

MINUTES OF THE ANKENY CITY COUNCIL

Monday, December 16, 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 in attendance. City Manager, David Jones and City Attorney, Amy Beattie were present. Mayor Lorenz led the Pledge of Allegiance.

CEREMONY

1. Special Recognition: Chief Clack introduced the fire crew from Station No. 3 and recognized them for their life saving efforts on a 911 call from July. Residents Mary and Rod Nelson were in attendance to publicly thank the crew for saving Mary's life this summer when responding to the call. They believed having Station No 3 so close was a contributing factor for the quick response.
2. Special Recognition: Mayor Lorenz recognized Jim McKenna for his years of service to Ankeny as Council Member from January 1, 2012 - December 31, 2019, and his many years of service as a public works employee previous to that. Jim's term expires on 12/31/2019 as he chose not to seek re-election.

PUBLIC FORUM

1. Michelle Starckenberg, Ankeny Chamber, addressed council with their upcoming goals and meetings. Mayor Lorenz congratulated and thanked Starckenberg on her past year serving as chair. Patty Hood will serve as the new chair for 2020.
2. Mayor Lorenz welcomed Boy Scout Troop 88 as they were in attendance working on their merit badges.

APPROVAL OF AGENDA

1. Council Member Holm moved to approve and accept the December 16, 2019 agenda, without amendment, Whiting seconded. Ayes: 5.

PUBLIC HEARING(S):

1. PH 2019-69: Mayor Lorenz announced that this is the time and place for a public hearing on the matter of the proposed voluntary annexation of certain parcels of real estate owned by Grand Capital, LC. Notices were mailed to affected property owners as required by law and notice of this hearing was published in the Des Moines Register on the 27th day of November, 2019.

Eric Jensen, Director for Planning and Building, informed council that Grand Capital, LC, the property owner, has requested annexation into the City of Ankeny. The land is approximately 18.6 acres (+/-) of land, generally located east of SE Four Mile Dr (NE 29th St); and approximately one-half mile north of SE Corporate Woods Dr (NE 62nd Ave), north of the railroad. The proposed annexation complies with the City of Ankeny's

annexation policy; therefore, staff is recommending that the City Council approve the Grand Capital, LC voluntary annexation.

Mayor Lorenz then asked for any public comment regarding the annexation. Hearing no comments, Council Member Walter-Ashby moved to close public hearing 2019-69, Whiting seconded. Ayes: Walter-Ashby, Whiting, Bentz, Holm, McKenna.

2. PH 2019-70: 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 Irvinedale Drive Transmission Main – Phase 2 project. Notice of this hearing was published in the Des Moines Register on the 29th day of November 2019.

Don Clark, Director of Municipal Utilities, informed council that the Irvinedale Drive Transmission Main - Phase 2 project includes installation of a 24-inch diameter transmission main from the SW Irvinedale Drive Water Tower to approximately 600 feet north of the intersection of NW Irvinedale Drive and W. 1st Street, along the west side of Irvinedale Drive.

Mayor Lorenz then asked for any public comment regarding the annexation. Hearing no comments, Council Member Holm moved to close public hearing 2019-70, Bentz seconded. Ayes: Holm, Bentz, McKenna, Walter-Ashby, Whiting.

3. PH 2019-71: 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 NE 18th Street & NE Trilein Drive Signalization project. Notice of this hearing was published in the Des Moines Register on the 29th day of November 2019.

Mark Mueller, Public Works Director, informed council that the NE 18th Street and NE Trilein Drive Traffic Signal project includes installation of a new traffic signal, relocation of a school zone flashing beacon, pavement patching, sidewalk and pedestrian ramp improvements, and fiber optic cable installation.

Mayor Lorenz then asked for any public comment regarding the annexation. Hearing no comments, Council Member Walter-Ashby moved to close PH 2019-71, Holm seconded. Ayes: Walter-Ashby, Holm, Bentz, McKenna, Whiting.

4. PH 2019-72: 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 NW Northlawn Area Sanitary Sewer Improvements project. Notice of this hearing was published in the Des Moines Register on the 29th day of November 2019.

Mark Mueller, Public Works Director, informed council that the NW Northlawn Area Sanitary Sewer Improvements project includes construction of approximately 315 LF of 8-inch trenchless sanitary sewer, 315 LF of trenchless 16-inch steel casing pipe, 30 LF of 8-inch trenched sanitary sewer, precast sanitary sewer manhole, connection to existing precast sanitary manhole, 112 SY of 7-inch PCC driveway removal and replacement, traffic control, erosion control, and miscellaneous associated work necessary to complete the project.

