

MINUTES OF THE REGULAR MEETING OF THE ANKENY CITY COUNCIL

Monday, June 4, 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 member Bentz was absent. City Manager, David Jones and City Attorney, Amy Beattie were present.

Mayor Lorenz led the Pledge of Allegiance.

CEREMONY: none

A. PUBLIC FORUM: Joey Beech, Executive Director of the Ankeny Economic Development Corporation (AEDC), 1631 SW Main St., presented an update on the activities and events of the AEDC.

Brad Whipple, 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 June 4, 2018 Agenda:

Action# B1-1. Holm made the motion to approve and accept the June 4, 2018 agenda, without amendment, seconded by Walter-Ashby.

ROLL CALL

2018-0604.B1-1 YES 4 NO 0

Council member Bentz arrived at 5:40 p.m.

C. PUBLIC HEARING(S):

1. **PH 2018-40:** Proposed SE Convenience Boulevard Extension Project

Mayor Lorenz opened the public hearing. Notice of this hearing was published in the Des Moines Register on the 18th day of May, 2018.

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

Paul Moritz, Assistant City Manager, reported this project consists of the construction of 31' wide PCC curb-and-gutter street extending from the current terminus located to the north of SE Corporate Woods Drive.

The bid opening for this project was held on Wednesday, May 30, 2018 at which nine (9) bids were received with low bid submitted by Concrete Technologies, Inc., of Grimes, Iowa, in the amount of \$798,879.79.

The engineer's estimate for the project was \$1,057,800.00. The bids ranged from approximately 24% below to 37% above the estimate. Staff recommends the project be awarded to Concrete Technologies, Inc., of Grimes, Iowa.

Action# C1-1. Walter-Ashby made the motion to close Public Hearing 2018-40, seconded by Whiting.

ROLL CALL

2018-0604.C1-1 YES 5 NO 0

2. **PH 2018-41:** Proposed I-35 and SE Corporate Woods Drive Southbound Ramps Traffic Signal Project

Mayor Lorenz opened the public hearing. Notice of this hearing was published in the Des Moines Register on the 18th 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 includes the installation of a new traffic signal at the intersection of the I-35 Southbound ramps and SE Corporate Woods Drive, sidewalk and pedestrian ramp improvements and minor pavement removal and replacement.

The bid opening for this project was held on Wednesday, May 30, 2018 at which three (3) bids were received with low bid submitted by Iowa Signal, Inc., of Grimes, Iowa, in the amount of \$200,583.79.

The engineer's estimate for the project was \$226,490.00. The bids ranged from approximately 11% below to 3% below the estimate. Staff recommends the project be awarded to Iowa Signal, Inc., of Grimes, Iowa.

Action# C2-1. Whiting made the motion to close Public Hearing 2018-41, seconded by Holm.

ROLL CALL

2018-0604.C2-1 YES 5 NO 0

3. **PH 2018-42:** Proposed NE Delaware Avenue Pedestrian Bridge over Fourmile Creek and Bridge Approach Grading Project

Mayor Lorenz opened the public hearing. Notice of this hearing was published in the Des Moines Register on the 18th 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 a pedestrian bridge over Fourmile Creek and associated grading at the crossing on the west side of the NE Delaware Avenue between NE 18th Street and NE 22nd Court in the City of Ankeny.

A portion of this project is being federally funded through the Transportation Alternatives Program (TAP) and therefore was bid through the Iowa Department of Transportation (DOT). The bid opening was held on Tuesday, May 15, 2018 at which five (5) bids were received with low bid submitted by Cramer & Associates, Inc., of Grimes, Iowa, in the amount of \$588,743.20.

The engineer's estimate for the project was \$575,283.00. The bids ranged from approximately 2% below to 18% above the estimate. Staff recommends the project be awarded to Cramer & Associates, Inc., of Grimes, Iowa.

Action# C3-1. Bentz made the motion to close Public Hearing 2018-42, seconded by Whiting.

ROLL CALL

2018-0604.C3-1 YES 5 NO 0

- 4. PH 2018-43:** Proposed vacation of two seven-foot gas easements, two 20-foot public utility easements and two 40-foot storm sewer easements located on a part of Corporate Woods Business Park Plat 1 and Corporate Woods Business Park Plat 2.

