

MINUTES OF THE ANKENY CITY COUNCIL

Monday, September 3, 2019 5:00 PM

Ankeny City Hall - City Council Chambers

Gary Lorenz, Mayor

Mark Holm, Mayor Pro tem

Council Members: Bobbi Bentz, Jim McKenna, Kelly Whiting, Kerry Walter-Ashby

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Mayor Lorenz called the meeting to order at 5:00 p.m. Absent: Kelly Whiting, Bobbi Bentz arrived at 5:17 PM. City Manager, David Jones and City Attorney, Amy Beattie were present. Mayor Lorenz led the Pledge of Allegiance.

**PUBLIC FORUM:**

Patti Hood, 2733 NW Park Lane, Ankeny Chamber of Commerce, gave an update on upcoming events.

**APPROVAL OF AGENDA:**

1. Council member Holm moved, Walter-Ashby seconded to approve the September 3, 2019 without amendment. Ayes: 3.

**PUBLIC HEARING(S):**

1. **PH 2019-57** Mayor Lorenz stated that this is the time and place for a public hearing on the matter of the proposed Ordinance 1981 vacating a portion of a 100 year flood, future construction, storm sewer and surface drainage easement located within Barclay Plat 5, Lot 7. Notice of this hearing was published in the Des Moines Register on the 23rd day of August, 2019.

Eric Jensen, Director of Planning and Building, provide a report on this proposed vacation. Eric Hoch, 1514 NE Trilein Dr, resident of the property making the request spoke in favor of the vacation. Hearing no other oral comments and receiving no written comments, Council member Holm moved, Walter-Ashby seconded, to close public hearing 2019-57. Roll Call: Ayes -3.

**REPORTS OF ADVISORY BOARDS AND COMMISSION:**

1. Plan & Zoning Commission - Glenn Hunter reported on activities of the Planning and Zoning Commission.

**CONSENT AGENDA ITEMS:**

Minutes

1. Official council actions of the regular meeting of August 19, 2019, as published, subject to correction, as recommended by the City Clerk.
2. Receive and file minutes of the Kirkendall Library Board meeting of July 18, 2019.
3. Receive and file minutes of the Zoning Board of Adjustment meeting of June 18, 2019.
4. Receive and file minutes of the Plan and Zoning Commission meeting of August 6, 2019.

Licenses and Permits

5. The issuance of liquor license(s) and/or beer / wine permit(s) in the City of Ankeny.

Finance/Budget

6. Payment #7 in the amount of \$10,413.22 to Calhoun-Burns and Associates, Inc., for engineering services on the NE 54th Street Bridge replacement over Branch of Fourmile Creek - Construction Engineering project.
7. Amendment No. 3 to the Professional Services Agreement increasing the contract amount by \$7,220.00 with Civil Design Advantage, LLC. for construction engineering services on the SE East Lawn Area Utility Improvements - Phase 1 project.
8. Payment #17 in the amount of \$2,280.00 to C.L. Carroll Co., Inc., for construction services on the Northwest Booster Station project.
9. Payment #3 in the amount of \$11,563.00 to Foth Infrastructure and Environment, Inc., for engineering services on the 2019 North Creek Channel Flood Repair project.
10. Payment #7 in the amount of \$31,744.34 to Foth Infrastructure and Environment, Inc., for engineering services on the West First Street Widening and Improvements - Phase 1 project.
11. Amendment No. 1 to the Professional Services Agreement increasing the contract amount by \$5,000.00 with JEO Consulting Group for construction engineering services on the NW Irvinedale Drive Water Main Improvements project.
12. Payment #6 in the amount of \$2,115.00 to JEO Consulting Group, Inc., for engineering services on the Tradition Park Stormwater Detention Basin Flood Repair project.
13. Payment #9 in the amount of \$16,461.25 to JEO Consulting Group, Inc., for engineering services on the N. Ankeny Blvd., and NE/NW Georgetown Blvd., Intersection Signalization project.
14. Payment #1 in the amount of \$4,677.50 to JEO Consulting Group, Inc., for engineering services on the NE 18th Street and NE Trilein Drive Signalization project.
15. Payment #1 in the amount of \$11,190.00 to JEO Consulting Group, Inc., for engineering services on the SE 8th Street Reconstruction - Phase 1 project.
16. Payment #2 in the amount of \$3,620.00 to Kirkham Michael and Associates, for engineering services on the Westwinds Channel Flood Repair project.
17. Payment #1 in the amount of \$40,000.00 to Nilles Associates for engineering and design services on the Parks Master Plan for Eastern Prairie Trail.
18. Payment #8 in the amount of \$9,852.50 to Nilles Associates, Inc., for engineering services on the SW Plaza Parkway and SW College Avenue Extension project.
19. Payment #8 in the amount of \$10,395.00 to Nilles Associates, Inc., for engineering services on the SW Market Street Extension project.
20. Payment #5 in the amount of \$21,596.00 to Nilles Associates, Inc., for engineering services on the SW State Street & SW Prairie Trail Parkway Traffic Signal Improvements project. Payment #3 in the amount of \$52,165.50 to Nilles Associates, Inc., for engineering services on the SW Des Moines Street -Magazine to 11th project.
21. Payment #7 in the amount of \$37,002.50 to Nilles Associates, Inc., for engineering services on the SW Des Moines Street Improvements project.
22. Payment #1 in the amount of \$22,398.80 to Precision Underground Utilities, LLC, for construction services on the 2019 - Fiber Optic Connection to New Public Library project.
23. Change Order #1 increasing the contract amount by \$352.68 to Precision Underground Utilities, LLC, for construction services on the 2019 - Fiber Optic Connection to New Public Library project.
24. Payment #24 in the amount of \$19,075.51 to Snyder & Associates, Inc., for engineering services on the NE Delaware Avenue Pedestrian Bridge & Sidewalk Connection project.
25. Payment #10 in the amount of \$19,804.31 to Snyder & Associates, Inc., for engineering services on the High Trestle Trail Extension SW Ordinance to SE Magazine project.

