

MINUTES OF THE REGULAR MEETING OF THE ANKENY CITY COUNCIL

Monday, September 19, 2016 – 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, Wade Steenhoek, Kerry Walter-Ashby

Mayor Lorenz called the meeting to order at 5:30 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. Open Forum: Jen Walter, representing the Ankeny Area Chamber of Commerce, provided an update on the activities and events of the Ankeny Chamber.

B. APPROVAL OF AGENDA:

1. Approval of the September 19, 2016 Agenda:

Action# B1-1. Holm made the motion to approve and accept the September 19, 2016 agenda, without amendment, seconded by Bentz.

ROLL CALL

2016-0919.B1-1 YES 5 NO 0

C. PUBLIC HEARING(S):

1. **PH 2016-50:** Proposed Development Agreement between the City of Ankeny and WCEC Industrial Services, LLC

Mayor Lorenz opened the public hearing. Notice of this hearing was published in the Des Moines Register on the 9th day of September, 2016.

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

Derek Lord, Economic Development Director, reported West Central Environmental Consultants (WCEC) is planning to open their first office in Iowa and is considering leasing a new building located at 802 SW Cherry Street. WCEC is a Minnesota based environmental services firm specializing in industrial testing, including remediation, emergency response, vacuum truck services and oil and gas consulting. Their intent is to lease approximately 7,200 square feet of the approximately 12,000 square foot building for office, laboratory, testing and equipment storage space. The company has committed to creating 22 positions over the next 36 months. All 22 positions are classified as high quality jobs, exceeding 120% of Ankeny's laborshed wage rate, or \$27.92+/hr.

(\$58,073/year). Eleven of the positions exceed 160% of Ankeny's laborshed wage, or \$37.23/hr. (\$77,438/year). They are expected to begin operations at this location in October.

Action# C1-1. McKenna made the motion to close Public Hearing 2016-50, seconded by Steenhoek

ROLL CALL

2016-0919.C1-1 YES 5 NO 0

D. REPORTS OF ADVISORY BOARDS AND COMMISSION:

1. Park Board representative, Josh Craighead, reported on the activities of the Plan & Zoning Commission.
Library Board representative, Sam Mitchel, reported on the activities of the Library Board.

E. APPROVAL OF CONSENT AGENDA:

- **Minutes**

CA - 1 Approval of official council actions of the regular meeting of September 6, 2016, as published, subject to correction, as recommended by the City Clerk.

CA - 2 Receive and file minutes of the Plan & Zoning Commission meeting of August 16, 2016.

CA - 3 Receive and file minutes of the Zoning Board of Adjustment meeting of August 16, 2016.

CA - 4 Receive and file minutes of the Civil Service Commission meeting of August 10, 2016.

- **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 August 2016.

CA - 7 Consider motion to receive and file the Building Reports for August 2016.

CA - 8 Consider motion to receive and file Utility Billing Report for August 2016.

CA - 9 Consider motion to approve Payment #1 in the amount of \$703.00 to Civil Design Advantage, for engineering services on the Hidden Creek Trunk Sewer Extension Design project.

CA - 10 Consider motion to approve Payment #8 in the amount of \$2,105.40 to Civil Design Advantage for engineering services on the SE East Lawn Area Utility Improvements project.

CA - 11 Consider motion to approve Payment #3 in the amount of \$331,294.45 to Construct, Inc., for construction services on the 2016 PCC Reconstruction Program - SE 3rd Street project.

CA - 12 Consider motion to approve Change Order #2 increasing the contract amount by \$814.00 to Ellingson Drainage, Inc., for construction services on the East First Street Rural Water Main Extension project.

CA - 13 Consider motion to approve Payment #3 in the amount of \$8,835.19 to Ellingson Drainage, Inc., for construction services on the East First Street Rural Water Main Extension project.

CA - 14 Consider motion to approve Payment #15 in the amount of \$1,406.00 to HR Green, Inc., for engineering services on the W. 1st Street and NW/SW State Street Intersection Improvements project.

CA - 15 Consider motion to approve Payment #2 in the amount of \$224,888.75 to Iowa Bridge & Culvert, L.C. for construction services on the NW 13th Street RCB Culvert for Rock Creek Project.

CA - 16 Consider motion to approve Change Order #3 decreasing the contract amount by \$1,002.00 to J&K Contracting, LLC for construction services on the SE Sharon Drive Sanitary Sewer Replacement - Phase 2 project.

