

MINUTES OF THE REGULAR MEETING OF THE ANKENY CITY COUNCIL

Monday, September 17, 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 5:00 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.

CEREMONY: none

A. PUBLIC FORUM:

1. Presentation: Amy Baker, Communications Director, presented the highlights of the 2018 Biennial Citizen Survey.
2. Open Forum: Stacey Koeppen, representing the Ankeny Area Chamber of Commerce, presented an update on the activities and events of the Ankeny Chamber.
3. John Sabol, 3609 SE Redbud Court, addressed the Council regarding 1) inspection of property following June 30, 2018 storm damage; 2) installation of community entrance signs; and 3) Toro expansion tax incentives.

Mayor Lorenz and City Manager Jones advised the Community Entrance Signs project was included in the City's current Capital Improvement Program and paid with hotel/motel tax allocations. The incentive proposed for Toro consists of Tax Increment Financing rebates to be determined by the Polk County Assessor. They further stated the site plan for the Toro Company will be brought before the Council at a later date. The action on this agenda is only for the approval of a Development Agreement between the City and the Toro Company.

B. APPROVAL OF AGENDA:

1. Approval of the September 17, 2018 Agenda:

Action# B1-1. Walter-Ashby made the motion to approve and accept the September 17, 2018 agenda, without amendment, seconded by Whiting.

ROLL CALL

2018-0917.B1-1 YES 5 NO 0

C. PUBLIC HEARING(S): none

D. REPORTS OF ADVISORY BOARDS AND COMMISSION:

1. Park Board Representative, Chad Hade, 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 September 4, 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 August 20, 2018.

CA - 3 Receive and file minutes of the Plan and Zoning Commission meeting of August 21, 2018.

CA - 4 Receive and file minutes of the Zoning Board of Adjustment meeting of July 3, 2018.

CA - 5 Receive and file minutes of the Zoning Board of Adjustment meeting of August 21, 2018.

- **Licenses and Permits**

CA - 6 Consider motion to approve the issuance of liquor license(s) and/or beer / wine permit(s) in the City of Ankeny.

- **Finance/Budget**

CA - 7 Consider motion to receive and file Financial Reports for August 2018.

CA - 8 Consider motion to receive and file the Building Permits Report for August 2018.

CA - 9 Consider motion to receive and file Utility Billing Report for August 2018.

CA - 10 Consider motion to approve Payment #2 in the amount of \$174,018.25 to Absolute Concrete Construction, Inc., for construction services on the SW State Street and SW Magazine Road Intersection Improvements project.

CA - 11 Consider motion to approve Change Order #1 increasing the contract amount by \$945.00 to Concrete Connection LLC, for construction services on the 2018 Deer Creek Park Improvements - Basketball and Shelter project.

CA - 12 Consider motion to approve Payment #3 in the amount of \$3,719.25 to Concrete Connection LLC for construction services on the 2018 Deer Creek Park Improvements - Basketball & Shelter project.

CA - 13 Consider motion to approve Change Order #1 increasing the contract amount by \$1,204.50 to Concrete Connection LLC, for construction services on the 2018 Deer Creek Park Improvements - Parking Lot project.

CA - 14 Consider motion to approve Payment #3 in the amount of \$3,519.27 to Concrete Connection LLC for construction services on the 2018 Deer Creek Park Improvements - Parking Lot project.

CA - 15 Consider motion to approve Payment #5 in the amount of \$254,588.36 to Concrete Technologies, Inc., for construction services on the NW Irvinedale Drive and NW 5th Street Intersection Improvements project.

CA - 16 Consider motion to approve Payment #2 in the amount of \$172,565.64 to Concrete Technologies, Inc., for construction services on the SE Convenience Blvd. Extension Project.

CA - 17 Consider motion to approve Change Order #1 increasing the contract amount by \$3,302.70 to Cramer and Associates, Inc., for construction services on the NE Delaware Avenue Pedestrian Bridge and Sidewalk Connection project.

CA - 18 Consider motion to approve Payment #1 in the amount of \$32,346.55 to Cramer and Associates, Inc., for construction services on the NE Delaware Avenue Pedestrian Bridge and Sidewalk Connection project.

CA - 19 Consider motion to approve Payment #13 in the amount of \$325,931.32 to DDVI, Inc., for construction services on the Ankeny Fire Station No. 3 project.

CA - 20 Consider motion to approve Payment #14 in the amount of \$27,588.63 to HR Green, Inc., for engineering services on the NW Irvinedale Drive Reconstruction (Design) project.

