

MINUTES OF THE REGULAR MEETING OF THE ANKENY CITY COUNCIL

Monday, July 2, 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. All Council members were present. 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: City Manager, David Jones, updated Council on key matters that occurred operationally since receipt of the heavy rains over the weekend, as well as, the debris management strategy which has been disseminated to the Community via social media and the City's website late this afternoon.

Renee Murphy, representing the Ankeny Area Chamber of Commerce, presented an update on the Chamber's activities and events.

The following individuals addressed the Council regarding damage sustained to their homes as the result of the heavy rains received on June 30, 2018: Gene Czarnecki, 209 SW Flynn Dr.; Mike Peterson, 210 SE 3rd St.; Chris Wood, 202 SE 3rd St.; and Terri Koop, 201 SE 3rd St.

Mayor Lorenz requested those in attendance who desire to be contacted with regard to damage sustained to their homes as a result of the heavy rains received this past weekend should sign in and include their phone numbers and either he, the City Manager or his designee will be in contact with each person that leaves their contact information.

B. APPROVAL OF AGENDA:

1. Approval of the July 2, 2018 Agenda:

Action# B1-1. Holm made the motion to approve and accept the July 2, 2018 agenda, without amendment, seconded by Bentz.

ROLL CALL

2018-0702.B1-1	YES	5	NO	0
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C. PUBLIC HEARING(S):

1. **PH 2018-46:** Proposed amendment to the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, by rezoning certain real estate owned by Grove Development, LLC from R-3, restricted to single-family to R-1.

Mayor Lorenz opened the public hearing. Notice of this hearing was published in the Des Moines Register on the 22nd day of June, 2018 and notices were mailed to affected property owners as required by law.

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

Eric Jensen, Planning & Building Director, reported Grove Development, LLC is requesting a rezoning for approximately 1.05-acres of land as part of The Grove subdivision, located north of NW 8th Street and just east of the NW Cypress Avenue end of street. The request is to change the zoning from R-3, Multiple-Family Residence District, restricted to single-family detached homes to R-1, One-Family Residence District.

Action# C1-1. Walter-Ashby made the motion to close Public Hearing 2018-46, seconded by Whiting.

ROLL CALL

2018-0702.C1-1

YES 5 NO 0

2. **PH 2018-47:** Proposed amendment to the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, by rezoning certain real estate owned by Rock Creek Commercial, LLC from C-1, Neighborhood Retail Commercial District to C-2, General Retail, Highway Oriented and Central Business Commercial District with restrictions.

Mayor Lorenz opened the public hearing. Notice of this hearing was published in the Des Moines Register on the 22nd day of June, 2018 and notices were mailed to affected property owners as required by law.

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

Eric Jensen, Planning & Building Director, reported Casey's Marketing Company is requesting to rezone property from C-1, Neighborhood Retail Commercial District to C-2, General Retail, Highway Oriented and Central Business Commercial District with restrictions. The subject property is located at the northeast corner of NW 36th Street and NW Irvinedale Drive. The main purpose of the request is to allow for additional uses since Casey's would like to include a car wash with this development.

Action# C2-1. Holm made the motion to close Public Hearing 2018-47, seconded by Whiting.

ROLL CALL

2018-0702.C2-1

YES 5 NO 0

D. REPORTS OF ADVISORY BOARDS AND COMMISSION:

1. Plan & Zoning Commission Representative, Larry Anderson, 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 June 18, 2018, as published, subject to correction, as recommended by the City Clerk.

CA - 2 Receive and file minutes of the Zoning Board of Adjustment meeting of June 5, 2018.

CA - 3 Receive and file minutes of the Library Board of Trustees meeting of May 17, 2018.

- **Licenses and Permits**

CA - 4 Consider motion to approve the issuance of liquor license(s) and/or beer / wine permit(s) in the City of Ankeny.

- **Finance/Budget**

CA - 5 Consider motion to approve Payment #3 in the amount of \$202,008.13 to C.L. Carroll Co., Inc., for construction services on the Northwest Booster Station project.

CA - 6 Consider motion to approve Payment #1 in the amount of \$49,271.75 to Concrete Connection LLC for construction services on the 2018 Deer Creek Park Improvements - Basketball & Shelter project.

CA - 7 Consider motion to approve Payment #3 in the amount of \$96,498.65 to Graff Excavating, Inc., for construction services on the Ash Tower Feeder Main project.

