

**MINUTES OF THE REGULAR MEETING OF THE ANKENY CITY COUNCIL**

Tuesday, September 4, 2018 – 5:00 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 5:00 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.

**A. PUBLIC FORUM:**

1. Open 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.

**B. APPROVAL OF AGENDA:**

1. Approval of the September 4, 2018 Agenda:

**Action# B1-1. Holm made the motion to approve and accept the September 4, 2018 agenda, without amendment, seconded by Whiting.**

**ROLL CALL**

**2018-0904.B1-1      YES    5      NO    0**

**C. PUBLIC HEARING(S):**

1. **PH 2018-54:** Proposed Development Agreement - The Toro Company

Mayor Lorenz opened the public hearing. Notice of this hearing was published in the Des Moines Register on the 24<sup>th</sup> day of August, 2018 and notices were mailed as required by law.

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

Derek Lord, Economic Development Director, reported The Toro Company is proposing to construct an approximately 190,000 square foot addition to their facility located at 5500 SE Delaware Ave. The expansion will include property located at 775 SE 54th Street, located on the west side of their current facility. The proposed \$11 million project also includes associated site improvements, including additional dock doors and parking improvements. The project is expected to begin this fall and be completed in 2019. Once completed, Toro's building footprint in Ankeny will be approximately 650,000 square feet.

The Toro Company has committed to creating a minimum of three new jobs as a result of this expansion. The proposed development agreement includes claw-back provisions on all new positions.

Chris Shastok with CBRE Chicago, representing The Toro Company stated with the continued investment in this community it puts this facility at an advantage for the future and thanked the Council for their consideration.

Council member Bentz inquired as to the increase in truck traffic with the expansion.

Chris Shastok responded he did not have the exact number, however, the truck traffic would not be a 2 to 1 ratio to the current truck traffic.

Younghee Steenhoek, 725 SE 54<sup>th</sup> St., expressed concerns related to expansion of The Toro Company and how the expansion will affect them as a neighbor to the west of the Toro Company.

Derek Lord, Economic Development Director, stated that although staff has not yet seen a site plan for the expansion, staff will remain in contact with the neighbors to the west going forward with future development plans.

**Action# C1-1. Bentz made the motion to close Public Hearing 2018-54, seconded by Whiting.**

**ROLL CALL**

**2018-0904.C1-1      YES    5            NO    0**

**D. REPORTS OF ADVISORY BOARDS AND COMMISSION:**

1. Plan and Zoning Commission Representative, Steve Odson, reported on the activities of the Plan and Zoning Commission.

**E. APPROVAL OF CONSENT AGENDA:**

- **Minutes**

**CA - 1** Approval of official council actions of the regular meeting of August 20, 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 August 7, 2018.

**CA - 3** Receive and file minutes of the Plan and Zoning Commission meeting of August 7, 2018.

**CA - 4** Receive and file minutes of the Park Board meeting of April 30, 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 #7 in the amount of \$1,923.75 to Applied Ecological Services, Inc., for construction services on the Southeast Prairie Trail Native Planting project.

**CA - 7** Consider motion to approve Payment #5 in the amount of \$359,064.85 to C.L. Carroll Co., Inc., for construction services on the Northwest Booster Station project.

**CA - 8** Consider motion to approve Payment #11 in the amount of \$42,274.18 to Calhoun-Burns and Associates, Inc., for engineering services on the NE 54th Street Bridge Replacement over Tributary to Fourmile Creek project.

**CA - 9** Consider motion to approve Change Order #1 increasing the contract amount by \$13,975.00 to Graff Excavating, Inc., for construction services on the Ash Tower Feeder Main project.

**CA - 10** Consider motion to approve Payment #5 in the amount of \$9,836.63 to Graff Excavating, Inc., for construction services on the Ash Tower Feeder Main project.

**CA - 11** Consider motion to approve Change Order #1 increasing the contract amount by \$16,224.00 to Hawkeye Paving Corporation for construction services on the Ankeny Boulevard and First Street Intersection Improvements project.

**CA - 12** Consider motion to approve Payment #2 in the amount of \$201,772.45 to Hawkeye Paving Corporation for construction services on the Ankeny Blvd & First St Intersection Improvements project.

