CITY COUNCIL MEETING
Tuesday July 14, 2020
410 SE Main Street, Grimes Community Complex 5:30 P.M.

*Please note that this City Council Meeting was held as an electronic and in person meeting pursuant to Iowa Code Section 21.8 due to the national health emergency that makes it impossible or impractical for an in person meeting.

The regular meeting of the Grimes City Council was called to order by in person and by electronic meeting/Zoom on Tuesday July 14, 2020 at 5:39 P.M. Mayor Mikkelsen and Council Member Johansen and Council Member Gisch attended the meeting by Zoom. Mayor Mikkelsen stated the meeting was being held electronically as provided under Iowa Code, Chapter 21.8 due to the national health emergency that makes it impossible or impractical for an in person meeting. The Pledge of Allegiance was led by Mayor Mikkelsen.
Roll Call: Present: Mayor Scott Mikkelsen, David Gisch, Andrew Borcherding, Jill Altringer, Ryan Burger, Eric Johansen

AGENDA ITEMS

Approval of the Agenda
Mayor Mikkelsen asked for approval of the agenda.
Moved by Borcherding, Second by Altringer, to approve the agenda
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

CONSENT AGENDA

A. Minutes from previous meeting B. Alcohol License Renewal Class E Liquor for Walmart Inc. C. Central Pump & Motor, LLC –service call on pumps $5,188.77 D. Van Wall Equipment – John Deere 60" Zero Turn Mower after trade-in $5,220.21 E. Resolution 07-0220 Consent and Agreement for Improvements 2417 NW Springbrooke Drive F. Resolution 07-0420 Consent and Agreement for Improvements 708 NE 8th Street G. Resolution 07-0620 Consent and Agreement for Improvements 1807 NE Heritage Drive H. Resolution 07-0720 Consent and Agreement for Improvements 2001 NW Prairie Creek Drive I. Resolution 07-0820 Consent and Agreement for Improvements 2613 NW Springbrooke Drive J. Liberty Ready Mix $5,004.00 street repair on NE 11th St and SW Hickory Glen, SE Main K. Dorrian Heating and Cooling, Inc $6,665.00 air conditioner at water plant L. Removal of 2 Trees on Public Property M. Utility Refunds $1,678.19 N. Resolution 07-1020 CIP Manual O. Professional Services a. Professional Services Agreement with Snyder & Associates for On Call Traffic Planning and Engineering Services b. Pay Request #8 Bolton & Menk, Inc for Hope Commercial Plat 1 Public Improvements Construction Services $13,255.00 c. Pay Request #6 Bolton & Menk, Inc for Highway 44 & SW County Line Road Intersection Improvements $6,792.50 S. $6,792.50 d. Pay Request #9 Bolton & Menk, Inc for SW County Line Road Improvements Construction Services $11,421.00 e. FOX Engineering – Grimes Phase II Storm water Permit $5,505.50 f. Snyder & Associates for SE 37th at Hwy 141 Improvements – Traffic Signal Design Progress Payment #7 $1,004.00 g. Snyder & Associates for City Traffic Signal Communication Network Project S&A Project No. 115.0756.01 - $2,750.85
h. Payment #9 to McClure Engineering Company for Reverse Osmosis Water Treatment Plant Phase 1 $57,086.05 i. Payment #8 to McClure Engineering Company for the New 1.5 MG Elevated Storage Tower Construction Phase $19,905.00 j. Payment #1 to Foth Engineering for S James Street & SE 6th Street $3,401.06 k. Payment #2 to MSA for the North Sports Complex Sanitary Sewer $2,666.00 l.