CA - 17 Consider motion to approve Payment #5 in the amount of \$125,356.21 to J&K Contracting, LLC for construction services on the SE Sharon Drive Sanitary Sewer Replacement - Phase 2 project.

CA - 18 Consider motion to approve Change Order #2 increasing the contract amount by \$13,764.00 to Jensen Construction Co., for construction services on the Bridge Widening-NE 36th Street over Fourmile Creek project.

CA - 19 Consider motion to approve Payment #6 in the amount of \$488,169.92 to Jensen Construction Co., for construction services on the Bridge Widening - NE 36th Street over Fourmile Creek project.

CA - 20 Consider motion to approve Payment #6 in the amount of \$32,761.78 to Kirkham Michael for engineering services on the NW 13th Street RCB Culvert for Rock Creek project.

CA - 21 Consider motion to approve Payment #1 in the amount of \$126,238.47 to RW Excavating and Dozing, LC for construction services on the NE Tributary (A) to Fourmile Creek Stream Stabilization - Phase 3 project.

CA - 22 Consider motion to approve Change Order #2 increasing the contract amount by \$4,694.50 to TK Concrete, Inc., for construction services on the W 1st Street Sidewalk Upgrade - Phase 1 project.

CA - 23 Consider motion to approve Payment #2 in the amount of \$52,992.90 to TK Concrete, Inc., for construction services on the W 1st Street Sidewalk Upgrade - Phase 1 project.

CA - 24 Consider motion to approve the September 19, 2016 Accounts Payable from the following funds: General \$121,481.35, Hotel Motel Tax \$240,484.32, Road Use Tax

\$218,116.66, Library Foundation \$301.54, Ankeny Foundation \$1,195.00, Solid Waste \$45,335.76, Water \$448,936.54, Sewer \$557,874.24, Stormwater \$3,006.10, Golf Course \$28,292.78, Enterprise Project \$282,354.04, Revolving \$15,806.49, Risk Mgmt \$1,657.52, Capital Projects \$1,174,453.27, Payroll \$832,068.62, Less Srvc Trnsfrs/ACH Drafts (\$144,661.46), Less Agenda Pymts Apprvd Separately (\$1,412,564.64), Grand Total \$2,414,138.13 (Finance Committee: J. McKenna, Chp., W. Steenhoek, B. Bentz)

CA - 25 Consider motion to adopt RESOLUTION 2016-329 amending the schedule of charges and fees for ambulance and rescue services.

CA - 26 Consider motion to adopt RESOLUTION 2016-330 authorizing the purchase of an ambulance for use in the fire department response fleet.

CA - 27 Consider motion to adopt RESOLUTION 2016-331 authorizing the execution of a collection services agreement between the City of Ankeny and Municipal Collections of America, Inc., (MCOA) for the collection of Delinquent City Accounts.

- **Personnel Items:** none

- **Community Development Items**

CA - 28 Consider motion to approve Trestle Crossing Plats 2 and 3 Preliminary Plat.

CA - 29 Consider motion to adopt RESOLUTION 2016-332 accepting final plat for Hidden Creek Plat 4.

CA - 30 Consider motion to adopt RESOLUTION 2016-333 accepting final plat, deed to streets, letter of credit for erosion control, performance and maintenance bonds for paving and underground improvements, platted easements, approval of cost participation for water main and trail upsizing, payment in lieu of parksite dedication and approving the private street names NW Weston Lane for Village at Rock Creek Plat 1.

CA - 31 Consider motion to adopt RESOLUTION 2016-334 approving plans and specifications and accepting contracts, performance and maintenance bonds for the construction of water main, sanitary sewer, and storm sewer in Village at Rock Creek Plat 1.

CA - 32 Consider motion to adopt RESOLUTION 2016-335 approving plans and specifications and accepting contracts, performance and maintenance bonds for the construction of street paving in Village at Rock Creek Plat 1.

CA - 33 Consider motion to adopt RESOLUTION 2016-336 providing for the notice and hearing of the City Council of the City of Ankeny to rezone certain property owned by Jerry's Homes Inc. (date of hrg: 10/3/16 @ 5:30 p.m.)

CA - 34 Consider motion to adopt RESOLUTION 2016-337 setting a public hearing on the vacation of a public utility easement associated with Common Lot A, Miller's Pointe Plat 1. (date of hrg: 10/3/2016 @ 5:30 p.m.)

