CITY COUNCIL MEETING
Tuesday, December 14, 2021

*Please note the regular City Council Meeting was held as an electronic and in person meeting. The meeting was called to order by Mayor Mikkelsen Tuesday December 14, 2021 at 5:32 pm at the Grimes Community Complex, 410 SE Main Street, Grimes, Iowa. The Pledge of Allegiance was led by Mayor Mikkelsen.

ROLL CALL
Present: Mayor Scott Mikkelsen, Council Members: Eric Johansen, Jill Altringer, David Gisch, Andrew Borcherding, Ryan Burger

AGENDA ITEMS

APPROVAL OF THE AGENDA
Mayor Mikkelsen asked for approval of the agenda.
Moved by Altringer, Second by Gisch, to approve the agenda
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

CONSENT AGENDA
A. Minutes from Previous Meeting B. Resolution 12-0721 Approving Quotes and Bills Over $10,000 According to the Grimes Purchasing and Procurement Policy C. Resolution 12-0121 Adopting the Fee Schedules D. Resolution 12-0221 Approving Grimes Public Purpose Policy E. Resolution 12-0321 Approving Reappointment of City Officials F. Resolution 12-1021 Consent and Agreement for Improvements Lot 14 of Heritage at Grimes Plat 7 – 1201 NE 22nd Street G. Alcohol License Renewal: Mustang Grill- Class E Liquor license, Outdoor Service and Sunday Sales H. Resolution 12-1121 Permanent Easement for Sanitary Sewer Right-Of-Way Between Dallas Center Grimes Community School District and the City of Grimes I. Resolution 12-1221 Accepting Public Improvements – Willow Hills Plat 1 J. Resolution 12-1321 Accepting Public Improvements – Hope Commercial Plat 2 K. Resolution 12-1421 Approving Offer to Purchase and Agreement – WRA, Diligent Urban Hills L. Resolution 12-1521 To Approve the Opioid Settlement Including Authorization to Sign Settlement Documents M. Resolution 12-1921 Adopting the Strategic Plan N. Resolution 12-2021 Permitting Employee Flexible Spending Account (FSA) Plan Participants to Defer Higher Limit of Wages for 2021 Plan Year Only O. Resolution 12-2521 Approving Flexible Spending Accounts Plan Administration With Two Rivers Insurance Company, Inc., D/B/A Employee Benefit Systems ("EBS") and Opening Bank Account to Effectuate P. Resolution 12-2421 Approving Personnel Transactions Q. Resolution 12-2621 Updating the Fire Department Funding Formula R. Resolution 12-1821 Approving 28E Intergovernmental Agreement Between the City of Johnston and The City of Grimes for the NW 100th Street Reconstruction Project S. Resolution 12-0921 Authorizing the City Clerk to Sign Redistricting Papers for the Secretary of State T. Professional Payments: 1. I&S Group, Inc for the City of Grimes Hwy 44 Trail Action Plan $708.30 2. I&S Group for the Grimes Water Works Park Improvements $26,526.00 3. Allender Butzke Engineers Inc. for Grimes RO Water Treatment Plant Testing $874.70 4. Pay Request #36 to Veenstra & Kimm, Inc for the WRA Connector $10,413.05 5. Pay Request #6 to Nilles Associates, Inc for the Kennybrook South Detention Basin Improvements $15,477.50 6. Pay Request #2 to Nilles Associates, Inc for the Annual Stormwater Silkwood Area Drainage Improvements $33,480.00 7. Pay Request #1 to Nilles Associates, Inc for Outlet Repairs-Crossings Townhomes and Lot J Beaverbrooke West Plat 8 $5,845.00 8. Pay Request #3 to McClure Engineering Company for the Grimes Water Main Improvements ASR to Standpipe $12,803.08 9. Pay Requests #13 to HR Green, Inc

