

MINUTES OF THE REGULAR MEETING OF THE ANKENY CITY COUNCIL

Monday, August 6, 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 Bobbi 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:

Brett Johnson, 2204 SW 18th St., advised he was speaking on New Business Item J2-1, requesting the consideration of a foot/bike bridge in the plans with an interim solution of increased timing of lights to allow pedestrians to cross at the intersection of Vintage and State Street.

John Sabol, 3609 SE Redbud Court, inquired on where to look for updates from the city on any new information following the flood. He expressed concern of storm sewers being clogged, especially following the June 30th storm event.

Tony Konecre, 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 August 6, 2018 Agenda:

Action# B1-1. Holm made the motion to approve and accept the August 6, 2018 agenda, without amendment, seconded by Walter-Ashby.

ROLL CALL

2018-0806.B1-1 YES 4 NO 0

C. PUBLIC HEARING(S):

1. **PH 2018-49:** Proposed vacation of 0.14 acres of public right of way located within the City of Ankeny, Iowa, along W 1st Street adjacent to Lots 3 & 4, Seasons Ridge Plat 3, Lots 1, 2, & 3, Seasons Ridge Plat 4, and Lot 12, Seasons Ridge Plat 7.

Mayor Lorenz opened the public hearing. Notice of this hearing was published in the Des Moines Register on the 20th day of July, 2018.

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

Eric Jensen, Planning & Building Director, reported the City has received a request to vacate a portion of W 1st Street, north of W 1st Street and approximately 600 feet east of NW Weigel Drive. The future road classification for W 1st Street is "principal arterial". The

current Ankeny Municipal Code requires arterial roads to have a 100' ROW (50' ROW from the centerline).

There is excess ROW along W 1st Street adjacent to Lots 3 & 4, Seasons Ridge Plat.

Action# C1-1. Walter-Ashby made the motion to close Public Hearing 2018-49, seconded by Whiting.

ROLL CALL

2018-0806.C1-1 YES 4 NO 0

D. REPORTS OF ADVISORY BOARDS AND COMMISSION:

1. Plan and Zoning Representative, Annette Renaud, reported on the activities of the Plan and Zoning Commission.
2. Library Board of Trustees Representative, Bert Testa, reported on the activities of the Library Board.

E. APPROVAL OF CONSENT AGENDA:

- **Minutes**

CA - 1 Approval of official council actions of the special meeting of July 11, 2018, as published, subject to correction, as recommended by the City Clerk.

CA - 2 Approval of official council actions of the regular meeting of July 16, 2018, as published, subject to correction, as recommended by the City Clerk.

CA - 3 Receive and file minutes of the Plan and Zoning Commission meeting of July 3, 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.

CA - 5 Consider motion to approve the Solid Waste Permit for Midwest Bins, LLC DBA Bin There Done That.

- **Finance/Budget**

CA - 6 Consider motion to approve Payment #6 in the amount of \$3,041.79 to Applied Ecological Services, Inc., for construction services on the Southeast Prairie Trail Native Planting project.

CA - 7 Consider motion to approve Change Order #1 increasing the contract amount by \$22,701.10 to C.L. Carroll Co., Inc., for construction services on the Northwest Booster Station project.

CA - 8 Consider motion to approve Payment #4 in the amount of \$336,647.30 to C.L. Carroll Co., Inc., for construction services on the Northwest Booster Station project.

CA - 9 Consider motion to approve Payment #2 in the amount of \$427.50 to Concrete Connection LLC for construction services on the 2018 Deer Creek Park Improvements - Basketball & Shelter project.

CA - 10 Consider motion to approve Payment #2 in the amount of \$741.00 to Concrete Connection LLC for construction services on the 2018 Deer Creek Park Improvements - Parking Lot project.

CA - 11 Consider motion to approve Change Order #6 increasing the contract amount by \$25,779.87 to DDVI for construction services on the Fire Station No. 3 project.

CA - 12 Consider motion to approve Payment #12 in the amount of \$131,090.68 to DDVI, Inc., for construction services on the Ankeny Fire Station No. 3 project.

CA - 13 Consider motion to approve Payment #2 in the amount of \$53,944.89 to Edge Commercial, LLC for engineering services on the Community Entrance Signs project.