- **Engineering Items**

CA - 35 Consider motion to adopt RESOLUTION 2016-338 accepting a purchase agreement and approving documents for the acquisition of temporary construction easement for the construction of the IA 160/SE Oralabor Road and SE Delaware

Avenue Roadway and Traffic Signal Improvements Project in Ankeny, Iowa. (Parcel 41, Velasco Ankeny, LLC)

CA - 36 Consider motion to adopt RESOLUTION 2016-339 accepting a purchase agreement and approving documents for the acquisition temporary construction easement for the construction of the IA 160/SE Oralabor Road and SE Delaware Avenue Roadway and Traffic Signal Improvements project in Ankeny, Iowa. (Parcel 42, All Iowa Home Center, LLC)

CA - 37 Consider motion to adopt RESOLUTION 2016-340 accepting a Purchase Agreement and approving documents for the acquisition of street right-of-way and temporary construction easement for the construction of the IA 160/SE Oralabor Road and SE Delaware Avenue Roadway and Traffic Signal Improvements project in Ankeny, Iowa. (Parcel 23, Karl Chevrolet, Inc.)

CA - 38 Consider motion to adopt RESOLUTION 2016-341 accepting a purchase agreement and approving documents for the acquisition of temporary construction easement for the construction of the IA 160/SE Oralabor Road and SE Delaware Avenue Roadway and Traffic Signal Improvements project in Ankeny, Iowa. (Parcel 22, Woodside Business Park, LLC)

CA - 39 Consider motion to adopt RESOLUTION 2016-342 accepting a purchase agreement and approving documents for the acquisition of temporary construction easement for the construction of the IA 160/SE Oralabor Road and SE Delaware Avenue Roadway and Traffic Signal Improvements project in Ankeny, Iowa. (Parcel 30, Menard, Inc.)

CA - 40 Consider motion to adopt RESOLUTION 2016-343 accepting a purchase agreement and approving documents for the acquisition of temporary construction easement for the construction of the IA 160/SE Oralabor Road and SE Delaware Avenue Roadway and Traffic Signal Improvements project in Ankeny, Iowa. (Parcel 21, Grand Capital)

CA - 41 Consider motion to adopt RESOLUTION 2016-344 accepting a Purchase Agreement and approving documents for the acknowledgement for acquisition of temporary construction easement for the construction of the IA 160/SE Oralabor Road and SE Delaware Avenue Roadway and Traffic Signal Improvements project in Ankeny, Iowa. (Parcel 21, Walgreens Co.)

- **Capital Improvement Projects**

CA - 42 2016 - NE 18th Street Channel Improvements Project: Consider motion to approve: a) Change Order #1 increasing the contract amount by \$8,250.68; b) Certificate of Completion; c) RESOLUTION 2016-345 accepting the public improvements with RW Excavating and Dozing, in the amount of \$135,661.49; and d) Final Payment #2 in the amount of \$11,029.50 / Release of Retainage in the amount of \$6,783.07.

- **Administrative Items**

CA - 43 Consider motion to adopt RESOLUTION 2016-346 approving the application for tax abatement under the Urban Revitalization Plan for the City of Ankeny, Iowa, submitted for the property locally known as 416 SW Third St., Ankeny, Iowa.

CA - 44 Consider motion to approve the submission of a grant application to the Iowa Governor's Traffic Safety Bureau for the State and Community Highway Safety Grant Program. (traffic enforcement equipment)

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-44:

Action# E1-1. Steenhoek made the motion to approve the recommendations for Consent Agenda Items CA-1 through CA-44, seconded by Bentz.

ROLL CALL

2016-0919.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 1890: 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 to amend the Prairie Trail Mixed Use Neighborhood Planned Unit Development document revising Exhibit B, Land Use Plan map.

Action# H1-1. McKenna made the motion to accept third consideration of ORDINANCE 1890, sending it on its final passage and publication as required by law, seconded by Walter-Ashby.

ROLL CALL

2016-0919.H1-1 YES 5 NO 0

2. Ord 1892: 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 Sioux Newberg, Talia C Chiodo and David L Hamlin.

Action# H2-1. Holm made the motion to accept third consideration of ORDINANCE 1892, sending it on its final passage and publication as required by law, seconded by Walter-Ashby.

ROLL CALL

2016-0919.H2-1 YES 4 NO 0

3. Ord 1893: An Ordinance vacating a portion of a water main easement associated with Outlot T, The District at Prairie Trail Plat 3.

Action# H3-1. McKenna made the motion to accept third consideration of ORDINANCE 1893, sending it on its final passage and publication as required by law, seconded by Holm.

