

MINUTES OF THE REGULAR MEETING OF THE ANKENY CITY COUNCIL

Monday, November 19, 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 was present.

Mayor Lorenz led the Pledge of Allegiance.

CEREMONY: none

Council Member Bentz arrived at 5:37 p.m.

A. PUBLIC FORUM:

1. Special Presentation: Sherry Schlundt, Youth & Children's Librarian at Kirkendall Library, introduced members of the Teen Advisory Group and presented a brief summary about their library events - The Giving Tree and gift wrapping at the library.
2. Special Presentation: Greg Edwards, President/CEO of the Greater Des Moines Convention & Visitor's Bureau (CVB), introduced his staff and presented an update on CVB's FY 2017-2018.
3. Open Forum: Corey Morrison 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 November 19, 2018 Agenda:

Action# B1-1. Walter-Ashby made the motion to approve and accept the November 19, 2018 agenda, without amendment, seconded by Whiting.

ROLL CALL

2018-1119.B1-1 YES 5 NO 0

C. PUBLIC HEARING(S):

1. **PH 2018-59:** Proposed SE Creekview Drive Roadway Improvements Project - Special Assessment Project
Public Hearing on Resolution of Necessity

Mayor Lorenz opened the public hearing. Notice of this hearing was published in the Des Moines Register on the 2nd and 9th days of November, 2018 and notices were mailed to property owners as required by law.

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

Mark Mueller, Director of Public Works, reported the action before the City Council is to hold a public hearing to allow affected property owners the opportunity to present their

views regarding the proposed Resolution of Necessity for the SE Creekview Drive Roadway Improvements Project.

The SE Creekview Drive Roadway Improvements Project includes roadway grade improvements, Hot Mix Asphalt (HMA) paving, granular shoulder improvements and PCC driveway improvements. The limits of the project begin approximately 700 feet south of East First Street on SE Creekview Drive and continue south approximately 3920 feet to the terminus of the public roadway.

A portion of the project will be funded through special assessments. This portion includes the cost of constructing the roadway grade improvements, HMA paving, granular shoulder improvements and PCC driveway improvements on SE Creekview Drive.

The project will be bid Winter 2019 with construction in Spring/Summer 2019.

Action# C1-1. Holm made the motion to close Public Hearing 2018-59, seconded by Whiting.

ROLL CALL

2018-1119.C1-1 YES 5 NO 0

2. PH 2018-60: Proposed Development Agreement - Ruan Transport Corporation

Mayor Lorenz opened the public hearing. Notice of this hearing was published in the Des Moines Register on the 9th day of November, 2018.

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

Derek Lord, Economic Development Director, reported Ruan Transport Corporation is proposing to construct an approximate 22,000 square foot operations and training center at the NW corner of SE 72nd Street and SE Corporate Woods Drive. The proposed project includes associated site improvements and extending public infrastructure. The project is expected to begin in early 2019 and be completed by fall, 2019.

Ruan has committed to creating 40 new jobs as a result of this expansion, with wages exceeding 100% of the area median laborshed wage of \$25.27/hour, plus benefits. The proposed development agreement includes claw-back provisions on all 40 jobs at the wages noted above. In addition to the new positions being created, Ruan is expected to relocate approximately 60 positions from their current operations center in Des Moines.

Dan Van Alstine, Ruan President and COO and Susan Fitzsimmons, Ruan Vice President and General Counsel addressed the Council stating they are very happy to be a part of the Ankeny community. He stated 104 – 107 people will be domiciled at this location with 40 more positions to be added in the short term.

Action# C2-1. Walter-Ashby made the motion to close Public Hearing 2018-60, seconded by Holm.

ROLL CALL

2018-1119.C2-1 YES 5 NO 0

D. REPORTS OF ADVISORY BOARDS AND COMMISSION:

1. Park Board Representative Lisa McDaniel 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 November 5, 2018, as published, subject to correction, as recommended by the City Clerk.

CA - 2 Receive and file minutes of the Park Board meeting of August 27, 2018.

CA - 3 Receive and file minutes of the Plan and Zoning Commission meeting of October 16, 2018.

CA - 4 Receive and file minutes of the Zoning Board of Adjustment meeting of October 16, 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 receive and file Financial Reports for October 2018.