CA - 14 Consider motion to approve Payment #4 in the amount of \$127,610.48 to Graff Excavating, Inc., for construction services on the Ash Tower Feeder Main project.

CA - 15 Consider motion to approve Payment #1 in the amount of \$224,595.20 to Hawkeye Paving Corporation, for construction services on the Ankeny Blvd & First St Intersection Improvements project.

CA - 16 Consider motion to approve Change Order #1 increasing the contract amount by \$1,752.00 to Howrey Construction, Inc., for construction services on the 2018 Deer Creek Park Improvements - Playground project.

CA - 17 Consider motion to approve Payment #2 in the amount of \$19,207.10 to Howrey Construction, Inc., for construction services on the 2018 Deer Creek Park Improvements - Playground project.

CA - 18 Consider motion to approve Payment #1 in the amount of \$49,723.00 to Howrey Construction, Inc., for construction services on the 2018 Deer Creek Park Improvements - Sidewalk Loop project.

CA - 19 Consider motion to approve Payment #5 in the amount of \$5,164.94 to JEO Consulting Group, Inc., for engineering services on the SE Delaware Streambank Stabilization project.

CA - 20 Consider motion to approve Payment #1 in the amount of \$269,181.55 to McAninch Corporation for construction services on the SE Peterson/SE Trilein Storm Sewer Improvements project.

CA - 21 Consider motion to approve Change Order #3 increasing the contract amount by \$1,250.00 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 - 22 Consider motion to approve Payment #4 in the amount of \$29,404.40 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 - 23 Consider motion to approve Payment #9 in the amount of \$8,070.81 to MSA Professional Services Inc., for engineering services on the 2018 SW 3rd Street Water Main Improvements (Design) project.

CA - 24 Consider motion to approve the Agreement for Professional Services with Nilles Associates, Inc. in the amount of \$46,300.00 for site work inspection and testing services at the Ankeny Kirkendall Public Library.

CA - 25 Consider motion to approve Payment #3 in the amount of \$49,445.00 to Nilles Associates, Inc., for engineering services on the SW Plaza Parkway and SW College Avenue Extension project.

CA - 26 Consider motion to approve Payment #18 in the amount of \$19,194.20 to OPN Architects for architectural services on the Ankeny Kirkendall Public Library project.

CA - 27 Consider motion to approve Payment #2 in the amount of \$32,574.55 to Pine Grove Nursery, for construction services on the NE 36th Street Landscaping project.

CA - 28 Consider motion to approve Payment #4 in the amount of \$14,054.84 to RDG Planning & Design for construction services on the Stormwater Management Study and Master Plan project.

CA - 29 Consider motion to approve Amendment No. 1 to the Professional Services Agreement increasing the contract amount by \$1,500.00 with Snyder & Associates, Inc., for additional survey and inspection services on the City Welcome Signs project.

CA - 30 Consider motion to approve Payment #5 in the amount of \$16,182.39 to Snyder & Associates, Inc., for engineering services on the High Trestle Trail Extension SW Ordinance to SE Magazine project.

CA - 31 Consider motion to approve Payment #5 in the amount of \$1,877.50 to Snyder & Associates, Inc., for engineering services on the I-35 Southbound Ramps & SE Corporate Dr Traffic Signal project.

CA - 32 Consider motion to approve Payment #5 in the amount of \$32,629.79 to Snyder & Associates, Inc., for engineering services on the S Ankeny Blvd & SE Shurfine Dr/SW Prairie Trail Pkwy Intersection Improvements project.

CA - 33 Consider motion to approve Payment No. 6 in the amount of \$7,662.09 to Snyder and Associates for services on the SE Convenience Boulevard project.

CA - 34 Consider motion to approve Payment No. 6 in the amount of \$224.36 to Snyder and associates for services on the Ankeny Welcome Signs Construction project.

CA - 35 Consider motion to approve Payment #12 in the amount of \$15,188.87 to Snyder & Associates, Inc., for engineering services on the Ankeny Blvd & First St Intersection Improvements project.

CA - 36 Consider motion to approve Payment #13 in the amount of \$37,426.70 to Snyder & Associates, Inc., for engineering services on the Ash Tower Feeder Main project.

CA - 37 Consider motion to approve Payment #14 in the amount of \$15,468.57 to Snyder & Associates, Inc., for engineering services on the SE Creekview Dr Drainage & Pavement Improvements project.