CA - 8 Consider motion to approve Payment #2 in the amount of \$63,527.45 to Howser Concrete Services, LLC for construction services on the 2018 PCC Street Patching Program project.

CA - 9 Consider motion to approve Payment #12 in the amount of \$26,630.00 to HR Green, Inc., for engineering services on the NW Irvinedale Drive Reconstruction (Design) project.

CA - 10 Consider motion to approve Payment #18 in the amount of \$530.90 to HR Green, Inc., for engineering services on the 2016-Tradition Park Stormwater Detention Basin Remediation project.

CA - 11 Consider motion to approve Payment #4 in the amount of \$9,760.00 to JEO Consulting Group, Inc., for engineering services on the SE Delaware Streambank Stabilization project.

CA - 12 Consider motion to approve Change Order #2 increasing the contract amount by \$2,843.40 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 - 13 Consider motion to approve Payment #3 in the amount of \$53,665.88 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 - 14 Consider motion to approve Payment #8 in the amount of \$16,001.38 to MSA Professional Services Inc., for engineering services on the 2018 SW 3rd Street Water Main Improvements (Design) project.

CA - 15 Consider motion to approve Payment #1 in the amount of \$20,492.50 to Nilles Associates, Inc., for engineering services on the SW State Street and SW Magazine Road Intersection Improvements project.

CA - 16 Consider motion to approve Payment #2 in the amount of \$15,525.00 to Nilles Associates, Inc., for engineering services on the SW State Street and SW Magazine Road Intersection Improvements project.

CA - 17 Consider motion to approve Payment #17 in the amount of \$13,083.12 to OPN Architects for architectural design services on the Ankeny Kirkendall Library project.

CA - 18 Consider motion to approve Payment #3 in the amount of \$37,179.12 to RDG Planning & Design for construction services on the Stormwater Management Study and Master Plan project.

CA - 19 Consider motion to approve Payment #12 in the amount of \$26,289.30 to Snyder & Associates, Inc., for engineering services on the Ash Tower Feeder Main project.

CA - 20 Consider motion to approve Payment #11 in the amount of \$3,471.89 to Snyder & Associates, Inc., for construction services on the IA 415 & West First Street Traffic Signal project.

CA - 21 Consider motion to approve Payment #5 in the amount of \$6,855.21 to Snyder & Associates, Inc., for design services associated with the SE Convenience Boulevard Extension project.

CA - 22 Consider motion to approve Payment #5 in the amount of \$857.54 to Snyder & Associates, Inc., for engineering services on the City Welcome Sign project.

CA - 23 Consider motion to approve Payment #40 in the amount of \$1,935.18 to Snyder & Associates, Inc., for engineering services on the NE 36th St. Bridge Widening & Roadway Reconstruction project.

CA - 24 Consider motion to approve Payment #13 in the amount of \$6,704.31 to Snyder & Associates, Inc., for engineering services on the SE Creekview Dr Drainage & Pavement Improvements project.

CA - 25 Consider motion to approve Payment #11 in the amount of \$5,562.30 to Snyder & Associates, Inc., for engineering services on the Ankeny Blvd & First St Intersection Improvements project.

CA - 26 Consider motion to approve Payment #4 in the amount of \$37,273.75 to Snyder & Associates, Inc., for engineering services on the S Ankeny Blvd & SE Shurfine Dr/SW Prairie Trail Pkwy Intersection Improvements project.

CA - 27 Consider motion to approve Payment #4 in the amount of \$22,343.64 to Snyder & Associates, Inc., for engineering services on the High Trestle Trail Extension SW Ordinance to SE Magazine project.

CA - 28 Consider motion to approve Payment #14 in the amount of \$5,709.50 to Snyder & Associates, Inc., for engineering services on the NE Delaware Avenue Pedestrian Bridge & Sidewalk Connection project.

CA - 29 Consider motion to approve Payment #4 in the amount of \$1,579.00 to Snyder & Associates, Inc., for engineering services on the I-35 Southbound Ramps & SE Corporate Dr Traffic Signal project.

CA - 30 Consider motion to approve Payment #6 in the amount of \$3,047.22 to Snyder & Associates, Inc., for engineering services on the Traffic Signal System Timings Update project.