CA - 21 Consider motion to approve Payment #2 in the amount of \$147,023.18 to Kingston Services, PC for construction services on the SE Creekview Drive Utility Improvements project.

CA - 22 Consider motion to approve Change Order #2 increasing the contract amount by \$815.95 to Manatt's Inc., for construction services on the SW Plaza Parkway and SW College Avenue Extension project.

CA - 23 Consider motion to approve Payment #3 in the amount of \$176,893.42 to Manatt's Inc., for construction services on the SW Plaza Parkway and SW College Avenue Extension project.

CA - 24 Consider motion to approve Payment #20 in the amount of \$19,415.21 to OPN Architects for architectural design services on the Ankeny Kirkendall Public Library project.

CA - 25 Consider motion to approve Amendment No. 1 to the Professional Services Agreement increasing the contract amount by \$34,719.00 with RDG Planning and Design for the Stormwater Management Study and Master Plan.

CA - 26 Consider motion to approve Change Order #1 increasing the contract amount by \$425.00 to Redbud, LLC for construction services on the SW District Drive Landscaping project.

CA - 27 Consider motion to approve Payment #1 in the amount of \$66,480.05 to Redbud, LLC for construction services on the SW District Drive Landscaping project.

CA - 28 Consider motion to approve Change Order #2 increasing the contract amount by \$10,510.00 to Stahl Construction for construction services on the Ankeny Kirkendall Public Library project.

CA - 29 Consider motion to approve Payment #3 in the amount of \$644,000.28 to Stahl Construction for construction services on the Ankeny Kirkendall Public Library project.

CA - 30 Consider motion to approve Payment #3 in the amount of \$222,604.33 to Sternquist Construction for construction services on the SW Market Street Extension project.

CA - 31 Consider motion to approve Payment #11 in the amount of \$12,481.32 to Veenstra & Kimm, Inc., for engineering services on the Northwest Booster Station - Design Services & Construction project.

CA - 32 Consider motion to approve the September 17, 2018 Accounts Payable from the following funds: General \$192,328.80, Hotel Motel Tax \$609.64, Road Use Tax \$329,365.07, Police/Fire Pension \$11,815.00, Library Foundation \$213.97, Solid Waste \$51,557.84, Water \$475,148.69, Sewer \$657,344.29, Stormwater \$6,095.23, Golf Course \$24,814.70, Enterprise Project \$25,841.01, Revolving \$22,595.18, Risk Mgmt \$14,629.06, Health Insurance \$36.00, Capital Projects \$2,415,749.49, Payroll \$937,582.22, Less Srvc Trnsfrs/ACH Drafts (\$165,000.53), Less Agenda Pymts Apprvd Separately (\$2,408,107.81) Grand Total \$2,592,617.85 (Finance Committee: M. Holm, Chp, J. McKenna, K. Whiting)

CA - 33 Consider motion to adopt RESOLUTION 2018-403 approving Street Financial Report for the Iowa Department of Transportation for fiscal year 2018 - July 1, 2017 through June 30, 2018.

- **Personnel Items**

CA - 34 Consider motion to approve the position description for IT Technician.

CA - 35 Consider motion to approve the list of employees certified eligible for promotion to the position of police sergeant, subject to passing all other requirements.

- **Community Development Items**

CA - 36 Consider motion to adopt RESOLUTION 2018-404 accepting a storm water management facility maintenance covenant and permanent easement agreement located on a part of Lots 23 & 24, Highland Acres and associated with the development of the Oasis Car Wash.

CA - 37 Consider motion to adopt RESOLUTION 2018-405 providing for the notice and hearing of the City Council of the City of Ankeny regarding the voluntary urbanized annexation of property owned by Myron Strain. (date of hrg: 10/15/2018 @ 5:30 p.m.)

- **Engineering Items**

CA - 38 Consider motion to adopt RESOLUTION 2018-406 accepting a proposal from MNM Concrete Specialist in the amount of \$92,703.75 for the construction of the SW 2nd and SW Flynn Drainage Improvements Project.

CA - 39 Consider motion to adopt RESOLUTION 2018-407 accepting public improvements in The Crossings at Deer Creek Plat 2 for utilities.

CA - 40 Consider motion to adopt RESOLUTION 2018-408 accepting public improvements in The Crossings at Deer Creek Plat 2 for paving.

CA - 41 Consider motion to adopt RESOLUTION 2018-409 accepting public improvements in Deer Creek South Townhomes Plat 1 for utilities.

