for the project was \$1,257,985.00. The bids ranged from approximately 20% below to 15% above the estimate. Following review of bid results, it was recommended that the project be awarded to Manatt's Inc., of Johnston, Iowa.

Action# C3-1. Walter-Ashby made the motion to close Public Hearing 2018-38, seconded by Bentz.

ROLL CALL

2018-0521.C3-1

YES 4 NO 0

4. **PH 2018-39:** Proposed Amendment of Current Budget for the Fiscal Year Ending June 30, 2018.

Mayor Lorenz opened the public hearing. Notice of this hearing was published in the Des Moines Register on the 11th day of May, 2018.

No written objections were filed and no oral objections were offered from the audience.

Jennifer Sease, Administrative Services Director, reported amended revenues include increases in utility franchise taxes, interest, road use taxes, water usage and meter sales. Amended expenditures include increases related to building and equipment repairs and maintenance, snow removal and the purchase of water.

Action# C4-1. Holm made the motion to close Public Hearing 2018-39, seconded by Whiting.

ROLL CALL

2018-0521.C4-1

YES 4 NO 0

D. REPORTS OF ADVISORY BOARDS AND COMMISSION:

5. Park Board Representative, Fred Scherle, reported on the activities of the Park Board.

E. APPROVAL OF CONSENT AGENDA:

- **Minutes**

CA - 1 Approval of official council actions of the regular meeting of May 7, 2018, as published, subject to correction, as recommended by the City Clerk.

CA - 2 Receive and file minutes of the Civil Service Commission meeting of April 9, 2018.

CA - 3 Receive and file minutes of the Plan and Zoning Commission meeting of April 17, 2018.

CA - 4 Receive and file minutes of the Zoning Board of Adjustment meeting of April 17, 2018.

- **Licenses and Permits**

CA - 5 Consider motion to approve the issuance of liquor license(s) and/or beer / wine permit(s) in the City of Ankeny.

- **Finance/Budget**

CA - 6 Consider motion to receive and file Financial Reports for April 2018.

CA - 7 Consider motion to receive and file the Building Permits Report for April 2018.

CA - 8 Consider motion to receive and file Utility Billing Report for April 2018.

CA - 9 Consider motion to approve Payment #9 in the amount of \$4,140.05 to Civil Design Advantage for engineering services on the SE East Lawn Area Utility Improvements - Phase 1 and SE Peterson/SE Trilein Storm Sewer Improvements project.

CA - 10 Consider motion to approve Payment #1 in the amount of \$44,816.28 to Concrete Technologies, Inc., for construction services on the NW Irvinedale Drive and NW 5th Street Intersection Improvements project.

CA - 11 Consider motion to approve Payment #1 in the amount of \$104,362.25 to Halbrook Excavating, for construction services on the 2018 SW 3rd Street Water Main Improvements construction project.

CA - 12 Consider motion to approve Payment #1 in the amount of \$87,408.08 to Howser Concrete Services, LLC for construction services on the 2018 PCC Street Patching Program project.

CA - 13 Consider motion to approve Payment #11 in the amount of \$93,878.19 to HR Green, Inc., for engineering services on the NW Irvinedale Drive Reconstruction (Design) project.

CA - 14 Consider motion to approve Payment #16 in the amount of \$15,054.48 to OPN Architects for architectural services on the Ankeny Kirkendall Public Library project.

CA - 15 Consider motion to approve Payment #12 in the amount of \$5,913.70 to SVPA Architects, Inc., for construction services for the Fire Station No. 3 project.

CA - 16 Consider motion to approve the May 21, 2018 Accounts Payable from the following funds: General \$173,567.08, Road Use Tax \$79,255.85, Library Foundation \$309.05, Ankeny Foundation \$517.00, Solid Waste \$50,646.40, Water \$319,049.54, Sewer \$584,740.50, Stormwater \$3,197.33, Golf Course \$43,755.21, Enterprise Project \$146,523.58, Revolving \$23,181.77, Risk Mgmt \$60,997.17, Health Insurance \$137.00, Equipment Reserve \$1,861.02, Capital Projects \$421,771.60, Payroll \$1,168,047.37, Less Srvc Transfers/ACH Drafts (\$152,615.51), Less Agenda Pymts Approved Separately (\$355,573.03), Grand Total \$2,569,368.93 (Finance Committee: K. Whiting, Chp, B. Bentz, K. Walter-Ashby)

- **Personnel Items**

CA - 17 Consider motion to approve the Civil Service Commission list of applicants certified eligible for appointment to the position of Civil Engineer I - Public Works and the Civil Service Commission list of applicants certified eligible for appointment to the position of Engineering Technician I Stormwater - Public Works, both positions subject to passing all other requirements; and the Civil Service Commission list of employees certified eligible for promotion to Utilities Operator III - Municipal Utilities, subject to passing all other requirements.