CA - 31 Consider motion to approve Payment #89 in the amount of \$12,245.50 to Snyder & Associates, Inc., for engineering services on the E. 1st Street Interchange Reconstruction project.

CA - 32 Consider motion to approve Payment #1 in the amount of \$126,920.00 to Stahl Construction for construction services associated with the Kirkendall Library project.

CA - 33 Consider motion to approve Payment #1 in the amount of \$46,559.50 to Van Maanen Electric, Inc., for construction services on the Prairie Ridge Softball Field Lighting Project.

CA - 34 Consider motion to approve the July 2, 2018 Accounts Payable from the following funds: General \$289,767.92, Road Use Tax \$66,349.84, TIF \$1,279,718.50, Library Foundation \$1,411.10, Ankeny Foundation \$1,465.77, Water \$103,072.48, Sewer \$1,233,804.35, Stormwater \$11,760.24, Golf Course \$17,661.57, Enterprise Project \$445,995.33, Revolving \$38,850.86, Risk Mgmt \$2,277.00, Capital Projects \$793,053.09, Payroll \$1,522,751.14, Less Srvc Trnsfrs/ACH Drafts (\$155,958.70), Less Agenda Pymts Approved Separately (\$911,527.72), Grand Total \$4,740,452.77 (Finance Committee: M. Holm, Chp, J. McKenna, K. Whiting)

CA - 35 Consider motion to adopt RESOLUTION 2018-322 amending the schedule of charges and fees for ambulance and rescue services.

CA - 36 Consider motion to adopt RESOLUTION 2018-323 authorizing the purchase of appliances for Fire Station No. 3.

CA - 37 Consider motion to adopt RESOLUTION 2018-324 authorizing the purchase of fitness equipment for Fire Station No. 3.

CA - 38 Consider motion to approve RESOLUTION 2018-325 authorizing the purchase of an alerting system for Fire Station No. 1 and 2.

- **Personnel Items:** none

- **Community Development Items**

CA - 39 Consider motion to adopt RESOLUTION 2018-326 accepting final plat, platted easements, parksite dedication agreement, letter of credit for seeding and erosion control and performance and maintenance bonds for underground improvements for Courtyards at Rock Creek Plat 4.

CA - 40 Consider motion to adopt RESOLUTION 2018-327 approving plans and specifications and accepting contracts and performance and maintenance bonds for the construction of water main and sanitary sewer in Courtyards at Rock Creek Plat 4.

CA - 41 Consider motion to adopt RESOLUTION 2018-328 accepting final plat, deed to streets, platted easements, and performance bond for seeding and erosion control for Corporate Woods Business Park Plat 4.

CA - 42 Consider motion to adopt RESOLUTION 2018-329 accepting final plat and final PUD site plan, performance and maintenance bonds for underground improvements, platted easements and final restrictive covenants for Village at Deer Creek Crossing.

CA - 43 Consider motion to adopt RESOLUTION 2018-330 accepting final plat, platted easements, subdivision bond for seeding and erosion control and performance and maintenance bonds for underground improvements for The Sterling at Prairie Trail Plat 2.

CA - 44 Consider motion to adopt RESOLUTION 2018-331 approving plans and specifications and accepting contracts and performance and maintenance bonds for the construction of water main and sanitary sewer in the Sterling at Prairie Trail Plat 2.

CA - 45 Consider motion to adopt RESOLUTION 2018-332 approving plans and specifications and accepting contracts and performance and maintenance bonds for the construction of water main and sanitary sewer in Village at Deer Creek Crossing.

CA - 46 Consider motion to adopt RESOLUTION 2018-333 accepting an Ingress/Egress easement, located on a part of Kwik Trip #1016 Final Plat, an official plat in the City of Ankeny, Polk County, Iowa.

- **Engineering Items**

CA - 47 Consider motion to adopt RESOLUTION 2018-334 accepting a proposal from RedBud LLC in the amount of \$71,344.00 for the construction of the 2018 SW District Drive Landscaping Project.

CA - 48 Consider motion to adopt RESOLUTION 2018-335 authorizing the execution of a Right of Way Agreement for Primary Highway Improvement Project between the Iowa Department of Transportation (DOT) and the City of Ankeny, Iowa, for the proposed U.S. Highway 69 Reconstruction, I-80/35 to SW Springfield Drive / SE 33rd Street Project.