**CA - 13** Consider motion to approve Payment #3 in the amount of \$28,607.97 to HDR Engineering, Inc., for construction services on the Ankeny Sanitary Master Plan project.

**CA - 14** Consider motion to approve Change Order #1 decreasing the contract amount by \$3,450.00 to Howser Concrete Services, LLC for construction services on the 2018 Pedestrian Ramp Improvement Program project.

**CA - 15** Consider motion to approve Payment #1 in the amount of \$69,454.50 to Howser Concrete Services, LLC for construction services on the 2018 Pedestrian Ramp Improvement Program project.

**CA - 16** Consider motion to approve Payment #19 in the amount of \$1,042.18 to HR Green, Inc., for engineering services on the 2016 Tradition Park Stormwater Detention Basin Remediation project.

**CA - 17** Consider motion to approve Payment #6 in the amount of \$6,712.43 to JEO Consulting Group, Inc., for engineering services on the SE Delaware Streambank Stabilization project.

**CA - 18** Consider motion to approve Change Order #1 decreasing the contract amount by \$10,325.25 to McAninch Corporation for construction services on the SE Peterson Dr/SE Trilein Dr Storm Sewer Improvements project.

**CA - 19** Consider motion to approve Payment #2 in the amount of \$183,360.09 to McAninch Corporation for construction services on the SE Peterson/SE Trilein Storm Sewer Improvements project.

**CA - 20** Consider motion to approve Payment #5 in the amount of \$47,460.10 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 - 21** Consider motion to approve Amendment #2 to the Professional Services Agreement increasing the contract amount by \$5,000.00 with MSA Professional Services, Inc., for additional construction engineering services on the 2018 SW 3rd Street Water Main Improvements project.

**CA - 22** Consider motion to approve Payment #10 in the amount of \$4,724.72 to MSA Professional Services Inc., for engineering services on the 2018 SW 3rd Street Water Main Improvements (design) project.

**CA - 23** Consider motion to approve Amendment No. 1 to the Professional Services Agreement increasing the contract amount by \$76,400.00 with Nilles Associates, Inc., for construction engineering services on the SW Market Street Extension project.

**CA - 24** Consider motion to approve final Payment #9 in the amount of \$2,010.00 to Nilles Associates, Inc., for engineering services on the SW Plaza Parkway and SW College Avenue Detention Basins project.

**CA - 25** Consider motion to approve Payment #4 in the amount of \$17,962.50 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 #17 in the amount of \$2,449.58 to Nilles Associates, Inc., for engineering services on the SW Prairie Trail Parkway - East Extension project.

**CA - 27** Consider motion to approve Amendment No. 1 to the Professional Services Agreement increasing the contract amount by \$34,500.00 with Nilles Associates, Inc., for construction engineering services on the SW State Street and SW Magazine Road Intersection Improvements project.

**CA - 28** Consider motion to approve Payment #1 in the amount of \$19,332.50 to Nilles Associates, Inc., for Site Work Inspection Services on the Kirkendall Library Construction project.

**CA - 29** Consider motion to approve Payment #5 in the amount of \$23,121.04 to RDG Planning & Design for construction services on the Stormwater Management Study and Master Plan project.

**CA - 30** Consider motion to approve Payment #13 in the amount of \$12,494.88 to Snyder & Associates, Inc., for engineering services on the Ankeny Blvd & First St Intersection Improvements project.

**CA - 31** Consider motion to approve Payment #14 in the amount of \$27,031.64 to Snyder & Associates, Inc., for engineering services on the Ash Tower Feeder Main project.

**CA - 32** Consider motion to approve Payment #91 in the amount of \$25,372.92 to Snyder & Associates, Inc., for engineering services on the E. 1st Street Interchange Reconstruction project.

**CA - 33** Consider motion to approve Payment #6 in the amount of \$8,341.32 to Snyder & Associates, Inc., for engineering services on the High Trestle Trail Extension SW Ordinance to SE Magazine project.

**CA - 34** Consider motion to approve Payment #6 in the amount of \$808.00 to Snyder & Associates, Inc., for engineering services on the I-35 Southbound Ramps & SE Corporate Dr Traffic Signal project.

