



**WAUKEE CITY COUNCIL
REGULAR MEETING**

**DATE: MONDAY, MAY 15, 2023
TIME: 5:30 P.M.**

PLACE: WAUKEE CITY HALL, 230 W. HICKMAN RD., WAUKEE, IA 50263

****Full City Council meeting packet is available at
<https://rms.waukee.org/Public/Browse.aspx?id=162574&dbid=0&repo=Waukee>**

*Due to public health concerns and guidance, in accordance with Iowa Code Sections 21.4(1)(b) and 21.8, this meeting of the Waukee City Council will be conducted with two different options for public participation: 1) Members of the public wishing to attend in person may do so in the Council Chambers at Waukee City Hall. 2) Members of the public wishing to participate electronically may do so via Zoom at the following link or phone numbers:

<https://zoom.us/j/352651371>
Meeting ID: 352-651-371

Or by phone:

+1 646-558-8656 or
+1 312-626-6799 or
+1 301-715-8592

In-person meetings are subject to change under certain circumstances, including but not limited to higher than average participation or changes in health guidelines. If the meeting shall be held electronically only, notice shall be posted to the City website (Waukee.org) and City social media. Questions regarding meeting format may also be directed to the City Clerk's office at 515-978-7904.

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- A. CALL TO ORDER**
B. PLEDGE OF ALLEGIANCE
C. ROLL CALL
- D. OPEN FORUM** [Pursuant to City Council Rules of Procedure, presentations under Open Forum shall be limited to three (3) minutes per individual. Please refer to the footnotes on this agenda for more detailed Open Forum procedures**.]
- E. AGENDA APPROVAL**
- F. PRESENTATIONS:**
1) Recognition of Frank Hoifeldt for outstanding service as Planning & Zoning Commissioner (1992-2023)
- G. PUBLIC HEARINGS:**
1) On a proposed budget amendment for the City of Waukee for Fiscal Year 2023
2) On plans, specifications, form of contract and estimate of cost [Ute Avenue Widening and Resurfacing Project]
3) On plans, specifications, form of contract and estimate of cost [Traffic Signal Enhancements, Waukee School & Trail Crossing Improvements Project]
4) On the issuance of Not to Exceed \$5,500,000 General Obligation Bonds or Capital Loan Notes (ECP)
5) On the issuance of Not to Exceed \$3,000,000 General Obligation Urban Renewal Bonds or Capital Loan Notes (UR)
6) On the issuance of Not to Exceed \$3,000,000 Stormwater Revenue Bonds (Little Walnut Creek Regional Wetlands)
7) On the issuance of Not to Exceed \$600,000 Stormwater Revenue Bonds (NW Sunrise)
- H. PUBLIC HEARING ACTION ITEMS:**
1) **RESOLUTION:** Consideration of approval of a resolution approving budget amendment for the City of Waukee for Fiscal Year 2023

- 2) ***Ute Avenue Widening and Resurfacing Project***
 - A. **RESOLUTION:** Consideration of approval of a resolution approving Intergovernmental Agreement between Dallas County and the City of Waukee for the R-22 (Ute Avenue) Pavement Widening and Resurfacing Project
 - B. **RESOLUTION:** Consideration of approval of a resolution approving plans, specifications, form of contract and estimate of cost
 - C. **RESOLUTION:** Consideration of approval of a resolution consenting to the Dallas County's making award of construction contract
 - D. **RESOLUTION:** Consideration of approval of a resolution approving contract and bond
- 3) ***Traffic Signal Enhancements, Waukee School & Trail Crossing Improvements Project***
 - A. **RESOLUTION:** Consideration of approval of a resolution approving plans, specifications, form of contract and estimate of cost
 - B. **RESOLUTION:** Consideration of approval of a resolution rejecting bids
- 4) ***General Obligation Bonds or Capital Loan Notes***
 - A. **RESOLUTION:** Consideration of approval of a resolution instituting proceedings to take additional action [Not to Exceed \$5,500,000 General Obligation Bonds or Capital Loan Notes (ECP)]
 - B. **RESOLUTION:** Consideration of approval of a resolution instituting proceedings to take additional action [Not to Exceed \$3,000,000 General Obligation Urban Renewal Bonds or Capital Loan Notes (UR)]
- 5) ***Stormwater Revenue Bonds***
 - A. **RESOLUTION:** Consideration of approval of a resolution instituting proceedings to take additional action [Not to Exceed \$3,000,000 Stormwater Revenue Bonds (Little Walnut Creek Regional Wetlands)]
 - B. **RESOLUTION:** Consideration of approval of a resolution instituting proceedings to take additional action [Not to Exceed \$600,000 Stormwater Revenue Bonds (NW Sunrise)]