Mayor Lorenz opened the public hearing. Notice of this hearing was published in the Des Moines Register on the 31st day of May, 2018.

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

Eric Jensen, Planning & Building Director, reported Knapp Elwell LC is requesting these vacations located within Corporate Woods Business Park Plat 1 and Corporate Woods Business Park Plat 2. The applicant is requesting to vacate these easements in preparation to replat the existing lots into a new 9.86-acre, three-lot final plat, Corporate Woods Business Park Plat 4.

Action# C4-1. Holm made the motion to close Public Hearing 2018-43, seconded by Walter-Ashby.

ROLL CALL

2018-0604.C4-1 YES 5 NO 0

D. REPORTS OF ADVISORY BOARDS AND COMMISSION:

1. Plan & Zoning Commission Representative, Trina Flack, reported on the activities of the Plan & Zoning Commission.

E. APPROVAL OF CONSENT AGENDA:

- **Minutes**

CA - 1 Approval of official council actions of the regular meeting of May 21, 2018, as published, subject to correction, as recommended by the City Clerk.

CA - 2 Receive and file minutes of the Plan and Zoning Commission meeting of May 8, 2018.

CA - 3 Receive and file minutes of the Zoning Board of Adjustment meeting of May 8, 2018.

CA - 4 Receive and file minutes of the Library Board of Trustees meeting of April 19, 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 approve Payment #2 in the amount of \$106,711.60 to C.L. Carroll Co., Inc., for construction services on the Northwest Booster Station project.

CA - 7 Consider motion to approve Payment #10 in the amount of \$252,368.39 to DDVI, Inc., for construction services on the Ankeny Fire Station No. 3 project.

CA - 8 Consider motion to approve Payment #2 in the amount of \$506,962.05 to Graff Excavating, Inc., for construction services on the Ash Tower Feeder Main project.

CA - 9 Consider motion to approve Payment #3 in the amount of \$8,502.80 to JEO Consulting Group, Inc., for engineering services on the SE Delaware Streambank Stabilization project.

CA - 10 Consider motion to approve Payment #2 in the amount of \$103,489.91 to MPS Engineers, P.C. dba Kingston Services P.C., for construction services on the SE East Lawn Area Utility Improvements - Phase 1 project.

CA - 11 Consider motion to approve Payment #7 in the amount of \$23,965.86 to MSA Professional Services Inc., for engineering services on the 2018 SW 3rd Street Water Main Improvements (Design) project.

CA - 12 Consider motion to approve Payment #2 in the amount of \$70,392.50 to Nilles Associates, Inc., for engineering services on the SW Plaza Parkway and SW College Avenue Extension project.

CA - 13 Consider motion to approve Payment #2 in the amount of \$9,448.28 to RDG Planning & Design for construction services on the Stormwater Management Study and Master Plan project.

CA - 14 Consider motion to approve Payment #10 in the amount of \$2,785.50 to Snyder & Associates, Inc., for engineering services on the Ankeny Blvd & First St Intersection Improvements project.

CA - 15 Consider motion to approve Payment #11 in the amount of \$22,499.74 to Snyder & Associates, Inc., for engineering services on the Ash Tower Feeder Main project.

CA - 16 Consider motion to approve Payment #88 in the amount of \$18,509.00 to Snyder & Associates, Inc., for engineering services on the E. 1st Street Interchange Reconstruction project.

CA - 17 Consider motion to approve Payment #62 in the amount of \$3,714.00 to Snyder & Associates, Inc., for engineering services on the I-35 Widening E. 1st St. Interchange to NE 36th St.

CA - 18 Consider motion to approve Payment #3 in the amount of \$4,664.50 to Snyder & Associates, Inc., for engineering services on the I-35 Southbound Ramps & SE Corporate Dr Traffic Signal project.

CA - 19 Consider motion to approve Payment #10 in the amount of \$6,997.22 to Snyder & Associates, Inc., for engineering services on the IA 415 & West First Street Traffic Signal project.

CA - 20 Consider motion to approve Payment #3 in the amount of \$31,458.27 to Snyder & Associates, Inc., for engineering services on the High Trestle Trail Extension SW Ordinance to SE Magazine project.

