

## MINUTES OF THE REGULAR MEETING OF THE ANKENY CITY COUNCIL

Monday, October 17, 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

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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. **Special Presentation:** Des Moines Area Regional Transit Authority (DART) Chief Engagement & Communications Officer Amanda Wanke, General Manager Elizabeth Presutti and Board Chair Steve Van Oort presented three draft plan options as part of the update to the DART Forward 2035 plan - DART's long range transit services plan for the region.
2. **Open Forum:** Crystal Vitzthum, 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 October 17, 2016 Agenda:

**Action# B1-1. Holm made the motion to approve and accept the October 17, 2016 agenda, without amendment, seconded by Walter-Ashby.**

**ROLL CALL**

**2016-1017.B1-1**

**YES 5 NO 0**

**C. PUBLIC HEARING(S):** none

### D. REPORTS OF ADVISORY BOARDS AND COMMISSION:

1. Park Board Representative, Amber Angaran, 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 October 3, 2016, as published, subject to correction, as recommended by the City Clerk.
  - CA - 2** Approval of official council actions of the special meeting of September 26, 2016, as published, subject to correction, as recommended by the City Clerk.

**CA - 3** Receive and file minutes of the Plan & Zoning Commission meeting of September 20, 2016.

- **Licenses and Permits**

**CA - 4** Consider motion to approve the issuance of liquor license(s) and/or beer/wine permit(s) in the City of Ankeny.

- **Finance/Budget**

**CA - 5** Consider motion to receive and file Financial Reports for September 2016.

**CA - 6** Consider motion to receive and file Building Permits Report for September 2016.

**CA - 7** Consider motion to receive and file Utility Billing Report for September 2016.

**CA - 8** Consider motion to approve Payment #3 in the amount of \$33,489.40 to Iowa Bridge & Culvert, L.C. for construction services on the NW 13th Street RCB Culvert for Rock Creek Project.

**CA - 9** Consider motion to approve Payment #7 in the amount of \$331,184.04 to Jensen Construction Co., for construction services on the Bridge Widening - NE 36th Street over Fourmile Creek project.

**CA - 10** Consider motion to approve Payment #4 in the amount of \$126,507.65 to MPS Engineers for construction services on the SW Southlawn Area Utility Improvements project - Phase 5.

**CA - 11** Consider motion to approve Payment #5 in the amount of \$233,577.45 to MPS Engineers, PC for construction services on the SW Vintage Parkway Connection project.

**CA - 12** Consider motion to approve the October 17, 2016 Accounts Payable from the following funds: General \$254,557.37, Road Use Tax \$20,289.27, Police/Fire Pension \$1,028.27, Solid Waste \$45,335.76, Water \$283,844.49, Sewer \$573,184.72, Stormwater \$4,813.73, Golf Course \$33,287.81, Enterprise Project \$103,961.92, Revolving \$28,410.05, Health Insurance \$916.93, Equipment Reserve \$3,299.00, Capital Projects \$927,903.50, Payroll Totals \$814,130.80, Less Svc Trnsfrs/ACH Drafts (\$144,838.88), Less Agenda Pymts Apprvd Separately (\$768,872.13), Grand Total \$2,181,252.61 (Finance Committee: B. Bentz, Chp., K. Walter-Ashby, M. Holm)

**CA - 13** Consider motion to adopt RESOLUTION 2016-371 authorizing the setting of a hearing on a proposal to assess unpaid costs of cutting or eliminating vegetation pursuant to Chapter 167 of the Ankeny Municipal Code. (date of hearing: 11/07/16 @ 5:30 p.m.)

- **Personnel Items:** none

- **Community Development Items:**

**CA - 14** Consider motion to adopt RESOLUTION 2016-372 accepting final plat and platted easement for Heritage Townhomes at Prairie Trail Plat 2.

**CA - 15** Consider motion to adopt RESOLUTION 2016-373 accepting final plat, deed to streets, letter of credit for erosion control, performance and maintenance bonds for paving and underground improvements, platted easements, petition and waiver for

future street improvements, payment in lieu of parksite dedication and approving cost participation for sidewalks and water oversizing for Trestle Crossing Plat 2.