CA - 7 Consider motion to receive and file Building Permits Report for October 2018.

CA - 8 Consider motion to receive and file Utility Billing Report for October 2018.

CA - 9 Consider motion to approve Payment #1 in the amount of \$1,900.00 to Ardent Lighting Group for construction services on the Hawkeye Sports Complex Field Lighting Project.

CA - 10 Consider motion to approve Payment #13 in the amount of \$6,520.45 to Civil Design Advantage for engineering services on the SE East Lawn Area Utility Improvements - Phase 1 and SE Peterson/SE Trilein Storm Sewer Improvements project.

CA - 11 Consider motion to approve Payment #2 in the amount of \$13,995.00 to Civil Design Advantage for engineering services on the SE East Lawn Area Utility Improvements - Phase 2 project.

CA - 12 Consider motion to approve Change Order #3 increasing the contract amount by \$6,606.15 to Concrete Technologies, Inc., for construction services on the NW Irvinedale Drive and NW 5th Street Intersection Improvements project.

CA - 13 Consider motion to approve Payment #7 in the amount of \$331,227.64 to Concrete Technologies, Inc., for construction services on the NW Irvinedale Drive and NW 5th Street Intersection Improvements project.

CA - 14 Consider motion to approve Payment #4 in the amount of \$366,086.87 to Concrete Technologies, Inc., for construction services on the SE Convenience Blvd. Extension Project.

CA - 15 Consider motion to approve Change Order #3 increasing the contract amount by \$537.10 to Cramer and Associates, Inc., for construction services on the NE Delaware Avenue Pedestrian Bridge and Sidewalk Connection project.

CA - 16 Consider motion to approve Payment #3 in the amount of \$49,363.04 to Cramer and Associates, Inc., for construction services on the NE Delaware Avenue Pedestrian Bridge and Sidewalk Connection project.

CA - 17 Consider motion to approve Change Order #2 increasing the contract amount by \$2,952.00 to Hawkeye Paving Corporation for construction services on the Ankeny Boulevard and First Street Intersection Improvements project.

CA - 18 Consider motion to approve Payment #3 in the amount of \$49,700.20 to Hawkeye Paving Corporation for construction services on the Ankeny Blvd & First St Intersection Improvements project.

CA - 19 Consider motion to approve Payment #4 in the amount of \$201,138.97 to Kingston Services, PC for construction services on the SE Creekview Drive Utility Improvements project.

CA - 20 Consider motion to approve Change Order #1 increasing the contract amount by \$15,048.00 to Kingston Services, PC for construction services on the SE Creekview Drive Utility Improvements project.

CA - 21 Consider motion to approve Payment #5 in the amount of \$111,140.93 to Manatt's Inc., for construction services on the SW Plaza Parkway and SW College Avenue Extension project.

CA - 22 Consider motion to approve Change Order #2 decreasing the contract amount by \$3,510.00 to MNM Concrete Specialist for construction services on the 2018 PCC Reconstruction - NW Prairie Ridge Drive project.

CA - 23 Consider motion to approve Payment #2 in the amount of \$76,751.92 to MNM Concrete Specialist for construction services on the 2018 PCC Reconstruction - NW Prairie Ridge Drive project.

CA - 24 Consider motion to approve Payment #22 in the amount of \$19,659.63 to OPN Architects for construction administration services on the Ankeny Kirkendall Public Library project.

CA - 25 Consider motion to approve Payment #3 in the amount of \$9,937.00 to Pine Grove Nursery for construction services on the NE 36th Street Landscaping project.

CA - 26 Consider motion to approve Payment #2 in the amount of \$64,075.98 to RW Excavating Solutions, LC for construction services on the SE Delaware Streambank Stabilization project.

CA - 27 Consider motion to approve Change Order #2 increasing the contract amount by \$4,052.14 to Sternquist Construction for construction services on the SW Market Street Extension project.

CA - 28 Consider motion to approve Payment #5 in the amount of \$119,560.75 to Sternquist Construction for construction services on the SW Market Street Extension project.

CA - 29 Consider motion to approve Payment #13 in the amount of \$8,512.82 to Veenstra & Kimm, Inc., for engineering services on the Northwest Booster Station - Design Services & Construction project.