26. Payment #3 in the amount of \$3,255.00 to Snyder & Associates, Inc., for engineering services on the Wildflower Basin Improvements project.
27. Payment #102 in the amount of \$15,947.78 to Snyder & Associates, Inc., for engineering services on the E. 1st Street Interchange Reconstruction project.
28. Payment #7 in the amount of \$43,353.27 to Snyder & Associates, Inc., for engineering services on the SW Irvinedale Dr., Transmission Main - Phase 2 project.
29. Payment #49 in the amount of \$3,006.25 to Snyder & Associates, Inc., for engineering services on the NE 36th St. Bridge Widening & Roadway Reconstruction project.
30. Payment #20 in the amount of 169,319.67 to Snyder & Associates, Inc., for engineering services on the SE Creekview Dr Drainage & Pavement Improvements project.
31. Payment #21 in the amount of \$14,674.97 to Snyder & Associates, Inc., for engineering services on the Ankeny Blvd & First St Intersection Improvements project.
32. Payment #17 in the amount of \$25,078.49 to Snyder & Associates, Inc., for engineering services on the S Ankeny Blvd & SE Shurfine Dr/SW Prairie Trail Pkwy Intersection Improvements project.
33. Payment #13 in the amount of \$2,088.90 to Snyder & Associates, Inc., for engineering services on the I-35 Southbound Ramps & SE Corporate Dr Traffic Signal project.
34. Payment #14 in the amount of \$565,723.00 to Stahl Construction for construction services associated with the Kirkendall Library project.
35. September 3, 2019 Accounts Payable from the following funds: General \$507,372.66, Hotel Motel Tax \$35,000, Road Use Tax \$15,486.92, Police/Fire Pension \$986.00, Library Foundation \$6.69, Solid Waste \$184,815.84, Library Foundation \$242.55, Water \$175,069.52, Sewer \$27,712.16, Stormwater \$7,133.19, Golf Course \$34,005.26, Enterprise Project \$112,301.63, Revolving \$21,987.95, Risk Mgmt \$18,669.57, Health Insurance \$266.46, BAN/Bond Activity Fund \$17,500, Capital Projects \$1,210,735.62, Payroll \$1,446,392.19, Less Service Transfers/ACH Drafts (\$170,570.21), Less Agenda Pymts Apprvd Separately (\$1,237,432.93).Grand Total \$2,391,201.46.

#### Community Development Items

36. RESOLUTION #2019-372 accepting the final plat for The Woods at Rock Creek Plat 2 subject to applicable Polk County Subdivision requirements in lieu of the City of Ankeny Subdivision Regulations.
37. RESOLUTION #2019-373 providing for the notice and hearing of the City Council of the City of Ankeny, Iowa, to rezone certain property owned by D.R. Horton - Iowa LLC, located east of NW Abilene Road and north of NW 36<sup>th</sup> Street. (date of hrg: 9/16/19 @ 5:30 p.m.)
38. RESOLUTION #2019-374 accepting the final plat for Williamson Farm Plat 1, subject to applicable Polk County Subdivision requirements in lieu of the City of Ankeny Subdivision Regulations.
39. RESOLUTION #2019-375 accepting final plat, warranty deed, and authorizing the mayor to sign a Private Sanitary Sewer Easement for The District at Prairie Trail Plat 8.
40. RESOLUTION #2019-376 accepting final plat, platted easement, warranty deed for streets, and parkland dedication for Parkway North at Prairie Trail Plat 1.
41. RESOLUTION #2019-377 accepting final plat, platted easements, letter of credit for seeding and erosion control and approving City cost participation for sidewalk for Chautauqua Park Townhomes Plat 1.
42. RESOLUTION #2019-378 approving plans and specifications and accepting contracts, performance and maintenance bonds for the construction of water main and sanitary sewer in Chautauqua Park Townhomes Plat 1.