**CA - 16** Consider motion to adopt RESOLUTION 2016-374 approving plans and specifications and accepting contracts and performance and maintenance bonds for the construction of water main, sanitary sewer and storm sewer in Trestle Crossing Plat 2.

**CA - 17** Consider motion to adopt RESOLUTION 2016-375 approving plans and specifications and accepting contracts, performance and maintenance bonds for the construction of street paving in Trestle Crossing Plat 2.

- **Engineering Items**

**CA - 18** Consider motion to adopt RESOLUTION 2016-376 accepting a temporary construction easement for the construction of the IA 160/SE Oralabor Road & SE Delaware Avenue Roadway and Traffic Signal Improvements project in Ankeny, Iowa. (Parcel 32, Jaylor Group Holdings II, LLC)

**CA - 19** Consider motion to adopt RESOLUTION 2016-377 accepting maintenance bond and public improvements for water main, sanitary sewer and storm sewer in Siena Hills Plat 6.

**CA - 20** Consider motion to adopt RESOLUTION 2016-378 accepting maintenance bond and public improvements in Siena Hills Plat 6 for paving.

**CA - 21** Consider motion to adopt RESOLUTION 2016-379 authorizing the execution of an Addendum to the Cooperative Agreement for Primary Road Project between the Iowa Department of Transportation (DOT) and the City of Ankeny for the proposed IA Hwy. 160/SE Oralabor Road and SE Delaware Avenue Roadway and Traffic Signal Improvements project.

**CA - 22** Consider motion to adopt RESOLUTION 2016-380 accepting public improvements in Centennial Pointe Plat 6 for utilities.

**CA - 23** Consider motion to adopt RESOLUTION 2016-381 accepting public improvements in Centennial Pointe Plat 6 for paving.

- **Capital Improvement Projects**

**CA - 24 2016 - NE Frisk Drive Drainage Improvements Project:** Consider motion to approve: a) Certificate of Completion; b) RESOLUTION 2016-382 accepting the public improvements with Polk County Heating and Cooling, Inc., in the amount of \$39,120.00; and c) Final Payment #2 in the amount of \$1,145.70/Release of Retainage in the amount of \$1,956.00.

**CA - 25 2016 PCC Reconstruction Program: SE 3rd Street:** Consider motion to approve: a) Change Order #2 decreasing the contract amount by \$17,836.10; b) Certificate of Completion; c) RESOLUTION 2016-383 accepting the public improvement with Con-Struct, Inc., in the amount of \$755,257.90; and d) Final Payment #4 in the amount of \$3,249.00 and Retainage Payment in the amount of \$37,762.89.

- **Administrative Items**

**CA - 26** Consider motion to approve the Consent to Collateral Assignment of Tax Increment Development Agreement and Estoppel Agreement between the City of Ankeny and Baker Mechanical, Inc.

- **Approval of Consent Agenda Items**

1. Consent Agenda Items CA-1 through CA-26:

**Action# E1-1. Bentz made the motion to approve the recommendations for Consent Agenda Items CA-1 through CA-26, seconded by Steenhoek.**

**ROLL CALL**

**2016-1017.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 1896:** 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 Jerry's Homes Inc.

**Action# H1-1. Holm made the motion to accept second consideration of ORDINANCE 1896, seconded by Walter-Ashby.**

**ROLL CALL**

**2016-1017.H1-1                      YES   5            NO   0**

**2. Ord 1897** An Ordinance vacating a public utility easement associated with Common Lot A, Miller's Pointe Plat 1.

**Action# H2-1. Steenhoek made the motion to accept second consideration of ORDINANCE 1897, seconded by Walter-Ashby.**

**ROLL CALL**

**2016-1017.H2-1                      YES   5            NO   0**

**3. Ord 1898** An Ordinance amending Chapter 63, Speed Regulations, of the Municipal Code of the City of Ankeny, Iowa.

**Action# H3-1. Holm made the motion to accept first consideration of ORDINANCE 1898, seconded by Bentz.**

**ROLL CALL**

**2016-1017.H3-1                      YES   5            NO   0**

- **Boards/Commissions Appointments:**

4. Plan and Zoning Commission - 10/17/16 through 1/31/19  
- Sara Houlihan, 304 NW Benjamin Dr.

**Action# H4-1. Walter-Ashby made the motion to approve the appointment of Sara Houlihan to the Plan and Zoning Commission, seconded by Holm.**