CA - 30 Consider motion to approve the November 19, 2018 Accounts Payable from the following funds: General \$194,986.59, Hotel Motel Tax \$3,062.68, Road Use Tax \$68,280.24, Police/Fire Pension \$2,862.00, Library Foundation \$111.19, Ankeny Foundation \$120.00, Solid Waste \$103,667.72, Water \$326,114.04, Sewer \$1,177,941.29, Stormwater \$3,828.50, Golf Course \$14,793.44, Enterprise Project \$160,437.32, Revolving \$39,244.60, Risk Mgmt \$5,319.50, Capital Projects \$1,416,810.98, Payroll \$958,143.69, Less Srvc Trnsfrs/ACH Drafts (\$171,266.60), Less Agenda Payments Approved Separately (\$1,457,311.25) Grand Total \$2,847,145.93. (Finance Committee: K. Walter-Ashby, Chp, M. Holm, J. McKenna)

CA - 31 Consider motion to adopt RESOLUTION 2018-487 approving debt certification forms, appropriating funds and directing filing of certifications.

CA - 32 Consider motion to adopt RESOLUTION 2018-488 approving the Annual Urban Renewal Report for Urban Renewal Areas within the City of Ankeny.

Personnel Items: none

- **Community Development Items**

CA - 33 Consider motion to adopt RESOLUTION 2018-489 accepting a public storm water management facility maintenance covenant and permanent easement agreement, located on a part of Lot 1, PDI Place Plat 2, and associated with the development of the PDI East Dock Addition.

CA - 34 Consider motion to adopt RESOLUTION 2018-490 accepting final plat, platted easement, performance bond for seeding and erosion control and cost-sharing request for trail along SW Prairie Trail Parkway for Ankeny Elementary 11.

- **Engineering Items**

CA - 35 Consider motion to adopt RESOLUTION 2018-491 authorizing the execution of an addendum to a Federal-Aid Swap Agreement for Surface Transportation Block Grant (STBG) Program funding between the Iowa Department of Transportation (DOT) and the City of Ankeny, Iowa, for the sharing of project costs for the proposed NE 54th Street Bridge Replacement over Branch of Fourmile Creek project.

CA - 36 Consider motion to adopt RESOLUTION 2018-492 authorizing the Mayor to execute the proposed Cooperative Public Service Agreement between Polk County, Iowa and the City of Ankeny, Iowa, for the routine maintenance of joint jurisdictional (boundary) roadways.

CA - 37 Consider motion to adopt RESOLUTION 2018-493 authorizing the execution of a Cooperative Agreement for Primary Highway Improvement Project between the Iowa Department of Transportation (DOT) and the City of Ankeny, Iowa, for the sharing of

project costs for the proposed South Ankeny Boulevard and SE Shurfine Drive / SW Prairie Trail Parkway Intersection Improvements project.

CA - 38 Consider motion to adopt RESOLUTION 2018-494 accepting public improvements in The Crossings at Deer Creek Plat 3 for utilities.

CA - 39 Consider motion to adopt RESOLUTION 2018-495 accepting public improvements in The Crossings at Deer Creek Plat 3 for paving.

CA - 40 Consider motion to adopt RESOLUTION 2018-496 accepting maintenance bond in the NW Irvinedale 12" Water Main Connection project.

CA - 41 Consider motion to adopt RESOLUTION 2018-497 approving a master services agreement with HDR Engineering, Inc., for small-scope Professional Services related to the 2016 Ankeny Master Water Study.

CA - 42 Consider motion to approve the RESOLUTION 2018-498 authorizing the City of Ankeny to submit an application for Federal Surface Transportation Block Grant (STBG) Funding to the Des Moines Area Metropolitan Planning Organization (MPO) for the partial funding of the NE Delaware Avenue - NE 5th Street to NE 18th Street Widening Project and further approving the Application which obligates the City of Ankeny to matching funds for the Construction of said project.

CA - 43 Consider motion to approve the RESOLUTION 2018-499 authorizing the City of Ankeny to submit an application for Federal Surface Transportation Program - Transportation Alternative Program (TAP) Funding to the Des Moines Area Metropolitan Planning Organization (MPO) for the partial funding of the Oralabor Gateway Trail - SW State Street Overpass Project and further approving the application which obligates the City of Ankeny to matching funds for the construction of said project.