Mayor Lorenz then asked for any public comment regarding this project. Hearing no comments Council Member Walter-Ashby moved to close PH 2019-72, Whiting seconded. Ayes: Walter-Ashby, Whiting, Bentz, Holm, McKenna.

5. PH 2019-73: 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 City Hall Council Chambers Renovation project. Notice of this hearing was published in the Des Moines Register on the 29th day of November 2019.

Paul Moritz, Assistant City Manager, informed council that with the pending completion of the new Kirkendall Public Library, the existing council chambers and reception area within Ankeny City Hall shall be renovated to provide a new reception area and utility billing department. The proposed improvements generally include: demolition work to remove the existing council chambers and reception desk, renovation of the chambers area into offices and work stations to house the utility billing department, construct three reception stations and a new bathroom and remodel / expand an existing conference room and IT work room.

Mayor Lorenz then asked for any public comment regarding this project. Hearing no comments Council Member Bentz moved to close PH 2019-73, Whiting seconded. Ayes: Bentz, Whiting, Holm, McKenna, Walter-Ashby.

REPORTS OF ADVISORY BOARDS AND COMMISSION

1. Park Board Member, Lisa McDaniel, reported on past and upcoming park and recreation activities.

APPROVAL OF CONSENT AGENDA

Minutes

1. Official council actions of the regular meeting of December 2, 2019, as published, subject to correction, as recommended by the City Clerk.
2. Receive and file minutes of the Park Board meeting of October 28, 2019
3. Receive and file minutes of the Plan and Zoning Commission meeting of November 19, 2019.
4. Receive and file minutes of the Civil Service Commission meeting of November 12, 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. Receive and file Financial Reports for November 2019.
7. Receive and file the Building Permits Report for November 2019.
8. Receive and file Utility Billing Report for November 2019.
9. Change Order #1 increasing the contract amount by \$21,372.75 to Absolute Infrastructure, for construction services on the NW Irvinedale Drive Water Main Improvements project.
10. Payment #1 in the amount of \$97,948.09 to Absolute Infrastructure, for Construction Services on the NW Irvinedale Drive Water Main Improvements project.

11. Change Order #4 increasing the contract amount by \$5,909.62 to Alliance Construction Group for construction services on the S Ankeny Blvd and SE Shurfine Dr/SW Prairie Trail Pkwy Intersection Improvements project.
12. Payment #8 in the amount of \$177,209.33 to Alliance Construction Group for construction services on the S Ankeny Blvd and SE Shurfine Dr/SW Prairie Trail Pkwy Intersection Improvements project.
13. Payment #8 in the amount of \$22,816.30 to Civil Design Advantage for engineering services on the SE Hulsizer Road Re-alignment Design project.
14. Payment #10 in the amount of \$2,716.20 to Civil Design Advantage for engineering services on the SE East Lawn Area Utility Improvements - Phase 2 project.
15. Payment #18 in the amount of \$11,625.16 to Civil Design Advantage for engineering services on the Deer Creek Trunk Sewer Extension Design project.
16. Payment #2 in the amount of \$29,708.44 to Civil Design Advantage for engineering services on the SE East Lawn Area Utility Improvements - Phase 3 project.
17. Payment #7 in the amount of \$13,400.00 to FOX Engineering Associates, Inc., for engineering services on the 2018 SE Magazine Road Water Main Improvements project.
18. Payment #4 in the amount of \$77,610.92 to Halbrook Excavating, for construction services on the High Trestle Trail Extension SW Ordnance to SE Magazine project.
19. Change Order #3 increasing the contract amount by \$1,575.85 to Howrey Construction, Inc. for construction services on the NE Delaware Avenue Sidewalk Connection project.
20. Payment #3 in the amount of \$10,833.80 to Howrey Construction, Inc., for construction services on the NE Delaware Avenue Sidewalk Connection project.
21. Payment #2 in the amount of \$155,012.69 to Jensen Construction Company, for construction services on the Tradition Park Stormwater Detention Basin Flood Repair project.
22. Payment #5 in the amount of \$31,612.36 to OMG Midwest, Inc. dba Des Moines Asphalt & Paving for construction services on the SE Creekview Drive Roadway Improvements project.
23. Payment #11 in the amount of \$5,523.75 to RDG Planning & Design, for engineering services on the Stormwater Management Study and Master Plan project.
24. Change Order #2 increasing the contract amount by \$2,781.50 to Rognes Corporation for construction services on the Deer Creek Trunk Sewer Extension project.
25. Payment #5 in the amount of \$142,758.79 to Rognes Corporation for construction services on the Deer Creek Trunk Sewer Extension project.
26. Payment #1 in the amount of \$11,360.31 to Shive Hattery for design\development services on the Ankeny Senior Community Center.
27. Payment #1 in the amount of \$16,841.63 to Snyder & Associates, Inc., for engineering services on the NW Northlawn Area Utility Improvements project.
28. Payment #18 in the amount of \$7,965.92 to Snyder & Associates, Inc., for engineering services on the Traffic Signal System Timings Update project.
29. Payment #12 in the amount of \$27,198.66 to SVPA Architects, Inc., for design services for the Public Services Building and City Hall Renovation project.
30. Payment #3 in the amount of \$3,397.68 to TK Concrete, Inc., for construction services on the SE Magazine Road Sidewalk Upgrades - Phase 3 project.
31. Payment #26 in the amount of \$630.42 to Veenstra & Kimm, Inc., for engineering services on the Northwest Booster Station - Design Services & Construction Services project.

