

MINUTES OF THE ANKENY CITY COUNCIL

Monday, November 18, 2019 5:30 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

Mayor Lorenz called the meeting to order at 5:30 PM. All Council Members were present. City Manager, David Jones and City Attorney, Amy Beattie were present. Mayor Lorenz led the Pledge of Allegiance.

PUBLIC FORUM:

1. Sara Volkmann from the Ankeny Chamber of Commerce informed council of upcoming events and encouraged council to attend. Information can be found at Ankeny.org
2. Joey Beech, Ankeny Economic Development, thanked council and staff for attending the annual Salute to Industries.
3. Marilyn Garvey, 309 NE Eaglewood Dr, Ankeny, representing the "Ankeny Flood Committee" through AMOS, asked council to consider applying to FEMA for the Community Rating System. City Council advised Ms. Garvey that the council had discussed this topic at the 10-21-19 council meeting and had agreed to re-visit this subject during the budget process.

APPROVAL OF AGENDA

1. Council member Walter-Ashby moved to approve and accept the November 18, 2019 agenda without amendment, Holm seconded. Ayes: 5

PUBLIC HEARING(S):

1. PH 2019-64: Mayor Lorenz announced that this is the time and place for a public hearing on the matter of the acquisition of property and property interests for the public improvement to be known as SE Hulsizer Road Realignment project. Notice of this hearing was published in the Des Moines Register on the 1st day of November, 2019 and notices were mailed as required by law.

Mark Mueller, Public Works Director, reported that the action before the Council is to hold a Public Hearing to allow affected property owners the opportunity to present their views regarding the proposed acquisition of property and property interests for the SE Hulsizer Road Realignment project. Further action includes consideration of a Resolution approving the commencement of the public improvement including negotiations to facilitate the acquisition of fee title, permanent easements and temporary easements for the project.

Hearing no other comments and receiving no written correspondence, Council member Whiting moved, Walter-Ashby seconded, to close public hearing 2019-64. Ayes: 5.

2. PH 2019-65: Mayor Lorenz announced that this is the time and place for a public hearing on the matter of the adoption of plans, specifications, form of contract, and estimate of cost for construction of certain public improvements described in general as construction of the

Ankeny Public Services Library Remodel project. Notice of this hearing was published in the Des Moines Register on the 8th day of November 2019.

Paul Moritz, Assistant City Manager, reported that with the pending completion of the new Ankeny Kirkendall Public Library, the next phase of the city's overall facilities plan can commence: The remodeling of the existing Kirkendall library into the new Public Services Building. The scope of the project includes a full remodeling of the interior of the structure, and site improvements including new parking lot, access drive and turn lane. The interior of the building shall be demolished and rebuilt to accommodate our four public service departments. The construction work includes all civil, landscape, architectural, mechanical, electrical, and technology systems. The exterior of the building shall be maintained except for the front façade, which shall be reconstructed. A new parking lot will be constructed along with a new turn lane on NW Prairie Ridge Drive. A new geothermal HVAC system and emergency generator will be included.

Hearing no other comments and receiving no written correspondence, Council member Holm moved, Whiting seconded, to close public hearing 2019-65. Ayes: 5.

3. PH 2019-66: Mayor Lorenz announced that this is the time and place for a public hearing on the matter of a proposed Emergency Watershed Protection Easement. Notice of this hearing was published in the Des Moines Register on the 8th day of November, 2019.

Mark Mueller, Public Works Director, reported that in 2012, the City acquired property in the southwest quadrant of the East 1st Street & SE Frisk Drive intersection that is subject to an Emergency Watershed Protection Program Floodplain Warranty Easement Deed (Easement). The City requested that the Easement be removed from part of the property in order to facilitate construction of the improvements on East 1st Street that are included in the I-35 & East 1st Street Interchange Reconstruction project in 2019 and 2020. In exchange for the property removed from the Easement, a slightly greater area is being added to the Easement.

The City has provided the United States of America with the documentation required for approval of the new easement area. The United States of America now requests approval by the City Council in the form of a Resolution prior to forwarding all documentation to the General Counsel.

The City Council originally adopted this said Resolution on August 19, 2019 as Resolution 2019-359; however, the Title Guaranty attorney has requested that the City Council go through a public hearing on the approval of said Resolution.

Hearing no other comments and receiving no written correspondence, Council member Walter-Ashby moved, Holm seconded, to close public hearing 2019-66. Ayes: 5.