- **Capital Improvement Projects**

CA - 44 2018 Pedestrian Ramp Improvement Program: Consider motion to approve: a) Certificate of Completion; b) RESOLUTION 2018-500 accepting the public improvements with Howser Concrete Services, LLC in the amount of \$73,110.00; and c) Release of Retainage Payment in the amount of \$3,655.50.

CA - 45 SE Peterson/SE Trilein-Storm Sewer Improvements: Consider motion to approve: a) Final Change Order #3 decreasing the contract amount by \$1,173.17; b) Certificate of Completion; c) RESOLUTION 2018-501 accepting the public improvement with McAninch Corporation in the amount of \$469,298.23; and d) Final Payment #4 in the amount of \$619.64 / Release of Retainage in the amount of \$23,464.91.

- **Administrative Items**

CA - 46 Consider motion to approve the issuance of a special permit to Jonathan Trigg for the purpose of bow hunting of deer for the hunting season effective October 1, 2018 through November 30, 2018 and December 17, 2018 through January 10, 2019 on private property within the city limits pursuant to Municipal Code Section 41.11(3).

- Approval of Consent Agenda Items

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

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

ROLL CALL

2018-1119.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: none

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. SE Creekview Drive Roadway Improvements Project (PH 2018-59)
Special Assessment Project

Action# J1-1. Holm made the motion to adopt RESOLUTION 2018-502 with respect to the adoption of the Resolution of Necessity proposed for the SE Creekview Drive Roadway Improvements Project, seconded by Walter-Ashby.

ROLL CALL

2018-1119.J1-1 YES 5 NO 0

Action# J1-2. Whiting made the motion to adopt RESOLUTION 2018-503 directing preparation of detailed plans, specifications, form of contract, and notice to bidders for the SE Creekview Drive Roadway Improvements Project, seconded by Bentz.

ROLL CALL

2018-1119.J1-2 YES 5 NO 0

2. Development Agreement - Ruan Transport Corporation (PH 2018-60)

Action# J2-1. Holm made the motion to adopt RESOLUTION 2018-504 approving a Development Agreement between the City of Ankeny and Ruan Transport Corporation, seconded by Walter-Ashby.

ROLL CALL

2018-1119.J2-1 YES 5 NO 0

3. Des Moines Area Metropolitan Planning Organization
Amended and Substituted Bylaws and the Seventh Amended and Substituted 28E Agreement

Council member Walter-Ashby stated because the proposed action is a change to the Bylaws which effects the duties of the MPO Executive Director she would be abstaining from the vote.

Discussion by the Council included concerns related to DART as voting member of the MPO and the proposed reduction in the City of Des Moines members which would affect the increase in representation they have on the Executive Committee.

City Manager David Jones clarified that the impact to the City of Ankeny if the Amended and Substituted Bylaws are approved by 75% of the voting members would be a reduction in the number of representatives on the MPO Policy Committee from 3 to 2 and on the Transportation Technical Committee from 2 to 1.

Action# J3-1. Holm made the motion to adopt RESOLUTION 2018-505 approving the Amended and Substituted Bylaws of the Des Moines Area Metropolitan Planning Organization and the Des Moines Area Metropolitan Planning Organization Seventh Amended and Substituted 28E Agreement, seconded by McKenna.

ROLL CALL

2018-1119.J3-1 YES 1 NO 3 (Bentz, Holm, Whiting)
 ABSTAIN 1 (Walter-Ashby)
 Motion failed

K. ADMINISTRATIVE BUSINESS:

- Report of the City Staff:

City Manager, David Jones, reported he is beginning to put together for Council approval at the December 17th Council meeting the State Legislative Priorities for 2019 and asked Council to let him know if they have anything they would like addressed.

Report of the Governing Body:

Mayor reported he along with City Manager David Jones met today with new Iowa House representative Heather Matson and will be meeting sometime in December with all the representatives to review Ankeny's Legislative Priorities.

L. ADJOURNMENT

1. There being no further business, the meeting was adjourned at 6:21 p.m.

Pamela DeMouth, City Clerk

Gary Lorenz, Mayor

Published in the Des Moines Register on the 30th day of November, 2018.
Audio file of meeting is available by contacting the City Clerk's Office.