32. Approve the December 16, 2019 Accounts Payable: General \$153,381, Hotel Motel Tax \$285,934, Road Use Tax \$47,912, TIF \$46,705, Library Foundation \$6,008, Water \$77,505, Sewer \$693,877, Stormwater \$12,994; Golf Course \$6,504, Enterprise Project \$605,736, Revolving \$5,088, Risk Mgmt \$49,755, Capital Projects \$458,070, Payroll \$998,056, Less Service Transfers/ACH Drafts (\$171,965), Less Agenda Pymts Apprvd Separately (\$937,077).Grand Total \$2,338,431.

Personnel Items

33. Accept the Civil Service Commission certified list for appointment to Accountant in the Finance Department, subject to passing any further department requirements.

Community Development Items

34. RESOLUTION 2019-500 authorizing the mayor to sign a Hold Harmless Agreement allowing Lebeda Mattress Inc. to place a monument sign within a Sanitary Sewer Easement.
35. RESOLUTION 2019-501 accepting a storm water management facility maintenance covenant and permanent easement agreement, located on a part of Lot 1, Parrish Place Plat 1 and associated with an addition for Resurrection Lutheran Church.
36. RESOLUTION 2019-502 accepting final plat, letter of credit for seeding and erosion control, warranty deed to streets, restrictive covenants, quit claim deed to park land, platted easements, and cost participation request for the construction of a shared use path for Aspen Ridge Estates Plat 2.
37. RESOLUTION 2019-503 accepting final plat, letter of credit for seeding and erosion control, warranty deed to streets, restrictive covenants, and platted easements for Aspen Ridge Estates Plat 3.

Engineering Items

38. RESOLUTION 2019-504 authorizing the Mayor to sign a water wheeling agreement with Thorpe Water Development Company (Thorpe) and the Board of Water Works Trustees for the City of Des Moines (DMWW) concerning the supplying of water to Thorpe from a water main within the City of Ankeny, Iowa.
39. RESOLUTION 2019-505 accepting a proposal from RW Excavating Solutions, in the amount of \$41,032.00 for the construction of the Hawkeye Park Pond Improvements Phase 1 - Pond Outlet Structure project.
40. RESOLUTION 2019-506 approving and authorizing the acquisition of property and property interests for the West 1st Street Joint Utility Trench project.
41. RESOLUTION 2019-507 approving and authorizing the acquisition of property and property interests on behalf of MidAmerican Energy Company in conjunction with the West First Street Widening and Improvements - Phase 1 project.
42. RESOLUTION 2019-508 accepting maintenance bond for water main, sanitary sewer and storm sewer in Aspen Ridge Estates Plat 2.
43. RESOLUTION 2019-509 accepting maintenance bond for paving in Aspen Ridge Estates Plat 2.
44. RESOLUTION 2019-510 accepting maintenance bond for water main, sanitary sewer and storm sewer in Aspen Ridge Estates Plat 3.
45. RESOLUTION 2019-511 accepting maintenance bond for paving in Aspen Ridge Estates Plat 3.