CA - 21 Consider motion to approve Payment #39 in the amount of \$2,732.63 to Snyder & Associates, Inc., for engineering services on the NE 36th St. Bridge Widening & Roadway Reconstruction project.

CA - 22 Consider motion to approve Amendment No. 1 to the Professional Services Agreement increasing the contract amount by \$36,500.00 with Snyder & Associates, Inc., for construction engineering services on the Phase 1 improvements for the NE Delaware Avenue Pedestrian Bridge and Sidewalk Connection project.

CA - 23 Consider motion to approve Payment #13 in the amount of \$1,154.00 to Snyder & Associates, Inc., for engineering services on the NE Delaware Avenue Pedestrian Bridge & Sidewalk Connection project.

CA - 24 Consider motion to approve Payment #3 in the amount of \$12,949.13 to Snyder & Associates, Inc., for engineering services on the S Ankeny Blvd & SE Shurfine Dr/SW Prairie Trail Pkwy Intersection Improvements project.

CA - 25 Consider motion to approve Payment #12 in the amount of \$38,243.07 to Snyder & Associates, Inc., for engineering services on the SE Creekview Dr Drainage & Pavement Improvements project.

CA - 26 Consider motion to approve Payment #4 in the amount of \$750.00 to Snyder & Associates, Inc., for engineering services for the Sunset Parks Restroom Remodel Project.

CA - 27 Consider motion to approve Payment #5 in the amount of \$5,325.55 to Snyder & Associates, Inc., for engineering services on the Traffic Signal System Timings Update project.

CA - 28 Consider motion to approve Payment #4 in the amount of \$1,623.45 to Snyder & Associates, Inc., for engineering services on the City Welcome Sign Project.

CA - 29 Consider motion to approve Payment #8 in the amount of \$18,237.00 to Veenstra & Kimm, Inc., for engineering services on the Northwest Booster Station - Design Services & Construction project.

CA - 30 Consider motion to approve the June 4, 2018 Accounts Payable from the following funds: General \$115,932.70, Hotel Motel Tax \$165,694.90, Road Use Tax \$25,963.15, Seizure \$289.34, Debt Service \$22,608,561.27, Library Foundation \$253.93, Water \$180,613.75, Water Sinking \$946,698.76, Sewer \$23,674.36, Stormwater \$7,275.90, Golf Course \$27,720.84, Enterprise Project \$766,620.39, Revolving \$18,853.65, Risk Mgmt \$111,376.00, BAN/Bond Activity \$21,000.00, Capital Projects \$508,531.18, Payroll \$921,441.27, Less Svc Trnsfrs/ACH Drafts

(\$152,894.55), Less Agenda Pymts/Approvd Separately (1,253,484.45), Grand Total \$25,044,122.39 (Finance Committee: B. Bentz, Chp., K. Walter-Ashby, M. Holm)

CA - 31 Consider motion to adopt RESOLUTION 2018-264 approving the First Amendment to RingCentral Office Plan Purchase Order Form with RingCentral, Inc.

CA - 32 Consider motion to adopt RESOLUTION 2018-265 accepting a proposal from Happe Remodeling in the amount of \$38,310.00 for the construction of the Sunset Park Restroom Remodel Project.

- **Personnel Items:** none

- **Community Development Items:**

CA - 33 Consider motion to adopt RESOLUTION 2018-266 accepting final plat for Piper Properties Plat 3.

CA - 34 Consider motion to approve the Woodland Hills North Preliminary Plat subject to applicable Polk County Subdivision requirements in lieu of the City of Ankeny Subdivision regulations.

CA - 35 Consider motion to adopt RESOLUTION 2018-267 accepting the final plat for Cherkas Plat 1 subject to applicable Polk County Subdivision requirements in lieu of the City of Ankeny Subdivision Regulations.

CA - 36 Consider motion to approve the Downing Plat 1 Preliminary Plat, subject to applicable Polk County subdivision requirements in lieu of the City of Ankeny subdivision regulations.