- **Capital Improvement Projects:** none

- **Administrative Items**

CA - 49 Consider motion to adopt RESOLUTION 2018-336 approving the Assignment and Assumption of Tax Increment Development Agreement between the City of Ankeny and Woodman Electrical Contractors, Inc. to JT Works, LLC.

CA - 50 Consider motion to adopt RESOLUTION 2018-337 setting a public hearing on a development agreement between the City of Ankeny and Chamness Biodegradables, LLC (date of hrg: 7/16/2018 @ 5:30 p.m.)

CA - 51 Consider motion to approve the renewal of the Worker's Compensation Policy with Iowa Municipalities Workers' Compensation Association (IMWCA) for policy year July 1, 2018 through June 30, 2019 with premium amount of \$445,500.00.

CA - 52 Consider motion to approve the renewal of the City's general insurance policy with Iowa Communities Assurance Pool (ICAP) for policy year July 16, 2018 through July 15, 2019 with premium amount of \$244,211.93.

CA - 53 Consider motion to approve the renewal of crime and cyber coverage with Travelers Insurance for policy year July 16, 2018 through July 15, 2019 with total premium amount of \$17,550.00.

CA - 54 Consider motion to adopt RESOLUTION 2018-338 authorizing the execution of a Facility Rental Agreement between the City of Ankeny, Iowa Police Department and Iowa State University regarding the use of the Lied Center located in Ames, Iowa.

- Approval of Consent Agenda Items
 1. Consent Agenda Items CA-1 through CA-54:

Action# E1-1. Holm made the motion to approve the recommendations for Consent Agenda Items CA-1 through CA-54, seconded by Walter-Ashby.

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 1949:** An Ordinance amending the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, by amending the PUD zoning of certain property owned by Deer Creek Estates, LLC.

Action# H1-1. Holm made the motion to accept second consideration of ORDINANCE 1949, seconded by Walter-Ashby.

ROLL CALL

2018-0702.H1-1 YES 4 NO 1 (McKenna)

2. **Ord 1950:** 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 Grove Development, LLC. (PH 2018-46)

Action# H2-1. Walter-Ashby made the motion to accept first consideration of ORDINANCE 1950, seconded by Whiting.

ROLL CALL

2018-0702.H2-1 YES 5 NO 0

3. **Ord 1951:** An Ordinance amending the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, by rezoning certain real estates owned by Rock Creek Commercial LLC from C-1, Neighborhood Retail Commercial District to C-2, General Retail, Highway Oriented and Central Business Commercial District with restrictions. (PH 2018-47)

Action# H3-1. Bentz made the motion to accept first consideration of ORDINANCE 1951, seconded by Whiting.

ROLL CALL

2018-0702.H3-1 YES 5 NO 0

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Ankeny Area Chamber of Commerce Noise Permit Corks & Caps Special Event
September 16, 2018 -12:00 to 4:00 p.m.

Council member Bentz requested a work session to discuss the Ordinance as it relates to Noise Permits for Special Events.

Action# J1-1. Walter-Ashby made the motion to approve the issuance of the Ankeny Area Chamber of Commerce noise permit for September 16, 2018, 12:00 to 4:00 p.m., to be located at Ankeny Market & Pavilion, seconded by Holm.

ROLL CALL

2018-0702.J1-1

YES 5

NO 0

K. ADMINISTRATIVE BUSINESS:

- Report of the City Staff: None

Report of the Governing Body:

Mayor Lorenz reported he attended a regional water steering committee meeting and all activity that has taken place to date with regard to regional water can be found on Des Moines Water Works' website.

Council Member Bentz stated it would be helpful to better understand the City's process as it relates to standard and/or emergency management procedures in terms of disseminating information.

Council Member Walter-Ashby thanked staff for all their efforts in helping with matters related to last weekend's rain storm.

Council McKenna requested a follow-up as it relates to final diagnosis on the ladder truck.

Council Member Whiting would like to have more discussion about the SummerFest Parade throwing of candy. She also would like the City to review the grievance process for citizens.

L. ADJOURNMENT

1. There being no further business, the meeting was adjourned at 6:33 p.m.

Pamela DeMouth, City Clerk

Gary Lorenz, Mayor

Published in the Des Moines Register on the 13th day of July, 2018.
Audio file of meeting is available by contacting the City Clerk's Office.