I. ACTION ITEMS:

- 1) **CONSENT AGENDA** [All items listed under the Consent Agenda will be considered for approval through one motion and second. There will be no separate discussion of these items unless there is a motion and second by Council for an item or items to be considered as separate action items.]
 - A. Consideration of approval of 05/15/2023 Bill List; 05/12/2023 Payroll
 - B. Consideration of approval of City Council Minutes of 05/01/2023 Regular Meeting, 05/08/2023 Work Session
 - C. Receipt and File:
 1. Consideration of approval of receipt and file of a Mayor's Proclamation recognizing May 21-27, 2023, as National Public Works Week
 2. Consideration of approval of receipt and file of a Mayor's Proclamation recognizing June 21, 2023, as Go Skateboarding Day
 - D. Retail Alcohol License Applications, Renewals:
 1. Consideration of approval of renewal and automatic renewal application for 12-month Class E Retail Alcohol License for Hy-Vee, Inc., d/b/a Hy-Vee Fast and Fresh [2855 Grand Prairie Parkway], pending approval by Fire Marshal
 2. Consideration of approval of renewal and automatic renewal application for 12-month Class E Retail Alcohol License for Hy-Vee, Inc., d/b/a Hy-Vee Fast and Fresh [1025 E. Hickman Road], pending approval by Fire Marshal
 3. Consideration of approval of automatic renewal application for 12-month Class E Retail Alcohol License for Kum & Go, LC, d/b/a Kum & Go #75 [350 SE University Avenue], pending approval by Fire Marshal
 4. Consideration of approval of automatic renewal application for 12-month Class E Retail Alcohol License for Kum & Go, LC, d/b/a Kum & Go #1202 [650 W. Hickman Road], pending approval by Fire Marshal
 5. Consideration of approval of renewal of 12-month Class C Retail Alcohol License with Catering and Outdoor Service privileges for Cork & Kerry, Inc., d/b/a Mickey's Irish Pub [50-54 SE Laurel Street], pending approval by Fire Marshal and proof of dram insurance
 - E. Easements:
 1. Consideration of approval of a resolution approving Public Facilities and Use Easement and Temporary Construction Easement between Dallas County and the City of Waukee [T Avenue Corridor Improvements Project]
 2. Consideration of approval of a resolution approving Gas Main Easement and Temporary Construction Easement between Dallas County and the City of Waukee [Waukee TBS No. 1 Relocation Project]
 3. Consideration of approval of a resolution approving Public Sidewalk Easement [STAR98, LLC]
 - F. Contracts, Agreements:

1. Consideration of approval of a resolution approving Second Amendment to Lease Agreement, 1255 3rd Street Site [USCOC of Greater Iowa, LLC]
2. Consideration of approval of a resolution approving Agreement for Professional Consulting Services with Shive-Hattery, Inc. [Waukee Downtown Concepts and Signage]
3. Consideration of approval of a resolution approving contract and bond [3rd Street Elevated Storage Tank Replacement Project]
4. Consideration of approval of a resolution approving Acknowledgment of Satisfaction and Termination of the Triumph Park Contribution Agreements between the City of Waukee and the Waukee Betterment Foundation
5. Consideration of approval of a resolution approving and authorizing execution of a Minimum Assessment Agreement for the First Data Center by and between the City of Waukee and Apple, Inc.
6. Consideration of approval of a resolution approving Storm Water Management Maintenance Covenant and Permanent Easement Agreement [Ashley Acres, LLC]
7. Consideration of approval of a resolution approving Pre-annexation Agreement [McCoy Property]
8. Consideration of approval of a resolution approving various Agreements Concerning Construction of Fence
- G. Change Orders, Payment Estimates, Acceptance of Public Improvements, Releases of Retainage:
 1. Consideration of approval of Payment Estimate No. 1 to Elder Corporation for the Heart of the Warrior Trailside Improvements Project in the amount of \$36,681.21
 2. Consideration of approval of Payment Estimate No. 1 to MPS Engineers for the 2023 ADA Sidewalk Improvements Project in the amount of \$39,544.89
 3. Consideration of approval of Payment Estimate No. 1 to Progressive Structures, LLC, for the NW Sunrise Drive Culvert Project in the amount of \$285,039.42
 4. Consideration of approval of Payment Estimate No. 17 to Concrete Technologies, Inc., for the Ute Avenue and Ashworth Road Intersection Project in the amount of \$123,467.98
 5. Consideration of approval of Payment Estimate No. 13 to Absolute Concrete Construction, Inc., for the Warrior Lane Improvements Phase 2 Project in the amount of \$34,207.36
 6. Consideration of approval of Payment Estimate No. 20 to Alliance Construction Group, LLC, for the SE Ashworth Road Corridor Improvements Project, SE Parkview Crossing Drive to SE Glacier Trail, in the amount of \$10,638.10
 7. Consideration of approval of Payment Estimate No. 9 to WRH, Inc., for the Lift Station No. 2 Rehabilitation Project in the amount of \$138,645.43
 8. Consideration of approval of Payment Estimate No. 8 to Rognes Corporation for the West Area Trunk Sewer Extension Phase 2 Project in the amount of \$880,141.04
 9. Consideration of approval of Payment Estimate No. 2 to S.J. Louis Construction, Inc., for the NE Outfall Sewer Project in the amount of \$66,363.20
 10. Consideration of approval of Payment Estimate No. 16 to Core Construction Services, LLC, for the Waukee Public Works Site Expansion Phase 1 Project in the amount of \$181,423.40
 11. Consideration of approval of Payment Estimate No. 9/release of retainage to Core Construction Services, LLC, for the Waukee Public Works 2nd Floor Expansion Project in the amount of \$19,689.35
 12. Consideration of approval of Change Order No. 3 to C.L. Carroll Co., Inc., for the 2021 Well Rehabilitation Phase 2 Project, increasing the contract in the amount of \$10,153.41
 13. Consideration of approval of Payment Estimate No. 15 (Final) to C.L. Carroll Co., Inc., for the 2021 Well Rehabilitation Phase 2 Project in the amount of \$31,807.79
 14. Consideration of approval of a resolution accepting public improvements [2021 Well Rehabilitation Phase 2 Project]
 15. Consideration of approval of a resolution accepting public improvements [Prairie Rose Plat 4]
- H. Fixing Dates for Public Hearings:
 1. Consideration of approval of a resolution fixing date for a public hearing on the proposal to enter into a Development Agreement with Kettlestone Central, LC, and Caliber Land Company, LLC
 2. Consideration of approval of a resolution fixing date for a public hearing on the proposal to enter into a Development Agreement with Caliber Land Company, LLC, and Kettlestone Central, LC, and Iowa Youth Athletic Foundation
 3. Consideration of approval of a motion setting June 19, 2023, as the date of public hearing on an ordinance to amend Chapter 165.19, Zoning Regulations, Definitions and General Regulations, Solar Energy Systems Waukee, Iowa by adding provisions for Ground Mounted Solar Energy Systems in Residential Districts
- I. Consideration of approval of a resolution approving City of Waukee Volunteer Paid Time-off Policy
- J. Consideration of approval of a resolution approving a job description and pay grade [Meter Technician]
- K. Consideration of approval of a resolution authorizing the City of Waukee, Iowa, to submit sites to a regional joint application for funding from the Federal Highway Administration's Charging & Fueling Infrastructure Discretionary Grant Program
- L. Consideration of approval of a resolution approving a public street name change from S. Walnut Lane to NW Prairie Rose Lane
- M. Consideration of approval of a resolution awarding quote [Waukee Public Library Reroof Project]