43. RESOLUTION #2019-379 approving plans and specifications and accepting contracts and performance and maintenance bonds for the construction of street paving in Chautauqua Park Townhomes Plat 1.

#### Engineering Items

44. RESOLUTION #2019-380 authorizing the City of Ankeny, Iowa to enter into an Agreement for DOT-Initiated Detour of Primary Highways onto Local Roads with the Iowa Department of Transportation (DOT) for the I-35 & East 1st Street Interchange Reconstruction - Phase 3 project.
45. RESOLUTION #2019-381 accepting public improvements in Village at Deer Creek Crossing for utilities.

#### Capital Improvement Projects

46. SE East Lawn Area Utility Improvements - Phase 1: Consider a) Final Change Order #5 increasing the contract amount by \$20,198.50; b) Certificate of Completion; c) RESOLUTION #2019-382 accepting the public improvement with Kingston Services, PC in the amount of \$1,007,399.90; and d) Final Payment #8 in the amount of \$18,261.17 / Release of Retainage in the amount of \$50,370.00.

#### Administrative Items

47. Receive and file the Ankeny Summerfest 2019 Report.
48. Authorize the Ankeny Police Department to extend the current contract with Ankeny Towing for a period of twelve (12) months.

Council member Walter-Ashby moved, McKenna seconded to approve consent agenda items CA-1 through CA-49. Roll Call: Ayes - 3.

#### LEGISLATIVE BUSINESS

1. Council member Holm moved, Walter-Ashby seconded, to accept the third consideration of **Ordinance 1979**, 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 Rose Marie Reinhart, sending it on its final passage and publication required by law. Roll Call: Ayes - Holm, McKenna, Walter-Ashby. Nays: none.
2. Council member Walter-Ashby moved, McKenna seconded, to accept the third consideration of **Ordinance 1980**, 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 Diamond Development LLC, sending it on to its final passage and publication required by law. Roll Call: Ayes - Holm, McKenna, Walter-Ashby. Nays: none.
3. Council member Holm moved, Walter-Ashby seconded, to accept the first consideration of **Ordinance 1981**, an Ordinance vacating a portion of a 100 Year Flood, Future construction, Storm Sewer, and Surface Drainage Easement located within Barclay Plat 5, Lot 7. Roll Call: Ayes - Holm, McKenna, Walter-Ashby. Nays: none.

#### NEW BUSINESS

1. Council member Holm moved, Walter-Ashby seconded, to reverse the denial of a Noise Permit for Uptown Ankeny Association for Ankeny Octoberfest - September 28, 2019 from 3:30 PM to 5:30 PM and 6:30 PM to 10:30 PM.

2. Council member Holm moved, Walter-Ashby seconded to reverse the denial of a Noise Permit for Firetrucker Brewery, Vinyl Brew, on September 18 2019 from 5 PM to 9 PM

### **ADMINISTRATIVE BUSINESS**

City Manager, David Jones, reported on the following items:

1. The City Clerk is working with a committee to revise the City of Ankeny's Special Events, Noise, and Food Vendor Ordinances.
2. The City Council will be meeting on Monday, September 9, 2019 at Fire Station No.1 Training Room at 5:30 PM for Strategic Planning.
3. A CAPS meeting will be held directly after the 9/16 Council meeting for discussion of revised ordinances.
4. The current plans for the new library do not include irrigation. This topic will be further discussed and voted on at a future meeting.

Mayor & Council Members:

1. Mayor Lorenz reminded council of the DART meeting on 9/13/19 at 8 AM
2. Council member Bentz, asked staff to be sure and make announcements regarding the upcoming 1<sup>st</sup> Street ramps being closed.
3. Council member McKenna, requested copies of the sanitary and storm water reports when they are available.

### **ADJOURNMENT**

Council adjourn regular session at 5:29 PM

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Denise L. Hoy, City Clerk

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Gary Lorenz, Mayor

Published in the Des Moines Register on the 11 day of September, 2019. Audio file of this meeting is available by contacting the City Clerk's Office.