Payment #2 to MSA for the North Pointe Storm Sewer $1,514.50 m. Payment #2 to V&K for NW Territory Lift Station & Forced Main $100.05 n. Payment #19 to V&K for WRA Connection $57,078.16 o. Payment #9 to Lee Chamberlin for Trailridge and Little Beaver Culverts $10,856.98 p. Payment #17 to Lee Chamberlin for GIS Program $26,180.00 q. HR Green Professional Services Agreement Amendment #2 for SE 37th Street @ Highway 141 r. Nilles & Associates Professional Services Agreement – Storm Water Basin Vegetation Improvements s. Whitfield and Eddy Law $21,032.50 t. Allender Butzke Engineers Inc for Grimes 1.5 MG Water Tower $2,578.10 u. Allender Butzke Engineers Inc. Grimes RO Water Treatment Plant $3,970.65 P. Pay Request a. Pay Request #8 McAninch Corporation for the Hope Commercial Plat 1 $530,818.95 b. Pay Request #9 Concrete Technologies Inc for SW County Line Road Improvements $275,903.81 c. Pay Request #23 Concrete Technologies Inc for SE 37th Street @ Highway 141 $39,968.28 d. Pay Application #10 to CB & I -1.5 MG Elevated Storage Tower $408,557.19 e. Pay Application #10 to Shank Constructors for the RO at the Water Treatment Plant $507,053.00 f. Pay Request #13 to All Terrain Seeding for the Little Beaver & Prairie Creek Channel Improvements $69,419.52 g. Pay Request #12 Grosch Irrigation – New Jordan Well $103,994.60 Q. Resolution 07-0520 Setting a Public Hearing for Willow Hills to Rezone approximately 40 acres from A-1 Agriculture to R-1 Single Family for August 25, 2020 R. Star Equipment, LTD – air compressor $34,230.00 S. New Alcohol License for The Prime and Crown Class C Liquor License with Sunday Sales T. Resolution 07-1320 to Authorize Food Vendors/Trucks at the North Sports Complexes in Lieu of and/or Addition to Concession Stands U. Finance Report for June 2020 V. Claims Report for June 30, 2020 $114,862.07 W. Claims Report for July 14, 2020 $2,699,615.21
Moved by Borcherding, Second by Altringer, to approve the Consent Agenda.
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

PUBLIC FORUM - None

PUBLIC AND COUNCIL AGENDA ITEMS

Council may consider and potentially act on the following Public Agenda items

A. Public Hearing and First Reading of Ordinance 737 Prairie Business Park Rezone to Amend the Ordinance Pertaining to the Original Rezoning

Development Services Director Alex Pfaltzgraff addressed the Council stating that the owners approached city staff with this request on behalf of a potential tenant. Pfaltzgraff stated the tenant prospect needs to have the ability to park logoed vehicles upon the site, specifically semi-tractor trailers (8 detached trailers), as well as box vans (26 motorized vehicles). Pfaltzgraff said the specific tenant cannot be named at this time; however, he confirmed that the vehicles are not for sales, lease or rent, and will only be utilized for the distribution of product. Pfaltzgraff said the tenant prospect would be occupying approximately 20,000 to 30,000 square feet within the Prairie Business Park Building 2. Pfaltzgraff stated he has evaluated the request, and believes that with appropriate screening and limitations to the number of vehicles, it is found to be reasonable. The proposed area for storage of vehicles is a significant distance from SE 37th St and S. James Street. In the future SE 40th Street will extend east, however with the screening, the viewpoints are limited. He added that in 2019, the City Council approved a similar request for the storage of construction materials between Building 1 and 2. Mayor Mikkelsen opened the public hearing at 5:45pm. Being no written or oral comments, the Public Hearing was closed at 5:45pm. Council member Gisch asked if this request was considered a waiver. Pfaltzgraff explained that this is a clarification of the owner's self-imposed restriction, and as such, would not be considered a waiver. Pfaltzgraff stated that this would only allow logo vehicles where appropriate screening is present.

Motion by Altringer, Second by Borcherding, to approve the first reading of Ordinance 737 Prairie Business Park rezone to amend the Ordinance pertaining to the original rezoning.
Roll Call: Aye: 5, Nay: 0 Motion passes 5-0

B. Public Hearing and Consideration of 80/20 Voluntary Annexation – Frampton/Koethe

Alex Pfaltzgraff addressed the Council stating that the City is in receipt of applications for voluntary annexation for the properties generally located north of NW 27th ST (NW 82nd Ave) and east of County Line Road. Pfaltzgraff said the area encompasses approximately 80 acres of development ground, identified as low density residential on the Future Land Use Map. He noted that in order for the City to process the application, additional properties south of NW 27th ST (NW 82nd Ave) will need to be included in the annexation, to prevent the creation of "islands". Pfaltzgraff said staff has prepared a pre-annexation agreement with the property owners; however, it has not yet been returned.
He noted that the state does allow for the annexation of non-consenting properties, up to 20% of the overall annexation area. In this particular case, the total annexation area is approximately 94.8 acres, and 80 acres are consenting. Pfaltzgraff said this would result in approximate 15.6% of the annexation area being non-consenting.
Mayor Mikkelsen opened the public hearing at 5:55 pm. There being no written or oral comments, the Public Hearing was closed at 5:55 pm.
Motion by Burger, Second by Altringer to approve the 80/20 Voluntary Annexation
Roll Call: Aye: 5, Nay: 0 Motion passes 5-0