CA - 38 Consider motion to approve Payment #15 in the amount of \$4,030.50 to Snyder & Associates, Inc., for engineering services on the NE Delaware Avenue Pedestrian Bridge & Sidewalk Connection project.

CA - 39 Consider motion to approve Payment #41 in the amount of \$3,572.58 to Snyder & Associates, Inc., for engineering services on the NE 36th St. Bridge Widening & Roadway Reconstruction project.

CA - 40 Consider motion to approve Payment #63 in the amount of \$764.00 to Snyder & Associates, Inc., for engineering services on the I-35 Widening E. 1st St. Interchange to NE 36th St.

CA - 41 Consider motion to approve Payment #90 in the amount of \$11,643.00 to Snyder & Associates, Inc., for engineering services on the E. 1st Street Interchange Reconstruction project.

CA - 42 Consider motion to approve Payment #5 in the amount of \$735.00 to Snyder & Associates, Inc., for the engineering services for the Sunset Park Restroom Remodel Project.

CA - 43 Consider motion to approve Payment #7 in the amount of \$14,021.66 to Snyder & Associates, Inc., for engineering services on the Traffic Signal System Timings Update project.

CA - 44 Consider motion to approve Payment #12 in the amount of \$4,516.30 to Snyder & Associates, Inc., for engineering services on the IA 415 & West First Street Traffic Signal project.

CA - 45 Consider motion to approve Payment #2 in the amount of \$919,340.36 to Stahl Construction for construction services on the Ankeny Public Library Construction project.

CA - 46 Consider motion to approve Payment #15 in the amount of \$2843.12 to SVPA Architects, Inc., for construction services for the Fire Station No. 3 project.

CA - 47 Consider motion to approve Payment #2 in the amount of \$22,487.45 to Van Maanen Electric, Inc., for construction services on the Prairie Ridge Softball Field Lighting Project.

CA - 48 Consider motion to approve the August 6, 2018 Accounts Payable from the following funds: General \$353,848.40, Road Use Tax \$94,596.03, Library Foundation \$302.02, Ankeny Foundation \$2,228.71, Water \$462,869.88, Sewer \$35,683.27, Stormwater \$22,517.30, Golf Course \$45,949.24, Enterprise Project \$979,858.81, Revolving \$41,146.52, Risk Mgmt \$6,620.56, Health Insurance \$304.50, BAN/Bond Activity \$37,331.34, Capital Projects \$2,054,120.01, Payroll \$1,359,837.59, Less Srvc Trnsfrs/ACH Drafts (\$163,907.99), Less Agenda Pymts Apprvd Separately (\$2,750,375.29), Grand Total \$2,582,930.90 (Finance Committee: K. Whiting, Chp, K. Walter-Ashby, Holm)

CA - 49 Consider motion to adopt RESOLUTION 2018-357 authorizing the purchase of a horizontal grinder for the Public Works Department.

- **Personnel Items**

CA - 50 Consider motion to adopt RESOLUTION 2018-358 approving the adoption of the VantageCare Retirement Health Savings (RHS) Plan.

- **Community Development Items**

CA - 51 Consider motion to adopt RESOLUTION 2018-359 accepting a public storm water management facility maintenance covenant and permanent easement agreement, located on a part of Corporate Woods Industrial Park Plat 2, Lot 1 and associated with the development of the OPUS parking addition.

CA - 52 Consider motion to adopt RESOLUTION 2018-360 authorizing the Mayor to sign a Hold Harmless Agreement allowing Harvester Land Holdings, L.C. to place a monument sign within a City Sanitary Sewer Easement.

CA - 53 Consider motion to adopt RESOLUTION 2018-361 authorizing the Mayor to sign a Hold Harmless Agreement allowing Harvester Land Holdings, L.C. to place a monument sign within a City Water Main Easement.

CA - 54 Consider motion to adopt RESOLUTION 2018-362 accepting the final plat for Downing Plat 1 subject to applicable Polk County Subdivision requirements in lieu of the City of Ankeny Subdivision Regulations.

CA - 55 Consider motion to adopt RESOLUTION 2018-363 receiving and filing an application for the annexation of and providing for the giving of notice for annexation of certain territory located adjacent to the southeast quadrant of Ankeny owned by Myron Strain.