- **Community Development Items**

CA - 18 Consider motion to adopt RESOLUTION 2018-252 setting a public hearing on the proposal to vacate two 7-foot gas easements, two 20-foot public utility easements and two 40-foot storm sewer easements associated with the development of Corporate Woods Business Park Plat 1 and Corporate Woods Business Park Plat 2. (date of hrg: 06/04/18)

- **Engineering Items**

CA - 19 Consider motion to adopt RESOLUTION 2018-253 accepting a proposal from Howser Concrete Services in the amount of \$69,364.30 for the construction of the West 1st Street Sidewalk Upgrade - Phase 3 Project.

CA - 20 Consider motion to adopt RESOLUTION 2018-254 accepting a proposal from MNM Concrete Specialist in the amount of \$50,660.00 for the construction of the 2018 - Village Park Sidewalk Improvements Project.

- **Capital Improvement Projects:** none

- **Administrative Items**

CA - 21 Consider motion to adopt RESOLUTION 2018-255 approving the application for tax abatement under the Urban Revitalization Plan for the City of Ankeny, Iowa, submitted for the property locally known as 719 SW 3rd St., Ankeny, Iowa.

CA - 22 Consider motion to adopt RESOLUTION 2018-256 approving the application for tax abatement under the Urban Revitalization Plan for the City of Ankeny, Iowa, submitted for the property locally known as 710 SW 3rd St., Ankeny, Iowa.

- Approval of Consent Agenda Items

1. Consent Agenda Items CA-1 through CA-22:

Action# E1-1. Holm made the motion to approve the recommendations for Consent Agenda Items CA-1 through CA-22, seconded by Whiting.

ROLL CALL

2018-0521.E1-1 YES 4 NO 0

F. SUPPLEMENTAL AND REMOVED CONSENT AGENDA ITEMS:

- Supplemental and Removed Consent Agenda

Action# F1-1. No action taken.

G. RECESS: none

H. LEGISLATIVE BUSINESS:

- Approval of Ordinances:

1. **Ord 1944:** 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 Diamond Development, LLC and B&W Farms LLC.

Council Whiting stated she would be voting no on this 2nd consideration stating she believes in rezoning to a Planned Unit Development when there are unique platting, architecture or amenities but not for the purpose of constructing as many homes as possible.

Action# H1-1. Holm made the motion to accept second consideration of ORDINANCE 1944, seconded by Walter-Ashby.

ROLL CALL

2018-0521.H1-1 YES 3 NO 1 (Whiting)

2. **Ord 1945:** 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, to allow for the addition of a "No Parking" zone along:
 1. The south side of NE 47th Street from North Ankeny Boulevard to a point 350 feet east of the centerline of North Ankeny Boulevard.

Action# H2-1. Walter-Ashby made the motion to accept first consideration of ORDINANCE 1945, seconded by Whiting.

ROLL CALL

2018-0521.H2-1 YES 4 NO 0

3. **Ord 1946:** An Ordinance amending the Code of Ordinances of the City of Ankeny, Iowa by amending the provisions pertaining to water meter testing fees, bulk water use fees and water meter rental fees.

Council member Walter-Ashby stated she believes there should be an increase in fees since there has been no increase over a 20 year period, however, she inquired whether council would consider phasing in the increase rather than a lump sum increase.

Action# H3-1. Bentz made the motion to accept first consideration of ORDINANCE 1946, seconded by Whiting.

ROLL CALL

2018-0521.H3-1 YES 3 NO 1 (Walter-Ashby)

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Proposed Amendment No. 9 to the 1989 Ankeny Economic Development Urban Renewal Plan (PH 2018-36)

Action# J1-1. Bentz made the motion to receive and file the report from Economic Development Director, Derek Lord, with respect to the consultation meeting held on April 23, 2018, seconded by Walter-Ashby.