C. Golden Rule Plat 1 – Preliminary Plat

Alex Pfaltzgraff stated that this applicant is requesting approval of a preliminary plat, which will allow for the future subdivision of the property. Pfaltzgraff stated that Golden Rule had previously received approval to construct an office and warehouse along NE Main Street. He said the proposed preliminary plat will provide for one development lot and one outlot which is intended to separate the existing trail from the proposed development lot and will be deeded over to the City.
Motion by Altringer, Second by Borcherding to approve the Golden Rule Plat 1 Preliminary Plat.
Roll Call: Aye: 5, Nay: 0 Motion passes 5-0

D. Resolution 07-0320 Approving Golden Rule Plat 1 – Final Plat

Pfaltzgraff stated that there were not any additional comments to note on the Final Plat and that he recommends approval.
Motion by Altringer, Second by Burger to approve the Golden Rule Plat 1 Final Plat.
Roll Call: Aye: 5, Nay: 0 Motion passes 5-0

E. Financial Institution – Site Plan Lot 4 Hope Commercial Plat 1

Alex Pfaltzgraff addressed the Council stating that this site plan is the first of 4 outlots of the Hy-Vee Plat that was approved several years ago. Pfaltzgraff stated that this lot is located at the corner of Highway 44 and Highway 141. He added that the applicant is requesting approval of the site plan for an 11,838 square foot financial institution located at 1701 E. 1st Street. He noted that currently, there is no access road in place to service the site. Pfaltzgraff said future development to the north will be to construct the access road leading to the subject site and three other lots along E. 1st Street. He said this property is located within the C-2 zoning district and is within Zone 1 of the Highway 141 Mixed Use Development Corridor District. Pfaltzgraff said the building will be two stories, primary materials being glazing and masonry, with a drive thru and canopy located on the north east side. Pfaltzgraff added that the building and landscaping meets all of the Highway 141 Corridor requirements. Council Member

Gisch asked if the height of the building and screening proposed would be adequate to conceal the roof top mechanicals from Highway 141. Pfaltzgraff said this proposal meets those requirements.
Motion by Johansen, Second by Borcherding, to approve the Financial Institution Site Plan Lot 4 Hope Commercial Plat 1 subject to the staff comment letter dated June 30th, 2020.
Roll Call: Aye: 5, Nay: 0 Motion passes 5-0

F. Public Hearing and First Reading on Ordinance 736 on an Proposed Amendment to the Grimes Code of Ordinance Chapter 63 Regulating Speed Limits for 200 ft. east of NE Chevalia Drive and NE 27th Street intersection

City Engineer Matt Ahrens addressed the Council stating that the City has been working closely with Polk County on this section of road as it is subject to both jurisdictions. Ahrens said the purpose of this Ordinance is to amend Grimes Code of Ordinances Chapter 63 to add a new Section 63.10 to provide a speed limit of 35 miles per hour on NE 27th from N. James Street to the east, to a point 200 feet east of the intersection of NE 27th Street with NE Chevalia Drive. Ahrens stated that Polk County has completed their traffic studies and changed the speed limit on the county section to 35 miles per hour. Mayor Mikkelsen opened the Public Hearing at 6:06 pm. Being no written or oral comments, the Public Hearing was closed at 6:06 pm. Council Member Altringer asked if flags or signals could be installed to bring this change to the public's attention prior to enforcing the new speed limit. Pfaltzgraff noted that is the practice with any implementation of a traffic change to have the signage flagged. Altringer asked if the speed trailer could be used as well until the public becomes accustomed to the change. Pfaltzgraff advised they would use the speed trailer at this location to advise the public in the change of speed limit.
Motion by Gisch, Second by Johansen, to approve the first reading of Ordinance 736 on an Proposed Amendment to the Grimes Code of Ordinance Chapter 63 Regulating Speed Limits for 200 ft. east of NE Chevalia Drive and NE 27th Street intersection.
Roll Call: Aye: 5, Nay: 0 Motion passes 5-0

G. Second Reading of Ordinance 735 to Strike and Replace Grimes Code of Ordinances Section 106.10 to Provide for a Change in the Charge for Solid Waste Collection by Decreasing the Fee for each Additional Collection Cart from $9.39 to $8.34 per Month

Motion by Altringer, Second by Borcherding, to approve the Second Reading of Ordinance 735 to Strike and Replace Grimes Code of Ordinances Section 106.10 to Provide for a Change in the Charge for Solid Waste Collection by Decreasing the Fee for each Additional Collection Cart from $9.39 to $8.34 per Month.
Roll Call: Aye: 5, Nay: 0 Motion passes 5-0

City Administrator Anderson asked the Council if they wished to waive the third reading.