ROLL CALL

2016-0919.H3-1 YES 5 NO 0

Action# H3-2. Bentz made the motion to adopt RESOLUTION 2016-347 authorizing the sale of real estate vacated by the City of Ankeny to DRA Properties, LC, seconded by Walter-Ashby.

ROLL CALL

2016-0919.H3-2 YES 5 NO 0

4. Ord 1894: An Ordinance vacating a Public Utility Easement associated with Heritage Townhomes at Prairie Trail Plat 1.

Action# H4-1. McKenna made the motion to accept second consideration of ORDINANCE 1894, seconded by Steenhoek.

ROLL CALL

2016-0919.H4-1 YES 5 NO 0

Action# H4-2. Holm made the motion to accept applicant's request to suspend the rule that all ordinances must be considered on three different days and accept third consideration of ORDINANCE 1894, sending it on its final passage and publication as required by law, seconded by McKenna.

ROLL CALL

2016-0919.H4-2 YES 5 NO 0

Action# H4-3. Walter-Ashby made the motion to adopt RESOLUTION 2016-348 authorizing the sale of real estate vacated by the City of Ankeny to DRA Properties, LC, seconded by Steenhoek.

ROLL CALL

2016-0919.H4-3 YES 5 NO 0

5. Ord 1895: An Ordinance amending Chapter 69, Parking Regulations, of the Municipal Code of the City of Ankeny, Iowa, by amending Section 69.10, No Parking on North and East Sides of Streets, to allow for the addition of "No Parking" zones along the south side of:

1. NW Reinhart Drive from NW State Street to a point 165 feet west of the centerline of NW State Street, and
2. NW Reinhart Drive from NW Ash Drive to a point 130 feet west of the centerline of NW Ash Drive, and
3. NW Reinhart Drive from NW Ash Drive to a point 130 feet east of the centerline of NW Ash Drive, and
4. NW Reinhart Drive from N Ankeny Boulevard to a point 185 feet west of N Ankeny Boulevard.

Action# H5-1. McKenna made the motion to accept second consideration of ORDINANCE 1895, seconded by Steenhoek.

ROLL CALL

2016-0919.H5-1 YES 5 NO 0

Action# H5-2. McKenna made the motion to accept staff request to suspend the rule that all ordinances must be considered on three different days and accept third consideration of ORDINANCE 1895, sending it on its final passage and publication as required by law, seconded by Walter-Ashby.

ROLL CALL

2016-0919.H5-2 YES 5 NO 0

I. OLD BUSINESS: none

J. NEW BUSINESS:

1. Proposed Development Agreement between the City of Ankeny and WCEC Industrial Services, LLC. (PH 2016-50)

Action# J1-1. Holm made the motion to adopt RESOLUTION 2016-349 approving a development agreement between the City of Ankeny and WCEC Industrial Services, LLC, seconded by McKenna.

ROLL CALL

2016-0919.J1-1 YES 5 NO 0

2. Ankeny Economic Development Urban Renewal Area Project Approval
WCEC Industrial Services, LLC Development Agreement

Action# J2-1. Walter-Ashby made motion to adopt RESOLUTION 2016-350 approving project in the Ankeny Economic Development Urban Renewal Area and directing the filing of certification under Iowa Code Section 403.19, seconded by Bentz.

ROLL CALL

2016-0919.J2-1 YES 5 NO 0

K. ADMINISTRATIVE BUSINESS:

- Report of the City Staff:

City Manager, David Jones, reported the continuation of the Strategic Planning Session is scheduled for Monday, September 26th with the start time to be announced at a later date. He also reminded Council that Des Area Regional Transit (DART) staff will be present at an October council meeting to review the results of the online survey related to DART Forward 2035 and to discuss upcoming financial decisions. Should Council have questions they would like answered by DART staff, he asked they be submitted to him yet this week giving him time to forward to DART and allowing them time to prepare answers.

- Report of the Governing Body:

Mayor Lorenz reviewed upcoming meetings he would be attending.

Council Member Bentz requested information as it relates to the percentage of DART capacity ridership.

Council Member Steenhoek inquired as to the exit notification requirements and debt buyout if Ankeny were to terminate their relationship with DART as well as he would like a better understanding as it relates to rate projections that show different escalation of rates for Ankeny as well as other communities.

L. ADJOURNMENT

1. There being no further business, the meeting was adjourned at 6:18 p.m.

Pamela DeMouth, City Clerk

Gary Lorenz, Mayor

Published in the Des Moines Register on the 30th day of September, 2016.
Audio file of meeting is available by contacting the City Clerk's Office.