46. RESOLUTION 2019-512 accepting public improvements in Courtyards at Rock Creek Plat 4 for utilities.
47. RESOLUTION 2019-513 accepting public improvements in Northgate Plat 4 for utilities.
48. RESOLUTION 2019-514 accepting public improvements in Northgate Plat 4 for paving.
49. RESOLUTION 2019-515 accepting public improvements in Heritage Village at Prairie Trail Plat 2 for utilities.
50. RESOLUTION 2019-516 accepting public improvements in Heritage Village at Prairie Trail Plat 2 for paving.
51. RESOLUTION 2019-517 accepting public improvements in Woodland Reserve Plats 10 and 11 (Woodland Edge Townhomes) for utilities.

Capital Improvement Projects

52. Fiber Optic Connection to New Public Library: Consider a motion to approve: a) Certificate of Completion; b) RESOLUTION 2019-518 accepting the public improvement with Precision Underground Utilities, LLC in the amount of \$29,717.68; c) Change Order #2 for contract deduction in the amount of \$336.00; d) Final Payment in the amount of \$5,833.00; and e) Retainage Payment in the amount of \$1,485.88.
53. SE East Lawn Area Utility Improvements - Phase 2: Consider motion to approve: a) Final Change Order #3 increasing the contract amount by \$16,065.00; b) Certificate of Completion; c) RESOLUTION 2019-519 accepting the public improvement with Halbrook Excavating in the amount of \$1,041,052.00; and d) Final Payment #8 in the amount of \$31,535.25 / Release of Retainage in the amount of \$52,052.60.

Administrative Items

54. RESOLUTION 2019-520 authorizing the execution of an agreement, made pursuant to Iowa Code Chapter 28E, for the consolidated Suburban Emergency Response Team ("SERT").
55. 2020 Parks & Recreation Department fees
56. Letter of agreement for custodial services at the new Ankeny Kirkendall Public Library.
57. Intergovernmental Transfer of Public Funds Agreement between the Iowa Department of Human Services and the Ankeny Fire Department.
58. Contractor Agreement with Public Consulting Group for Ground Emergency Medical Transportation (GEMT) Provider Cost Reporting.
59. Agreement with PetData LLC for pet licensing services.
60. Contract for Services between the City of Ankeny and Group Creative Services for A High Trestle Trail Corridor Public Art Master Plan

Approval of Consent Agenda Items

1. Council Member Whiting moved to approve the recommendations for Consent Agenda Items CA-1 through CA-60, Walter-Ashby seconded. Ayes: Whiting, Walter-Ashby, Bentz, Holm, McKenna.

LEGISLATIVE BUSINESS

Approval of Ordinances:

1. 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

- McKenna moved, second by Holm to accept third consideration of ORDINANCE 1987, sending it on its final passage and publication as required by law. Ayes: McKenna, Holm, Bentz, Walter-Ashby, Whiting.
2. 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 Holm moved, second by McKenna, to accept third consideration of ORDINANCE 1988, sending it on its final passage and publication as required by law. Ayes: Holm, McKenna, Bentz, Walter-Ashby, Whiting.
 3. 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, second by Whiting, to accept third consideration of ORDINANCE 1989, sending it on its final passage and publication as required by law. Ayes: Walter-Ashby, Whiting, Bentz, Holm, McKenna.
 4. Ord 1992: An Ordinance amending Section 22.01 Established; Qualifications; Appointment of Chapter 22, Plan and Zoning Commission of the City of Ankeny, Iowa. Council member Holm moved, second by Whiting, to accept first consideration of ORDINANCE 1992. Ayes: Holm, Whiting, Bentz, McKenna, Walter-Ashby.
 5. Ord 1993: An Ordinance amending Chapter 63, Speed Regulations, of the Municipal Code of the City of Ankeny, Iowa, by amending Section 63.05, Special Speed Zones, along North 54th Street, from North Ankeny Boulevard to the east corporate limit. Council Member Walter-Ashby, second by Bentz, to accept first consideration of ORDINANCE 1993. Ayes: Walter-Ashby, Bentz, Holm, McKenna, Whiting.

Boards/Commissions Appointments:

6. Council Member Whiting moved, second by Walter-Ashby to accept RESOLUTION 2019-521 approving Mayor Appointments to committees and boards for 2020. Ayes: Whiting, Walter-Ashby, Bentz, Holm, McKenna.

NEW BUSINESS:

1. Proposed voluntary annexation of certain parcels of real estate owned by Grand Capital, LC (PH 2019-69)

Council Member Walter-Ashby moved, Holm second, to receive and file the October 28, 2019 Consultation Meeting Report. Ayes: 5.

Council Member Holm moved, Whiting seconded, to adopt RESOLUTION 2019-522 annexing certain parcels of real estate owned by Grand Capital, LC. Ayes: Holm, Whiting, Bentz, McKenna, Walter-Ashby.