**CA - 35** Consider motion to approve Payment #64 in the amount of \$17,061.75 to Snyder & Associates, Inc., for engineering services on the I-35 Widening E. 1st St. Interchange to NE 36th St.

**CA - 36** Consider motion to approve Payment #13 in the amount of \$531.45 to Snyder & Associates, Inc., for engineering services on the IA 415 & West First Street Traffic Signal project.

**CA - 37** Consider motion to approve Payment #42 in the amount of \$5,400.82 to Snyder & Associates, Inc., for engineering services on the NE 36th St. Bridge Widening & Roadway Reconstruction project.

**CA - 38** Consider motion to approve Payment #16 in the amount of \$10,780.99 to Snyder & Associates, Inc., for engineering services on the NE Delaware Avenue Pedestrian Bridge & Sidewalk Connection project.

**CA - 39** Consider motion to approve Payment #6 in the amount of \$20,513.50 to Snyder & Associates, Inc., for engineering services on the S Ankeny Blvd & SE Shurfine Dr/SW Prairie Trail Pkwy Intersection Improvements project.

**CA - 40** Consider motion to approve Payment #15 in the amount of \$18,702.69 to Snyder & Associates, Inc., for engineering services on the SE Creekview Dr Drainage & Pavement Improvements project.

**CA - 41** Consider motion to approve Payment #8 in the amount of \$10,098.52 to Snyder & Associates, Inc., for engineering services on the Traffic Signal System Timings Update project.

**CA - 42** Consider motion to approve Payment #7 in the amount of \$8,060.37 to Snyder & Associates, Inc., for design services associated with the SE Convenience Boulevard Extension project.

**CA - 43** Consider motion to approve the September 4, 2018 Accounts Payable from the following funds: General \$250,556.53, Hotel Motel Tax \$291,007.30, Road Use Tax \$3,238.62, Library Foundation \$160.50, Solid Waste \$140,324.25, Water \$158,374.32, Sewer \$5,392.45, Stormwater \$1,262.18, Stormwater \$1,262.18, Golf Course \$67,863.31, Enterprise Project \$829,064.14, Revolving \$19,345.99, Risk Mgmt \$52,385.09, Health Insurance \$24.00, Capital Projects \$678,452.23, Payroll \$1,296,021.18, Less Svc Trnsfrs/ACH Drafts (\$163,364.13), Less Agenda Pymnts Approved Separately (\$1,214,478.27) Grand Total \$2,415,629.69 (Finance Committee: K. Walter-Ashby, Chp, M. Holm, J. McKenna)

**CA - 44** Consider motion to adopt RESOLUTION 2018-394 transferring funds from the General Fund to the Capital Project Reserve Fund.

**CA - 45** Consider motion to receive and file the Cash Basis Financial Report for Fiscal Year 2018.

- **Personnel Items:** none

- **Community Development Items**

**CA - 46** Consider motion to adopt RESOLUTION 2018-395 accepting final plat, platted easements, off-site easements, deed to streets, payment in lieu of parksite dedication, and approval of cost participation for sidewalk oversizing for The Grove Plat 4.

**CA - 47** Consider motion to adopt RESOLUTION 2018-396 accepting a storm water management facility maintenance covenant and permanent easement agreement located associated with the development of Outlot Z, The Grove Plat 3.

- **Engineering Items**

**CA - 48** Consider motion to adopt RESOLUTION 2018-397 accepting maintenance bond for utilities in The Grove Plat 4.

**CA - 49** Consider motion to adopt RESOLUTION 2018-398 accepting maintenance bond for paving in The Grove Plat 4.

- **Capital Improvement Projects**

**CA - 50 2018 Deer Creek Park Improvements - Playground:** Consider motion to approve: a) Certificate of Completion; b) RESOLUTION 2018-399 accepting the public improvement with Howrey Construction, Inc., in the amount of \$74,522.00; and c) Final Payment #3 in the amount of \$2,622.00 and Retainage Payment in the amount of \$3,726.10.