Motion by Altringer, Second by Borcherding, to Waive the Third Reading of Ordinance 735 to Strike and Replace Grimes Code of Ordinances Section 106.10 to Provide for a Change in the Charge for Solid Waste Collection by Decreasing the Fee for each Additional Collection Cart from $9.39 to $8.34 per Month.
Roll Call: Aye: 5, Nay: 0 Motion passes 5-0

Motion by Altringer, Second by Borcherding, for Final Approval and Adoption of Ordinance 735 to Strike and Replace Grimes Code of Ordinances Section 106.10 to Provide for a Change in the Charge for Solid Waste Collection by Decreasing the Fee for each Additional Collection Cart from $9.39 to $8.34 per Month.

Roll Call: Aye: 5, Nay: 0 Motion passes 5-0

H. SE 37th and James Street Assessment Project
City Engineer Ahrens addressed the Council stating that the Contractor has satisfactorily completed the Contract for the S James & SE 37th Street Improvements Project. Ahrens said that we now need Council's final approval and acceptance of work, approval and acceptance of Progress Payment 21, and approval of a change order number 8, to increase the project time frame from 100 to 101 working days. Ahrens added that the Department of Transportation is currently holding $25,000 retainage of the City's federal funding. He said once the cancelled check and fully signed Progress Payment #21 have been submitted to the DOT, the City can file the final Claim for Reimbursement of Project costs and the DOT will release the retainage, and the Final Assessment documents will be completed.

a. Statement of Completion and Final Acceptance of Work
Motion by Johansen, Second by Gisch to approve the Statement of Completion and Final Acceptance of Work.
Roll Call: Aye: 5, Nay: 0 Motion passes 5-0

b. Payment #21 to Absolute Concrete releasing retainage in the amount $25,413.00
Motion by Johansen, Second by Gisch for Payment #21 to Absolute Concrete releasing retainage in the amount of $25,413.00.
Roll Call: Aye: 5, Nay: 0 Motion passes 5-0

c. Change Order #8 Increasing Working Days in Contract from 100 to 101 days
Motion by Johansen, Second by Gisch for Change Order #8 Increasing Working Day in Contract from 100 to 101 days.
Roll Call: Aye: 5, Nay: 0 Motion passes 5-0

I. Street Light Proposals
City Engineer Ahrens addressed the Council stating that there were a couple of significant road improvement projects planned. One project along SW County Line Road, and the other for NE Gateway Drive. Ahrens said that as part of these projects, the City was required to contract with MidAmerican for the installation of street lighting. Ahrens told the Council that they have received two proposals. One for steel galvanized poles, and the other for black painted poles. Ahrens said there was a price difference of approximately $50,000 between the two proposals with the black poles being the more expensive. Ahrens asked if there was a preference on which color was used at either location and to verify if there was a need for particular colors in the various parts of the city. Mayor Mikkelsen stated that he was appreciative of the information to help make good decisions regarding the use of tax dollars.
a. Mid-American Energy Street Light Proposal for SW County Line Road
Motion by Gisch, Second by Burger to approve the use of the Steel Galvanized Poles for SW County Line Road.
Roll Call: Aye: 5, Nay: 0 Motion passes 5-0

b. Mid-American Energy Street Light Proposal for NE Gateway Drive (Hope Commercial Plat 1)
Ahrens advised the Council that the bid for the proposal for NE Gateway Drive was based on the black painted poles from MidAmerican. Ahrens stated this color was chosen because the surrounding light in the Heritage Development are all black already. Gisch asked if the style as well as the color was selected to match, or if it was just the color, so they would not stand out. Ahrens said there are limited styles available through Mid American unless the city wanted to purchase and maintain private street

lights in this area. He added that the black was for color only, and these lights would only match in color, not style.
Notion by Johansen, Second by Gisch, to approve the Mid-American Energy Street Light Proposal for NE Gateway Drive with black poles.
Roll Call: Aye: 5, Nay: 0 Motion passes 5-0