2. Proposed Irvinedale Drive Transmission Main - Phase 2 (PH 2019-70)

Council Member Walter-Ashby moved, Whiting seconded, to adopt 1) RESOLUTION 2019-523 adopting plans, specifications, form of contract and estimate of cost \$2,170,000.00; 2) receive and file report of bids received December 10, 2019; and 3) adopt RESOLUTION 2019-524 making award of construction contract with Schrader Excavating & Grading in the amount of \$1,903,873.59. 4) and adopt RESOLUTION 2019-525 approving contract and bonds with Schrader Excavating & Grading in the amount of \$1,903,873.59. Ayes: Walter-Ashby, Whiting, Bentz, Holm, McKenna.

3. Proposed NE 18th Street and NE Trilein Drive Signalization (PH 2019-71)

Council Member Holm moved, Walter-Ashby seconded, to adopt 1) RESOLUTION 2019-526 adopting plans, specifications, form of contract and estimate of cost \$415,290.80; 2) receive and file report of bids received December 10, 2019; and 3) adopt RESOLUTION 2019-527 making award of construction contract with TK Concrete, Inc. in the amount of \$385,640.00. 4) and adopt RESOLUTION 2019-528 approving contract and bonds with TK Concrete, Inc. in the amount of \$385,640.00. Ayes: Holm, Walter-Ashby Bentz. Nays: McKenna, Whiting.

4. Proposed NW Northlawn Area Sanitary Sewer Improvements Project (PH 2019-72)

Council Member McKenna moved, second by Bentz, to adopt 1) RESOLUTION 2019-529 adopting plans, specifications, form of contract and estimate of cost \$244,395.00; 2) receive and file report of bids received December 10, 2019; and 3) adopt RESOLUTION 2019-530 making award of construction contract with Minger Construction Co. Inc. in the amount of \$218,000.00 4) and adopt RESOLUTION 2019-531 approving contract and bonds with Minger Construction Co. Inc. in the amount of \$218,000.00. Ayes: McKenna, Bentz, Holm, Walter-Ashby, Whiting.

5. Proposed Ankeny City Hall Council Chambers Renovation Project (PH 2019-73)

Council Member Whiting moved, second by McKenna, to adopt 1) RESOLUTION 2019-532 adopting plans, specifications, form of contract and estimate of cost \$300,000.00; 2) receive and file report of bids received December 10, 2019; and 3) adopt RESOLUTION 2019-533 making award of construction contract with Trinity Construction Group, Ltd. in the amount of \$318,000.00. Ayes: Whiting, McKenna, Bentz, Holm, Walter-Ashby.

6. Proposed Local Business Investment Policy

Council Member Holm moved, Whiting seconded, to adopt RESOLUTION 2019-534 approving a "Local Business Investment Policy" in the City of Ankeny, Iowa. Ayes: Holm, Whiting, Bentz, McKenna, Walter-Ashby.

7. Greater Des Moines Fair Play Agreement - Memorandum of Understanding

Council Member Walter-Ashby, second by Holm, to adopt RESOLUTION 2019-535 approving a Memorandum of Understanding for the Greater Des Moines Fair Play Agreement. Ayes: Walter-Ashby, Holm, Bentz, McKenna, Whiting.

ADMINISTRATIVE BUSINESS

Report of the City Staff:

City Manager, David Jones, requested council consider joining the Metro Coalition. This group offers lobbying efforts for cities above 50,000 in population and costs 5 cents per capita. Council was receptive to the idea and it will be considered at the next regular council meeting.

Report of the Governing Body:

Mayor – Informed council that he and Bobbi had attended a DART meeting where they discussed the principles of the funding formula.

Bentz – Attended the MAC meeting and learned that neighboring communities are considering an ordinance regulating Air BNB's.

Holm – Wished Jim McKenna best wishes.

McKenna – Expressed his joy in serving on the council and thanked the Boards and Commissions for all they do.

Walter-Ashby –Along with thanking McKenna for his service she thanked staff for a wonderful tree lighting event.

Whiting – Thanked McKenna.

ADJOURNMENT

At 6:37 PM council adjourned the regular meeting and went into a work session to discuss capital projects for FY2021 budget.

Denise L. Hoy, City Clerk

Gary Lorenz, Mayor

Published in the Des Moines Register on the 23rd day of December, 2019. Audio file of this meeting is unavailable due to a malfunction.