**CA - 51 2018 Deer Creek Park Improvements - Sidewalk Loop:** Consider motion to approve: a) Certificate of Completion; b) RESOLUTION 2018-400 accepting the public improvement with Howrey Construction, Inc., in the amount of \$56,090.00; and c) Final Payment #2 in the amount of \$3,562.50 and Retainage Payment in the amount of \$2,804.50.

**CA - 52 2018 Prairie Ridge Softball Lighting Project:** Consider motion to approve: a) Certificate of Completion; b) RESOLUTION 2018-401 accepting the public improvements with Van Maanen Electric, Inc. in the amount of \$72,681.00; and c) Final Payment/Release of Retainage in the amount of \$3,634.05.

- **Administrative Items:** none

- Approval of Consent Agenda Items

1. Consent Agenda Items CA-1 through CA-52:

**Action# E1-1. Holm made the motion to approve the recommendations for Consent Agenda Items CA-1 through CA-52, seconded by Walter-Ashby.**

**ROLL CALL**

**2018-0904.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 1953:** 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 DRA Properties, LC.

**Action# H1-1. Walter-Ashby made the motion to accept second consideration of ORDINANCE 1953, seconded by Holm.**

**ROLL CALL**

**2018-0904.H1-1 YES 5 NO 0**

2. **Ord 1954:** An Ordinance amending certain sections of Chapter 180 Fire Code, of the Municipal Code of the City of Ankeny, Iowa.

**Action# H2-1. Whiting made the motion to accept second consideration of ORDINANCE 1954, seconded by Walter-Ashby.**

**ROLL CALL**

**2018-0904.H2-1 YES 5 NO 0**

3. **Ord 1955:** An Ordinance amending Chapter 66, Load and Weight Restrictions, of the Municipal Code of the City of Ankeny, Iowa.

**Action# H3-1. Holm made the motion to accept second consideration of ORDINANCE 1955, seconded by Whiting.**

**ROLL CALL**

**2018-0904.H3-1 YES 5 NO 0**

4. **Ord 1956:** An Ordinance amending Chapter 69, Parking Regulations, and Chapter 70, Traffic Code Enforcement Procedures, of the Municipal Code of the City of Ankeny, Iowa.

**Action# H4-1. Walter-Ashby made the motion to accept first consideration of ORDINANCE 1956, seconded by Bentz.**

**ROLL CALL**

**2018-0904.H4-1 YES 5 NO 0**

**I. OLD BUSINESS:** none

**J. NEW BUSINESS:**

1. Uptown Ankeny Association Noise Permit  
Ankeny Oktoberfest Special Event  
September 29, 2018 - 3:30 - 6:00 p.m. / 7:00 - 10 p.m.

**Action# J1-1. Whiting made the motion to approve the issuance of the Uptown Ankeny Association noise permit for September 29, 2018, 3:30 to 6:00 p.m. and 7:00 to 10:00 p.m., to be located at the Ankeny Market Pavilion, seconded by Holm.**

**ROLL CALL**

**2018-0904.J1-1 YES 5 NO 0**

2. Development Agreement - The Toro Company (PH 2018-54)

**Action# J2-1. Bentz made the motion to adopt RESOLUTION 2018-402 approving a Development Agreement between the City of Ankeny and The Toro Company, seconded by Whiting.**

**ROLL CALL**

**2018-0904.J2-1 YES 5 NO 0**

#### **K. ADMINISTRATIVE BUSINESS:**

- Report of the City Staff: none

Report of the Governing Body:

Mayor Lorenz reported he attended the Fire Station #3 Dedication on Thursday, August 30<sup>th</sup>; and he provided an update on the DART Funding Workshop held at Drake University on Friday, August 31<sup>st</sup>.

Council Member Bentz reported she will be serving on a Metro Advisory Council subcommittee discussing regulations regarding massage parlors.

Council Member Holm reported he has received a packet of letters from concerned kids related to street repair and has forwarded to the City Manager for review.

#### **L. ADJOURNMENT**

1. There being no further business, the meeting was adjourned at 5:41 p.m.

---

Pamela DeMouth, City Clerk

---

Gary Lorenz, Mayor

Published in the Des Moines Register on the 14<sup>th</sup> day of September, 2018.

Audio file of meeting is available by contacting the City Clerk's Office.