REPORTS OF ADVISORY BOARDS AND COMMISSION:

1. Park Board Representative, Chad Hade, informed council on the Park Board's recent and upcoming activities.

CONSENT AGENDA ITEMS:

Minutes

1. Official minutes of the November 4, 2019 regular council meeting, as published.
2. Receive and file minutes of the Library Board meeting of September 19, 2019.
3. Receive and file minutes of the Plan & Zoning Commission meeting of October 22, 2019.
4. Receive and file minutes of the Civil Service Commission meeting of October 14, 2019.

Licenses and Permits

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

Finance/Budget

6. Receive and file Financial Reports for October 2019.
7. Receive and file the Building Permits Report for October 2019.
8. Receive and file Utility Billing Report for October 2019.
9. Payment #7 in the amount of \$392,703.84 to Alliance Construction Group for construction services on the S Ankeny Blvd and SE Shurfine Dr/SW Prairie Trail Pkwy Intersection Improvements project.
10. Payment #4 in the amount of \$147,959.89 to Absolute Concrete Construction, Inc. for construction services on the N Ankeny Blvd and NW/NE Georgetown Blvd Intersection Improvements project.
11. Payment #17 in the amount of \$15,183.04 to Civil Design Advantage for engineering services on the Deer Creek Trunk Sewer Extension Design project.
12. Payment #6 in the amount of \$8,375.00 to FOX Engineering Associates, Inc., for engineering services on the 2018 SE Magazine Road Water Main Improvements project.
13. Change Order #2 decreasing the contract amount by \$9,470.00 to Halbrook Excavating, for construction services on the SE East Lawn Area Utility Improvements-Phase 2 project.
14. Payment #7 in the amount of \$219,517.45 to Halbrook Excavating, for construction services on the SE East Lawn Area Utility Improvements-Phase 2 project.
15. Payment #3 in the amount of \$79,980.50 to Halbrook Excavating, for construction services on the High Trestle Trail Extension SW Ordinance to SE Magazine project.
16. Payment #1 in the amount of \$50,744.25 to Jasper Construction Services, for construction services on the Westwinds Channel Flood Repair project.
17. Amendment No. 2 to the Professional Services Agreement increasing the contract amount by \$11,900.00 with JEO Consulting Group for construction engineering services on the NW Irvinedale Drive Water Main Improvements project.
18. Payment #4 in the amount of \$13,632.84 to Kirkham Michael and Associates, for engineering services on the Westwinds Channel Flood Repair project.
19. Payment #3 in the amount of \$281,951.45 to McAninch Corporation, for construction services on the SW Des Moines Street - Magazine to 11th project.
20. Payment #4 in the amount of \$427,232.10 to Rognes Corporation for construction services on the Deer Creek Trunk Sewer Extension project.
21. Change Order #31 increasing the contract amount by \$3,716.18 to Stahl Construction for construction services on the Ankeny Kirkendall Public Library project.
22. Payment #2 in the amount of \$110,319.66 to Sternquist Construction, for construction services on the SE Crosswinds Drive - RISE project.
23. Payment #11 in the amount of \$45,000.00 to SVPA Architects, Inc., for services for the Public Services Building renovation project.
24. Payment #2 in the amount of \$95,346.87 to TK Concrete, Inc., for construction services on the SE Magazine Road Sidewalk Upgrades - Phase 3 project.

25. Payment #25 in the amount of \$2,932.62 to Veenstra & Kimm, Inc., for engineering services on the Northwest Booster Station – Design Services & Construction Services project.
26. Approve the November 18, 2019 Accounts Payable from the following funds: General \$248,763.79 , Road Use Tax \$14,451.02, Library Foundation \$247.28, Solid Waste \$79,368.72, Water \$435,935.83, Sewer \$1,243,499.04, Stormwater \$10,768.00; Golf Course \$9,849.43, Enterprise Project \$791,309.39, Revolving \$36,179.55, Risk Mgmt \$56,426.71, Health Insurance \$3,960.00, Capital Projects \$1,288,667.83, Payroll \$1,008,623.48, Less Service Transfers/ACH Drafts (\$173,250.41), Agenda Pymts Apprvd Separately \$1,890,879.51. Grand Total \$6,945,679.17.
27. RESOLUTION 2019-459 authorizing the purchase of traffic signal poles for installation with the NE 18th Street & NE Trilein Drive Traffic Signal project.
28. RESOLUTION 2019-460 approving the Annual Urban Renewal Report for Urban Renewal Areas within the City of Ankeny.
29. RESOLUTION 2019-461 approving debt certification forms, appropriating funds and directing filing of certifications.