CA - 56 Consider motion to adopt RESOLUTION 2018-364 accepting a storm water management facility maintenance covenant and permanent easement agreement located on a part of Lot 3, Northpointe Village Center Plat 1 and associated with the development of Bankers Trust.

CA - 57 Consider motion to adopt RESOLUTION 2018-365 providing for the notice and hearing of the City Council of the City of Ankeny, Iowa, to rezone certain property owned by DRA Properties, LC, located northeast of the intersection at NE Grant St and NE Oak Dr (date of hrg: 8/20/2018 @ 5:30 p.m.)

CA - 58 Consider motion to adopt RESOLUTION 2018-366 accepting final plat and final PUD site plan, letter of credit for seeding and erosion control and platted easements for Woodland Reserve Plat 10 & Woodland Edge Townhomes.

CA - 59 Consider motion to adopt RESOLUTION 2018-367 approving plans and specifications and accepting contracts and performance and maintenance bonds for the construction of sanitary sewer and water main in The Woodland Reserve Plat 10.

- **Engineering Items**

CA - 60 Consider motion to adopt RESOLUTION 2018-368 accepting a proposal from Hill Contracting in the amount of \$38,000.00 for the construction of the NE Frisk Drive Sidewalk Connection project.

CA - 61 Consider motion to adopt RESOLUTION 2018-369 accepting a proposal from JEO Consulting Group, Inc., in the amount of \$7,150.00 for engineering services for the Otter Creek Golf Course Patio Project.

CA - 62 Consider motion to adopt RESOLUTION 2018-370 accepting public improvements in Halbrook Properties Sanitary Sewer Extension for utilities.

CA - 63 Consider motion to adopt RESOLUTION 2018-371 accepting public improvements in Trestle Ridge Estates Plat 1 - 24" Water Main for utilities.

CA - 64 Consider motion to adopt a RESOLUTION 2018-372 accepting a purchase agreement and approving documents for the acquisition of permanent retaining wall easement and permanent access easement for the construction of the 2018 - SE Delaware Bank Stabilization project in Ankeny, Iowa. (B&L Building L.C.)

CA - 65 Consider motion to adopt a RESOLUTION 2018-373 accepting a purchase agreement and approving documents for the acquisition of temporary construction easement for the construction of the 2018 - SE Delaware Bank Stabilization project in Ankeny, Iowa. (The Village on Delaware Town Home Owners Association)

CA - 66 Consider motion to adopt RESOLUTION 2018-374 authorizing the City of Ankeny, Iowa, to make an application to the Iowa Department of Transportation's (Iowa DOT) Traffic Safety Improvement Program (TSIP) for the partial funding of a project for corridor improvements along West First Street from SW Scott Street to SW Logan Street within the City Limits of Ankeny.

- **Capital Improvement Projects**

CA - 67 SW Prairie Trail Parkway Sidewalk Improvements: Consider motion to approve: a) Final Change Order #1 decreasing the amount of the contract by \$3,675.00; b) Certificate of Completion; c) RESOLUTION 2018-375 accepting the public improvements with Howrey Construction, Inc. in the amount of \$66,215.00; and d) Final Payment #1 in the amount of \$62,904.25 / Release of Retainage in the amount of \$3,310.75.

CA - 68 West First Street Sidewalk Upgrade - Phase 3 - Consider motion to approve: a) Final Change Order #1 increasing the contract amount by \$923.60; b) Certificate of Completion; c) RESOLUTION 2018-376 accepting the public improvements with Howser Concrete Services, LLC in the amount of \$70,287.90; and d) Final Payment #1 in the amount of \$66,773.51 / Release of Retainage in the amount of \$3,514.39.

CA - 69 2018 PCC Street Patching Program: Consider motion to approve: a) Final Change Order #1 increasing the contract amount by \$449.45; b) Certificate of Completion; c) RESOLUTION 2018-377 accepting the public improvement with Howser Concrete Services, LLC in the amount of \$280,074.45; and d) Final Payment #3 in the amount of \$115,135.20 / Release of Retainage in the amount of \$14,003.72.

- **Administrative Items**

CA - 70 Consider motion to adopt RESOLUTION 2018-378 fixing date of regular council meeting for Tuesday, September 4, 2018 - 5:00 P.M.