J. Resolution 07-0120 Setting the Date for Public Hearing on a Proposal to Enter into a General Obligation Refunding Loan Agreement and to Borrow Money Thereunder in a Principal amount not to exceed $4,400,000 for August 11, 2020
Susanne Gerlach, Director, PFM Financial Advisors, addressed the Council stating that the request in front of the council was to set a hearing to do a refunding of a Loan Agreement to borrow money in an amount not to exceed $4,400,000. She stated that a conservative interest rate estimate that include 0.30% of timing cushion indicate a nearly 4% net present value savings for a total net present value savings of $162,276. Gerlach said that if the bonds were sold today, PFM estimates savings could be as high as $270,000, or six percent, based on today's interest rates. Gross savings is estimated to be $280,000 which is approximately $25,000 per year in debt service savings between now and June 1, 2032. Gerlach recommended approving proceeding with the issuance of not-to-exceed $4,400,000 GO Refunding Bonds, Series 2020B to lock in interest rates and refunding savings on August 25th. General discussion continued on the potential for refunding more to take advantage of the low rates. Gerlach stated that due to qualification requirements, any additional refunding would have to be held to $500,000 or less. Gerlach suggested if the Council wanted to pursue that option, the Resolution amount could be amended to be "Not-to-Exceed" $4,900,000 with the understanding that they would not have to be issue for that total amount, but allow time for more review and discussion on the options available.
Motion by Borcherding, Second by Gisch, to amend Resolution 07-0120 "Not-to-Exceed" $4,900,000.

Mayor Mikkelsen asked how the additional funding would be used. Councilmember Altringer stated that she thought the ability to refinance additional funds would be part of a separate future discussion. Mayor Mikkelsen said that while the rates were attractive, he wanted to have a clear picture of what those funds would be used for, and to keep the debt issuances separate and not connected in such a way this could potentially stymie the opportunity to take advantage of these rates. Gerlach offered the suggestion to move forward with the current proposal and hold another public hearing at a later time if the Council decided they wanted to issue additional debt. Council Member Johansen also agreed with the recommendation to keep the principal amount at $4,400,000. Council member Borcherding requested to withdraw his initial motion to amend the amount to $4,900,000, and to proceed with the $4,400,000 on Resolution 07-0120.
Roll Call: Aye: 5, Nay: 0 Motion passes 5-0

K. Resolution 07-1220 Software License Agreement with Encode Plus for Codification and Hosting of City Code $56,290.00
Alex Pfaltzgraff addressed the Council stating that they are seeking approval to move forward with a license agreement to acquire and implement a software system that will assist with the modernization of the Grimes Code of Ordinances. Pfaltzgraff stated that the funds were budgeted for this fiscal year. Pfaltzgraff said that this will be interactive, searchable software that includes links to related code sections. Pfaltzgraff said this software includes GIS elements, the ability to submit applications online and a host of other features. Councilmember Burger asked how much of the total cost was for conversion and set up, and how much for maintenance. Pfaltzgraff said the set up was approximately $10,000 and annual maintenance came in about around $7,500.

Motion by Johansen, Second by Burger to approve Resolution 07-1220 software license agreement with Encode Plus for codification and hosting of city code $56,290.00
Roll Call: Aye: 5, Nay: 0 Motion passes 5-0

COUNCIL DISCUSSIONS

1. Mayor's Report -None

2. City Staff's Report
City Administrator Jake Anderson stated that there is a culvert project that he wanted the Matt Ahrens the City Engineer to review with the Council. Matt Ahrens said that he had been working with Lee Chamberlin Engineers on a drainage study of Little Beaver. He determined that there were two small culverts that need to be replaced with larger units and grading done to mitigate future flooding issues. Ahrens said they had a public information meeting and letters were sent out to acquire the necessary easements to allow the work to proceed. Councilmember Altringer asked if they had established a cost for the project. Ahrens stated the project was expected to be $850,000. He added that this includes the engineering costs, acquiring easements and construction. Ahrens said they would have more precise information on costs over the next couple of months as they get ready to go out to bid the project.

3. Council Reports- None

ADJOURN

Motion by Altringer, Second by Borcherding, to adjourn the meeting at 6:47 pm.
Roll Call: Ayes: All, Nays: None Motion passes 5 to 0

ATTEST:

Rochelle Williams, City Clerk

Scott Mikkelsen, Mayor