Personnel Items

30. Accept the Civil Service Commission certified lists for appointment to Planner I-Planning and Building Department and Police Officer-Police Department, subject to passing any further department requirements.

Community Development Items

31. RESOLUTION 2019-462 providing for the notice and hearing of the City Council of the City of Ankeny regarding the voluntary urbanized annexation of property owned by Grand Capital, LC (date of hrg: 12/16/19 @ 5:30 p.m.)
32. Approve The Crossings at Deer Creek Plat 7 Preliminary Plat; and accept the public street name NE Avery Drive.

Engineering Items

33. RESOLUTION 2019-463 authorizing the City of Ankeny to submit an application for Federal Surface Transportation Block Grant Set-Aside Program 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.
34. RESOLUTION 2019-464 accepting public improvements in Estates at Prairie Trail Plat 7 for utilities.
35. RESOLUTION 2019-465 accepting public improvements in Estates at Prairie Trail Plat 7 for paving.
36. RESOLUTION 2019-466 accepting a purchase agreement and approving documents for the acquisition of permanent water main easement for the NW Irvinedale Drive Water Main Improvements project in Ankeny, Iowa. (3875 NW Irvinedale Drive - Victor Anderson)
37. RESOLUTION 2019-467 accepting a purchase agreement and approving documents for the acquisition of permanent water main easement for the NW Irvinedale Drive Water Main Improvements project in Ankeny, Iowa. (3851 NW Irvinedale Drive - Gary Bauer)

Capital Improvement Projects

38. RESOLUTION 2019-468 authorizing a project in the Annual Traffic Signal Improvements Projects scheduled for completion in calendar year 2020 within the 2019-2023 Capital Improvement Program for the City of Ankeny.
39. RESOLUTION 2019-469 authorizing a revision to the Streets Projects scheduled for completion in calendar year 2020 within the 2019-2023 Capital Improvement Program for the City of Ankeny.

Administrative Items

40. RESOLUTION 2019-470 setting public hearing on an amendment to an existing development agreement between the City of Ankeny and Kreg Enterprises, Inc. (date of hrg: 12/2/2019 @ 5:30 p.m.)
41. RESOLUTION 2019-471 fixing a date for a public hearing to consider the authorization of the sale real estate located in the southwest quadrant of the intersection of SW Ordnance Road and SW Des Moines Street from the City of Ankeny to William Doyle. (date of hrg: 12/2/2019 @ 5:30 PM)
42. RESOLUTION 2019-472 approving a 28E Agreement between the City of Ankeny and the Iowa Alcoholic Beverages Division ("ABD") for a tobacco, Alternative Nicotine and Vapor Product Enforcement Program in the City of Ankeny.

Approval of Consent Agenda Items

1. Council member Bentz moved, Whiting seconded, to approve consent agenda Items 1 - 42. Ayes: Bentz, Whiting, Holm, McKenna, Walter-Ashby.

LEGISLATIVE BUSINESS:

1. Ord 1986: An Ordinance vacating a portion of a Public Storm Sewer Easement located on Lot 3, John Deere Place Plat 5. Council member Holm moved, second by Walter Ashby, to accept third consideration of ORDINANCE 1986, sending it on its final passage and publication as required by law. Ayes: Holm, Walter-Ashby, Bentz, McKenna, Whiting.

Council member Walter-Ashby moved, second by Whiting, to adopt RESOLUTION 2019-473 authorizing the sale of real estate vacated by the City of Ankeny to the Godwin Group, LLC. Ayes: Walter-Ashby, Whiting, Bentz, Holm, McKenna.
2. Ord 1987: An Ordinance amending the Code of Ordinances of the City of Ankeny, Iowa, by amending provisions pertaining to Chapter 90 Water Service System. Council member Holm moved, Walter-Ashby seconded, to accept first consideration of ORDINANCE 1987. Ayes: Holm, Walter-Ashby, Bentz, McKenna, Whiting.
3. Ord 1988: An Ordinance amending the Code of Ordinances of the City of Ankeny, Iowa, by amending provisions pertaining to Chapter 91 Water Meters. Council member McKenna moved, second by Walter-Ashby, to accept first consideration of ORDINANCE 1988. Ayes: McKenna, Walter-Ashby, Bentz, Holm, Whiting.
4. Ord 1989: An Ordinance amending the Code of Ordinances of the City of Ankeny, Iowa, by amending provisions pertaining to Chapter 98 Sewer Use Charges. Council member Walter-

Ashby moved, Holm seconded, to accept first consideration of ORDINANCE 1989. Ayes: Walter-Ashby, Holm, Bentz, McKenna, Whiting.