- Approval of Consent Agenda Items

1. Consent Agenda Items CA-1 through CA-70:

Council Member Walter-Ashby inquired about concerns of the pond and water drainage within the existing area as it relates to approval of CA-58 and CA-59. Don Clark, Municipal Utilities Director, advised that with this new development the pond will be dredged with a new structure and additional 15” pipe to be installed to receive water.

Action# E1-1. Whiting made the motion to approve the recommendations for Consent Agenda Items CA-1 through CA-70, seconded by Holm.

ROLL CALL

2018-0806.E1-1 YES 4 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 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.

Action# H1-1. Holm made the motion to accept third consideration of ORDINANCE 1950, sending it on its final passage and publication as required by law, seconded by Whiting.

ROLL CALL

2018-0806.H1-1 YES 4 NO 0

2. **Ord 1952:** An Ordinance vacating public right-of-way located within the City of Ankeny, Iowa, along W 1st Street adjacent to Lots 3 & 4, Seasons Ridge Plat 3, Lots 1, 2, & 3, Seasons Ridge Plat 4, and Lot 12, Seasons Ridge Plat 7. (PH 2018-49)

Action# H2-1. Whiting made the motion to accept first consideration of ORDINANCE 1952, seconded by Walter-Ashby.

ROLL CALL

2018-0806.H2-1 YES 4 NO 0

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. SW Irvinedale Drive Transmission Main - Phase I Project

Professional Services Agreement with Shive-Hattery

Action# J1-1. Holm made the a motion to approve a Professional Services Agreement with Shive-Hattery, for design engineering services on the SW Irvinedale Drive Transmission Main - Phase I project in an amount not to exceed \$225,000.00 and authorize the Mayor to execute said agreement, seconded by Whiting.

ROLL CALL

2018-0806.J1-1 YES 4 NO 0

2. Proposed SW State Street and SW Prairie Trail Parkway Traffic Signal Improvements Project

Professional Services Agreement with Nilles Associates, Inc.

Mark Mueller, Public Works Director, reported the scope of this project does not include a pedestrian overpass. He stated the signal timing at the intersections at Vintage and Magazine will be reviewed as part of the traffic timing study that will be implemented this fall and will adjust the pedestrian timing, if necessary.

Action# J2-1. Whiting made the motion to approve the Professional Services Agreement with Nilles Associates, Inc., for design engineering and bidding phase services for the SW State Street and SW Prairie Trail Parkway Traffic Signal Improvements project in an amount not-to-exceed \$63,800.00 and authorize the Mayor to execute said Agreement, seconded by Walter-Ashby.

ROLL CALL

2018-0806.J2-1 YES 4 NO 0

K. ADMINISTRATIVE BUSINESS:

- Report of the City Staff:

City Manager, David Jones, introduced the new Police Chief, Darius Potts, who will start his position with the City of Ankeny on August 20, 2018. He also recognized staff at all levels and jobs who have worked hard over the last 36 days following the June 30th storm event.

- Report of the Governing Body:

Mayor, Gary Lorenz, reported he will be administering the oath of office to three new police officers on August 20th at 10:00 a.m. at the Police Headquarters and invited council members to attend. He also stated he will be attending the DART funding workshop on August 31st from 7:30 to 11:00 at which different methods for future funding options will be reviewed.

City Council Members:

Council Member, Kerry Walter-Ashby, congratulated the City on receiving the GFOA award this year. She also inquired as to whether the city would consider creating a "one stop shop" on the website to include all information for different types of questions that residents may have related to the storm event. City Manager, David Jones, advised at this point, residents working with each specific department is more effective.

Council Member, Jim McKenna, suggested that an inventory of all ponds within the city and who is responsible for the maintenance of each pond, whether it be the City or the

Homeowners Association, etc., be placed on the website. He also requested staff look into some concerns raised by residents related to the splash park, a slide and portable toilet located within Crestbruck Park.

L. ADJOURNMENT

1. There being no further business, the meeting was adjourned at 6:16 p.m.

Pamela DeMouth, City Clerk

Gary Lorenz, Mayor

Published in the Des Moines Register on the 17th day of August, 2018.
Audio file of meeting is available by contacting the City Clerk's Office.