**ROLL CALL**

**2016-1017.H4-1                      YES   5            NO   0**

5. Plan and Zoning Commission – 10/17/16 through 1/31/20  
- Clayton Ender, 1207 SW Springfield Drive

**Action# H5-1. McKenna made the motion to approve the appointment of Clayton Ender to the Plan and Zoning Commission, seconded by Walter-Ashby.**

**ROLL CALL**

**2016-1017.H5-1                      YES    5            NO    0**

**I. OLD BUSINESS:** none

**J. NEW BUSINESS:**

1. Ankeny Public Library

Option Agreement to obtain Outlot R in The District at Prairie Trail Plat 5 from DRA Properties, LC

**Action# J1-1. Holm made the motion to adopt RESOLUTION 2016-384 authorizing the Mayor to sign an Option Agreement between the City of Ankeny and DRA Properties, LC for the acquisition of Outlot R in the District at Prairie Trail Plat 5, seconded by Walter-Ashby.**

**ROLL CALL**

**2016-1017.J1-1                      YES    5            NO    0**

2. Ankeny Fire Station No. 3

Professional Services Agreement with SVPA Architects, Inc.

**Action# J2-1. Bentz made the motion to approve the Professional Services Agreement with SVPA Architects, Inc., for design, bidding and construction phase services for Fire Station No. 3 in an amount not to exceed \$227,450.00 and authorize the Mayor to execute said Agreement, seconded by Steenhoek.**

**ROLL CALL**

**2016-1017.J2-1                      YES    4            NO    1 (McKenna)**

3. Ankeny Public Library Construction

Professional Services Agreement – OPN Architects

**Action# J3-1. Holm made the motion to approve the Professional Services Agreement with OPN Architects for design, bidding and construction phase services for the Ankeny Public Library Construction in an amount not to exceed \$1,072,890.00 and authorize the Mayor to execute said Agreement, seconded by McKenna.**

**ROLL CALL**

**2016-1017.J3-1                      YES    5            NO    0**

4. Proposed NE 36th Street Reconstruction – Phase 2

Initiate Proceedings

**Action# J4-1. Walter-Ashby made the motion to adopt RESOLUTION 2016-385 ordering construction on the NE 36th Street Reconstruction - Phase 2, and fixing a date for hearing thereon and taking of bids therefor, seconded by Bentz. (date of bid-letting: 11/15/16 @ 10:00 a.m./date of hrg: 12/5/16 @ 5:30 p.m.)**

**ROLL CALL**

**2016-1017.J4-1                      YES    5            NO    0**

5. COPS Hiring Grant

**Action# J5-1. Bentz made the motion to accept the COPS Hiring Grant in the amount of \$375,000 for the hiring of three police officers and authorize the Mayor and Police Chief to execute said agreement, seconded by Steenhoek.**

**ROLL CALL**

**2016-1017.J5-1                      YES   5            NO   0**

**Action# J5-2. Holm made the motion to adopt RESOLUTION 2016-386 increasing the Full-Time Equivalent (FTE) positions authorized for Fiscal Year 2017 from 254.71 to 257.71, seconded by Walter-Ashby.**

**ROLL CALL**

**2016-1017.J5-2                      YES   5            NO   0**

**K. ADMINISTRATIVE BUSINESS:**

- Report of the City Staff: none
- Report of the Governing Body:

Council Member Walter-Ashby reported there is a DART Forward Year Five Update Public meeting scheduled for Tuesday November 1<sup>st</sup> at 6:00 p.m. at Kirkendall Library.

Council Member McKenna requested the number of building permits issued for the last three or four years.

Council Member Steenhoek stated he is unable to attend the CAPS meeting this evening.

**L. ADJOURNMENT**

1. There being no further business, the meeting was adjourned at 6:45 p.m.

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Pamela DeMouth, City Clerk

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Gary Lorenz, Mayor

Published in the Des Moines Register on the 28<sup>th</sup> day of October, 2016.  
Audio file of meeting is available by contacting the City Clerk's Office.