CA - 37 Consider motion to adopt RESOLUTION 2018-268 providing for the notice and hearing of the City Council of the City of Ankeny to rezone certain property owned by Deer Creek Estates, LLC located north of NE 94th Ave (E 1st St) and east of NE Four Mile Dr (date of hrg: 6/18/2018 @ 5:30 p.m.)

CA - 38 Consider motion to adopt RESOLUTION 2018-269 to approve the Wangsness Plat 2 Final Plat, subject to applicable Polk County subdivision requirements in lieu of the City of Ankeny subdivision regulations.

CA - 39 Consider motion to adopt RESOLUTION 2018-270 accepting a public storm water management facility maintenance covenant and permanent easement agreement, located on a part of Lot 4, Northview Centre Plat 1, and associated with the development of 1510 N Ankeny Blvd.

CA - 40 Consider motion to adopt RESOLUTION 2018-271 accepting a public storm water management facility maintenance covenant and permanent easement agreement, located on a part of Lot 6, Northview Centre Plat 2, an official plat in the City of Ankeny, Polk County, Iowa and associated with 225 NW 18th Street.

- **Engineering Items**

CA - 41 Consider motion to adopt RESOLUTION 2018-272 authorizing the execution of a Cooperative Agreement for Primary Highway Improvement Project between the Iowa Department of Transportation (DOT), Des Moines Area Community College (DMACC), and the City of Ankeny, Iowa for the sharing of project costs for the proposed SW Oralabor Road and DMACC Boulevard Intersection Improvements project.

CA - 42 Consider motion to adopt RESOLUTION 2018-273 approving and authorizing the acquisition of property and property interests for the SE Delaware Bank Stabilization project.

CA - 43 Consider motion to adopt RESOLUTION 2018-274 accepting a proposal from Concrete Connection LLC in the amount of \$55,285.00 for the construction of the 2018 Deer Creek Park Improvements - Basketball & Shelter project.

CA - 44 Consider motion to adopt RESOLUTION 2018-275 accepting a proposal from Hawkeye Paving Corp. in the amount of \$62,005.00 for the construction of the 2018 PCC Partial Depth Repair Program project.

- **Capital Improvement Projects:** none

- **Administrative Items**

CA - 45 Consider motion to adopt RESOLUTION 2018-276 authorizing the purchase of furniture for Fire Station No. 3.

CA - 46 Consider motion to adopt RESOLUTION 2018-277 adopting a certain supplement prepared by Iowa Codification, Inc., as an official supplement to the 2008 Code of Ordinances. (Covering ordinances through 1943)

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-46:

Action# E1-1. Whiting made the motion to approve the recommendations for Consent Agenda Items CA-1 through CA-46, seconded by Holm.

ROLL CALL

2018-0604.E1-1 YES 5 NO 0

F. SUPPLEMENTAL AND REMOVED CONSENT AGENDA ITEMS:

1. 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.

Action# H1-1. Holm made the motion to accept third consideration of ORDINANCE 1944, sending it on its final passage and publication as required by law, seconded by Walter-Ashby.

ROLL CALL

2018-0604.H1-1 YES 4 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. Whiting made the motion to accept second consideration of ORDINANCE 1945, seconded by Bentz.

ROLL CALL

2018-0604.H2-1 YES 5 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.

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

ROLL CALL

2018-0604.H3-1 YES 4 NO 1 (Walter-Ashby)

4. **Ord 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)

Action# H4-1. Whiting made the motion to accept second consideration of ORDINANCE 1947, seconded by Bentz.

ROLL CALL

2018-0604.H4-1 YES 5 NO 0

5. **Ord. 1948:** An Ordinance vacating two seven-foot gas easements, two 20-foot public utility easements, and two 40-foot storm sewer easements located on a part of Corporate Woods Business Park Plat 1 and Corporate Woods Business Park Plat 2. (PH 2018-43)

Action# H5-1. Holm made the motion to accept first consideration of ORDINANCE 1948, seconded by Walter-Ashby.

ROLL CALL

2018-0604.H5-1 YES 5 NO 0

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Proposed SE Convenience Boulevard Extension Project (PH 2018-40)

Action# J1-1. Holm made the motion to adopt 1) RESOLUTION 2018-278 adopting plans, specifications, form of contract and estimate of cost (\$1,057,800.00); 2) receive and file report of bids received May 30, 2018; and 3) adopt RESOLUTION 2018-279 making award of construction contract with Concrete Technologies, Inc. of Grimes, Iowa, in the amount of \$798,879.79 for the SE Convenience Boulevard Extension project, seconded by Whiting.