- 2) **ORDINANCE:** Consideration of approval of an ordinance to amend Chapter 65, Stop or Yield Required, City of Waukee, Iowa, by amending Section 65.01, Through Streets and Stop Intersections, as specified [second, third (final) readings]
- 3) **ORDINANCE:** Consideration of approval of an ordinance to amend Chapter 68, Parking Regulations, City of Waukee, Iowa, by amending Section 68.09, No Parking Zones [second, third (final) readings]

- 4) **ORDINANCE:** Consideration of approval of an ordinance to amend Chapter 169, Zoning Ordinance, City of Waukee, Iowa, by rezoning certain property from C-1A/PD-1 to C-1/ PD-1, a parcel known as Waukee Towne Center [third (final) reading]
- 5) **ORDINANCE:** Consideration of approval of an ordinance to amend Chapter 92, Water Rates, by amending Section 92.02, Water Rates, as specified; by amending Section 92.04, Irrigation Water Rates, as specified; and by amending Section 92.07, Service Discontinued, by amending Subsection 92.07(2), Notice to Landlords [third (final) reading]
- 6) **ORDINANCE:** Consideration of approval of an ordinance to amend Chapter 98, Sewer Service Charges, by amending Section 98.01, Sewer Service Charges Required, as specified [third (final) reading]
- 7) **ORDINANCE:** Consideration of approval of an ordinance to amend Chapter 100, Stormwater Management Utility, by amending Section 100.05, Stormwater Service Rates and Charges, as specified [third (final) reading]
- 8) **ORDINANCE:** Consideration of approval of an ordinance to amend Chapter 106, Collection of Solid Waste, by amending Section 106.10, Collection Charges, as specified [third (final) reading]
- 9) **ORDINANCE:** Consideration of approval of an ordinance to amend Chapter 110, Natural Gas Service Rates and Charges, by amending Section 110.02, Monthly Rates, as specified [third (final) reading]
- 10) **RESOLUTION:** Consideration of approval of a resolution approving Development Agreement with Caliber Land Company, LLC, and AP North, LC [SE Tallgrass Lane]
- 11) **RESOLUTION:** Consideration of approval of a resolution approving site plan for McDonald's [2820 Grand Prairie Parkway]
- 12) **RESOLUTION:** Consideration of approval of a resolution approving site plan for Central Plaza II [1165 SE University Avenue]
- 13) **RESOLUTION:** Consideration of approval of a resolution adopting City of Waukee 2023 Fee Schedule, Revision No. 1

- J. **REPORTS:**
 - A. City Administrator Report
 - B. City Attorney Report
 - C. Council Member Reports

ADJOURNMENT

*Pursuant to §21.4(2) of the Code of Iowa (2023), the City has the right to amend this agenda up until 24 hours before the posted meeting time.

The City of Waukee is pleased to provide accommodations to disabled individuals or groups and encourages their participation in city government. Should special accommodations be required, please contact the Clerk's office at least 48 hours in advance at 515-978-7904 or email bschuett@waukeee.org to have reasonable accommodations provided.

Rules of Order and Decorum for the Zoom Meeting

Any member of the public who would like to ask questions or make comments during either the Open Forum or Public Hearing portions of the meeting may participate by using the RAISE HAND feature. Participants must be recognized by the presiding officer and must state their full name and address before addressing the City Council. If you are participating via phone, the raise and lower hand feature can be activated by using *9. After you are recognized, use *6 to unmute your audio. The Chat and Q&A functions will be turned off during the meeting.

Questions or comments for the Public Hearing portion of the meeting may also be submitted in advance by emailing bschuett@waukeee.org before 5:00 p.m. the day of the meeting. Any questions or comments submitted by this deadline will be read aloud by City staff during that particular Public Hearing.