ROLL CALL

2018-0521.J1-1 YES 4 NO 0

Action# J1-2. Holm made the motion to adopt RESOLUTION 2018-257 determining an area of the City to be a blighted and economic development area, and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the City; designating such area as appropriate for urban renewal projects; and adopting Amendment No. 9 to the 1989 Ankeny Economic Development Urban Renewal Plan, seconded by Whiting.

ROLL CALL

2018-0521.J1-2 YES 4 NO 0

Action# J1-3. Bentz made the motion to accept first consideration of Ordinance 1947, an Ordinance amending Ordinance Nos. 1039, 1189, 1423, 1446, 1741 and 1943, providing that general property taxes levied and collected each year on all property located within the Amended 1989 Ankeny Economic Development Urban Renewal Area, in the City of Ankeny, County of Polk, State of Iowa, by and for the benefit of the State of Iowa, City of Ankeny, County of Polk, Ankeny Community School District, Saydel Community School District and other Taxing Districts, be paid to a special fund for payment of principal and interest on loans, monies advanced to and indebtedness, including bonds issued or to be issued, incurred by the City in connection with the Amended 1989 Ankeny Economic Development Urban Renewal Area (Amendment No. 9 to the 1989 Ankeny Economic Development Urban Renewal Plan), seconded by Whiting.
ROLL CALL

2018-0521.J1-3 YES 4 NO 0

2. Proposed Amended Development Agreement between the City of Ankeny and Accu-Mold, LLC. (PH 2018-37)

Action# J2-1. Whiting made the motion to adopt RESOLUTION 2018-258 approving an amended Development Agreement between the City of Ankeny and Accu-Mold, LLC, seconded by Bentz.

ROLL CALL

2018-0521.J2-1 YES 4 NO 0

3. Proposed SW Plaza Parkway and SW College Avenue Extension Project (PH 2018-38)

Action# J3-1. Walter-Ashby made the motion to adopt 1) RESOLUTION 2018-259 adopting plans, specifications, form of contract and estimate of cost (\$1,257,985.00); 2) receive and file report of bids received May 15, 2018; and 3) adopt RESOLUTION 2018-260 making award of construction contract with Manatt's Inc. of Johnston, Iowa, in the amount of \$1,010,015.62 for the SW Plaza Parkway and SW College Avenue Extension Project, seconded by Whiting.

ROLL CALL

2018-0521.J3-1 YES 4 NO 0

Action# J3-2. Holm made the motion to adopt RESOLUTION 2018-261 approving construction contract and bond with Manatt's Inc. of Johnston, Iowa, in the amount of \$1,010,015.62 for the SW Plaza Parkway and SW College Avenue Extension Project, seconded by Bentz.

ROLL CALL

2018-0521.J3-2 YES 4 NO 0

4. Proposed Amendment of Current Budget for the Fiscal Year Ending June 30, 201 (PH 2018-39)

Action# J4-1. Holm made the motion to adopt RESOLUTION 2018-262 amending the current budget for the fiscal year ending June 30, 2018, Walter-Ashby.

ROLL CALL

2018-0521.J4-1 YES 4 NO 0

5. Proposed SW State Street and SW Magazine Road Intersection Improvements
Initiate Proceedings

Action# J5-1. Holm made the motion to adopt RESOLUTION 2018-263 ordering construction on the SW State Street and SW Magazine Road Intersection Improvements and fixing a date for hearing thereon and taking of bids therefore, seconded by Whiting. (date of bid-letting: 6/12/18 @ 10:30 a.m. / date of hrg: 6/18/18 @ 5:30 p.m)

ROLL CALL

2018-0521.J5-1 YES 4 NO 0

6. Request for a barbed wire fence at 2741 SE PDI PI, Perishable Distributors of Iowa

Action# J6-1. Bentz made the motion to approve the request for barbed wire fencing at 2741 SE PDI PI, seconded by Walter-Ashby.

ROLL CALL

2018-0521.J6-1 YES 4 NO 0

K. ADMINISTRATIVE BUSINESS:

- Report of the City Staff:

City Manager, David Jones, reported city staff has put together a series of recommendations specific to each component of the snow ordinance and would like to schedule a work session in July to discuss such. He requested Council let him know of any dates that would not work for them in July in terms of scheduling the work session.

- Report of the Governing Body: none

L. ADJOURNMENT

1. There being no further business, the meeting was adjourned at 6:30 p.m.

Debra Arend, Deputy City Clerk

Gary Lorenz, Mayor

Published in the Des Moines Register on the 1st day of June, 2018.
Audio file of meeting is available by contacting the City Clerk's Office.