ROLL CALL

2018-0604.J1-1 YES 5 NO 0

2. Proposed I-35 and SE Corporate Woods Drive Southbound Ramps Traffic Signal Project (PH 2018-41)

Action# J2-1. Walter-Ashby made the motion to adopt 1) RESOLUTION 2018-280 adopting plans, specifications, form of contract and estimate of cost (\$226,490.00); 2) receive and file report of bids received May 30, 2018; and 3) adopt RESOLUTION 2018-281 making award of construction contract with Iowa Signal, Inc. of Grimes, Iowa, in the amount of \$200,583.79 for the I-35 and SE Corporate Woods Drive Southbound Ramps Traffic Signal project, seconded by Bentz.

ROLL CALL

2018-0604.J2-1 YES 5 NO 0

Action# J2-2. Holm made the motion to adopt RESOLUTION 2018-282 approving construction contract and bond with Iowa Signal, Inc., of Grimes, Iowa, in the amount of \$200,583.79 for the I-35 and SE Corporate Woods Drive Southbound Ramps Traffic Signal project, seconded by Whiting.

ROLL CALL

2018-0604.J2-2 YES 5 NO 0

3. Proposed NE Delaware Avenue Pedestrian Bridge over Fourmile Creek and Bridge Approach Grading Project (PH 2018-42)

Action# J3-1. Bentz made the motion to adopt 1) RESOLUTION 2018-283 adopting plans, specifications, form of contract and estimate of cost (\$575,283.00); 2) receive and file report of bids received on May 15, 2018 from the Iowa Department of Transportation; and 3) adopt RESOLUTION 2018-284 making award of construction contract with Cramer & Associates, Inc. of Grimes, Iowa, in the amount of \$588,743.20 for the NE Delaware Avenue Pedestrian Bridge over Fourmile Creek and Bridge Approach Grading project, seconded by Walter-Ashby.

ROLL CALL

2018-0604.J3-1 YES 5 NO 0

Action# J3-2. Holm made the motion to adopt RESOLUTION 2018-285 approving construction contract and bond with Cramer & Associates, Inc. of Grimes, Iowa, in the amount of \$588,743.20 for the NE Delaware Avenue Pedestrian Bridge over Fourmile Creek and Bridge Approach Grading project, seconded by Whiting.

ROLL CALL

2018-0604.J3-2 YES 5 NO 0

4. Whiskey River Noise Permit
June 21, 2018 -7:00 to 10:00 p.m.

Action# J4-1. Holm made the motion to reverse the decision of the City Clerk of the denial of Whiskey River noise permit for June 21, 2018, 7:00 to 10:00 p.m., Whiting.

ROLL CALL

2018-0604.H4-1 YES 5 NO 0

K. ADMINISTRATIVE BUSINESS:

- Report of the City Staff: None
- Report of the Governing Body:

Mayor Lorenz reported on the Ankeny Kirkendall Public Library ground breaking held on June 15th.

Council member Walter-Ashby requested staff potentially look into approval process for multiple noise/special event permits.

Council member McKenna reported on the storm siren concerns he has received from a few residents.

Council member Whiting reported on pool shutdown concerns she was made aware of over the weekend.

L. ADJOURNMENT

1. Request for Executive Session

Action# L1-1. Holm made the motion to go into Executive Session, pursuant to the provisions of Iowa Code Section 21.5, subparagraph (i) “to evaluate the professional competency of an individual whose appointment, hiring, performance or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session”, seconded by Walter-Ashby.

ROLL CALL

2018-0604.L1-1 YES 5 NO 0

Council went into executive session at 6:22 p.m.
Council reconvened to regular session at 7:20 p.m.

2. There being no further business, the meeting was adjourned at 7:21 p.m.

Pamela DeMouth, City Clerk

Gary Lorenz, Mayor

Published in the Des Moines Register on the 15th day of June, 2018.
Audio file of meeting is available by contacting the City Clerk's Office.