CA - 42 Consider motion to adopt RESOLUTION 2018-410 accepting a proposal from MNM Concrete Specialist in the amount of \$118,175.00 for the construction of the 2018 - Crestbruck Park East Parking Lot project.

CA - 43 Consider motion to adopt RESOLUTION 2018-411 accepting a proposal from The Underground Company Ltd., in the amount of \$27,689.00 for the construction of the 2018 - NW Irvinedale Drive 12" Water Main Connection Project.

- **Capital Improvement Projects**

CA - 44 2018 - Village Park Sidewalk Improvement: Consider motion to approve: a) Final Change Order #1 decreasing the contract amount by \$3,144.70; b) Certificate of Completion; c) RESOLUTION 2018-412 accepting the public improvements with MNM Concrete Specialist, in the amount of \$47,515.30; and d) Final Payment #1 in the amount of \$45,139.54 / Release of Retainage in the amount of \$2,375.77.

CA - 45 IA 415 & West First Street Traffic Signal: Consider motion to approve: a) Final Change Order #2 increasing the contract amount by \$250.00; b) Certificate of Completion; c) RESOLUTION 2018-413 accepting the public improvement with Iowa Signal, Inc., in the amount of \$295,388.67; and d) Final Payment #2 in the amount of \$49,985.77 / Release of Retainage in the amount of \$14,769.43.

CA - 46 2018 SW 3rd Street Water Main Improvements: Consider motion to approve: a) Final Change Order #1 decreasing the contract amount by \$6,425.00; b) Certificate of Completion; c) RESOLUTION 2018-414 accepting the public improvements with Halbros Excavating in the amount of \$315,245.00; and d) Release of Retainage in the amount of \$12,662.25.

- **Administrative Items**

CA - 47 Consider motion to adopt RESOLUTION 2018-415 adopting a certain supplement prepared by Iowa Codification, Inc., as an official supplement to the 2008 Code of Ordinances. (Covering ordinances through 1951)

CA - 48 Consider motion to receive and file the Citizen Survey Results 2018.

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-48

Action# E1-1. Holm made the motion to approve the recommendations for Consent Agenda Items CA-1 through CA-48, seconded by Whiting.

ROLL CALL

2018-0917.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. Bentz made the motion to accept third consideration of ORDINANCE 1953, sending it on its final passage and publication as required by law, seconded by Whiting.

ROLL CALL

2018-0917.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. Walter-Ashby made the motion to accept third consideration of ORDINANCE 1954, sending it on its final passage and publication as required by law, seconded by Holm.

ROLL CALL

2018-0917.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 third consideration of ORDINANCE 1955, sending it on its final passage and publication as required by law, seconded by Whiting.

ROLL CALL

2018-0917.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 second consideration of ORDINANCE 1956, seconded by Whiting.

ROLL CALL

2018-0917.H4-1 YES 5 NO 0

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Whiskey River Noise Permit
September 20, 2018 - 7:00 to 10:00 p.m.

Action# J1-1. Whiting made the motion to reverse the decision of the City Clerk of the denial of Whiskey River noise permit for September 20, 2018, 7:00 to 10:00 p.m., seconded by Walter-Ashby.

ROLL CALL

2018-0917.J1-1 YES 5 NO 0

2. S Ankeny Blvd and SE Shurfine Dr / SW Prairie Trail Pkwy Intersection Improvements Notice of Intent to Commence a Public Improvement Project and to Acquire Property Interests

Action# J2-1. Holm made the motion to adopt RESOLUTION 2018-416 fixing a date for hearing on intent to commence a public improvement and to acquire property interests for the S Ankeny Blvd and SE Shurfine Dr / SW Prairie Trail Pkwy Intersection Improvements project, seconded by Bentz. (date of hrg: 10/15/18 @ 5:30 p.m.)

ROLL CALL

2018-0917.J2-1 YES 5 NO 0

K. ADMINISTRATIVE BUSINESS:

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

Mayor Lorenz reported he, along with council members Holm and Whiting, attended the John Deere Des Moines Works tour this afternoon stating it was time well spent.

Council Member Walter-Ashby requested a follow-up with Mr. Sabol regarding inspection of his property. She reported she would be attending the Bravo Board meeting scheduled for tomorrow, September 18, 2018.

Council Member McKenna inquired about notification letters sent to residents regarding tree trimming.

L. ADJOURNMENT

1. There being no further business, the meeting was adjourned at 6:03 p.m.

Pamela DeMouth, City Clerk

Gary Lorenz, Mayor

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