5. Ord 1990: An Ordinance adding provisions pertaining to Human Right Commission. Walter-Ashby moved to TABLE ordinance 1990 until council has a work session to discuss the details of the ordinance, Bentz seconded. Ayes: Walter-Ashby, Bentz, Holm, McKenna, Whiting.

NEW BUSINESS:

1. Council member Holm moved, second by Whiting to adopt RESOLUTION 2019-474 approving and authorizing the acquisition of property and property interests for the SE Hulsizer Road Realignment Project. Ayes: Holm, Whiting, Bentz, McKenna, Walter-Ashby.
2. Council member Walter-Ashby moved, Whiting seconded, to adopt Resolution 2019-359 approving an Emergency Watershed Protection Program Floodplain Warranty Easement Deed between the United States of America and the City of Ankeny, Iowa. Ayes: Walter-Ashby, Whiting, Bentz, Holm, McKenna.
3. Council member Walter-Ashby moved, second by Whiting, to adopt 1) RESOLUTION 2019-475 ratifying, confirming, and approving change in deadline for submission of bids and posting of an amended notice to bidders and notice of public hearing 2) adopt RESOLUTION 2019-476 adopting plans, specifications, form of contract and estimate of cost \$3,990,800.00; 3) receive and file report of bids received November 14, 2019; and 4) adopt RESOLUTION 2019-477 making award of construction contract with Edge Commercial in the amount of \$3,806,200.00. Ayes: Walter-Ashby, Whiting, Bentz, Holm, McKenna.
4. Council member Holm moved, seconded by Walter-Ashby, to adopt RESOLUTION 2019-478 ordering construction on the NE 18th Street & NE Trilein Drive Traffic Signal project and fixing a date for hearing thereon and taking of bids therefor. (date of bid-letting: 12/10/19 @ 10:30 a.m./date of hrg: 12/16/19 @ 5:30 p.m.) Ayes: Holm, Walter-Ashby, Bentz. Nays: McKenna, Whiting. Motion carried.
5. Council member Walter-Ashby moved, second by Holm, to adopt RESOLUTION 2019-479 ordering construction on the Ankeny City Hall Council Chambers Renovation and fixing a date for hearing thereon and taking of bids therefor. (date of bid-letting: 12/10/19 @ 10:30 a.m./date of hrg: 12/16/19 @ 5:30 p.m.) Ayes: Walter Ashby, Holm, Bentz, McKenna, Whiting.
6. Council member Bentz moved, second by Whiting, to adopt RESOLUTION 2019-480 ordering construction on the NW Northlawn Area Sanitary Sewer Improvements project and fixing a date for hearing thereon and taking of bids therefor. (date of bid-letting: 12/10/19 @ 10:30 a.m./date of hrg: 12/16/19 @ 5:30 p.m.) Ayes: Bentz, Whiting, Holm, McKenna, Walter-Ashby.
7. Council member Holm moved, second by Walter-Ashby, to adopt RESOLUTION 2019-481 ordering construction on the Irvinedale Drive Transmission Main - Phase 2 project and fixing a date for hearing thereon and taking of bids therefor. (date of bid-letting: 12/10/19 @ 10:30 a.m./date of hrg: 12/16/19 @ 5:30 p.m.) Ayes: Holm, Walter-Ashby, Bentz, McKenna, Whiting.

ADMINISTRATIVE BUSINESS

Report of the Governing Body:

Mayor Lorenz reported on the Strategic Planning Session that was held with Council members on 11/15/2019.

Council Member Bentz reported she had attended the MAC meeting regarding the MWA. She also reiterated that she would like to consider what current activities the city is doing for flood management and consider that when deciding whether to apply for the FEMA CSR.

Council Member Holm reported that the extra cardboard recycling drop-site located at the city facility on Lorenz Drive has been very successful.

Council Member McKenna reminded staff that he is still waiting on the storm water study. He would like some sort of a time frame from staff on the report. Manager David Jones indicated that staff has seen the study but it is not yet complete for public view.

Council Member Walter-Ashby also indicated that she would like to review the FEMA CSR study during the budget process.

Council Member Whiting would like to get a better idea on scoring results regarding the FEMA CSR from other communities.

ADJOURNMENT – 6:45 PM

A Council Action Planning Session commenced following adjournment of the regular meeting.

Denise L. Hoy, City Clerk

Gary Lorenz, Mayor

Published in the Des Moines Register on the 25 day of November, 2019. Audio file of this meeting is available by contacting the City Clerk's Office.