for Pavement Management Study $904.50 U. Pay Requests: 1. Pay Request #2 Synergy Contracting, LLC for the SE Jacob Street Water Main $195,653.17 2. Pay Request #3 to Concrete Technologies, Inc for the North Sports Complex Parking Lot Improvements $299,128.36 3. Pay Request #24 to Shank Constructors, Inc for Reverse Osmosis Water Treatment Plant Phase 1 $149,369.45 4. Pay Request #3 to RD McKinney Plumbing and Excavating, Inc for the Grimes Water Main Improvements (ASR to Standpipe) $47,776.87 5. Pay Request #8 to On Track Construction, LLC for Northwest Territory Lift Station and Force Main $55,647.92 6. Pay Request #2 to On Track Construction, LLC for Annual Stormwater – Silkwood Area Drainage Improvements $70,350.21 7. Pay Request #5 Absolute Concrete for County Line Road Intersection Improvements $43,499.07 V. Change Orders 1. Change Order #2 Synergy Contracting, LLC for SE Jacob Street Water Main deducting $8,827.30 2. Change Order #3 Concrete Technologies for North Sports Parking Lot Improvements increasing contract $1,089.00 3. Change Order #2 RD McKinney Plumbing and Excavating, Inc for the Grimes Water Main improvements (ASR to Standpipe) increasing contract $34,583.04 W. Professional Services Agreements 1. Third Amendment to Agreement for Professional Services for WRA Connector Amendment between City of Grimes and Veenstra & Kimm, Inc 2. Fourth Amendment to Agreement for Professional Services for Northwest Territory Lift Station and Forced Main Project Phase 3 – Construction Engineering Services Additional Engineering Services – Veenstra & Kimm 3. Resolution 12-3321 To Enter into a Contract For Professional Services Between the City of Grimes and Confluence for Consulting Services For a Park Project X. Resolution 12-2421 Approving Offer to Purchase and Agreement – WRA Blum Property Y. Resolution 12-0821 Ordering Construction of the WRA Grimes Connector – Contract 4, and Fixing a Date for Hearing Thereon and Taking of Bids Therefor Z. Finance Report AA. Claims Report BB. Filing and Receiving of Correspondence CC. Grimes Industrial Zoning Change and Development Agreement Claims: $2,933,690.16
Motion by Altringer, Second by Gisch, to approve the Consent Agenda.
Roll Call: Ayes: All Nays: None Motion passes 5 - 0

PUBLIC FORUM

Allen May, 608 NW 8th Street, addressed Council to ask about Items D. and M. on the Consent Agenda City Administrator Jake Anderson explained Item D addresses the City's ability to make purchases of such items as meals that take place during working hours, holiday events, or when the city provides a plaque or similar items for retirement or other public recognition. City Administrator Anderson stated item M references the Adoption of the Strategic Plan. Mayor Mikkelsen advised May that those items, and the documents related to them, are always posted in the agenda packet for public review.

PUBLIC AND COUNCIL AGENDA ITEMS

A. Annexing Moratorium Agreement, Boundary Annexation Agreement with Urbandale
Development Services Director Alex Pfaltzgraff provided an overview of the agreement. Pfaltzgraff said that these agreements are limited to no more than a ten-year period, and municipalities may choose to extend such agreements for subsequent periods.

1.Public Hearing on Boundary Annexation Agreement with Urbandale
Mayor Mikkelsen opened the Public Hearing at 5:39 p.m. Being no written or oral comments, Mayor Mikkelsen closed the Public Hearing at 5:40 p.m.

2.Resolution 12-0521 Authorizing Entering into A Boundary Adjustment Annexation Moratorium Agreement with the City of Urbandale
Motion by Altringer, Seconded by Johansen, to approve Resolution 12-0521 Authorizing Entering into A Boundary Adjustment Annexation Moratorium Agreement with the City of Urbandale.

Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

B. Resolution 12-0621 Authorizing Entering into A 28E Agreement with Urbandale Regarding Sanitary Sewer Project Coordination and Connection

Development Services Director Pfaltzgraff advised the Council that in order to connect Grimes to the WRA, some of the construction would cross land owned by the City of Urbandale. Pfaltzgraff stated that Urbandale has proposed to grant the necessary easements for the project to continue with overall standard requirements within the construction industry.
Motion by Altringer, Seconded by Johansen, to approve Entering into A 28E Agreement with Urbandale Regarding Sanitary Sewer Project Coordination and Connection
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

C. Public Hearing and Award of Contract for the Construction of the WRA Grimes Connector – Contract 1

City Engineer Matt Ahrens addressed the Council with information on the bid process for this project. Ahrens stated there were a total of 5 bids, with the low bid coming from S.J. Louis Construction, Inc of Rockville, Minnesota in the amount of $12,675,000. Ahrens noted the supply chain issues and workforce shortages are factors that caused both materials and installation price increases over the original engineering estimate. Ahrens stated that S.J. Lewis Construction has worked on WRA projects in the past and has experience with this kind of work.

1.Public Hearing for the Construction of the WRA Grimes Connector – Contract 1

Mayor Mikkelsen opened the Public Hearing at 5:46 p.m. Being no written or oral comments, Mayor Mikkelsen closed the Public Hearing at 5:46 p.m.

1.Resolution 12-2721 Adopting Plans, Specifications, Form of Contract and Estimate of Cost for the WRA Grimes Connector – Contract 1

Motion by Altringer, Second by Borcherding, to approve Resolution 12-2721 Adopting Plans, Specifications, Form of Contract and Estimate of Cost for the WRA Grimes Connector – Contract 1
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

2.Resolution 12-2921 Making Award of Construction Contract for the WRA Grimes Connector Contract 1

Motion by Altringer, Second by Borcherding, to approve Resolution 12-2921 Making Award of Construction Contract for the WRA Grimes Connector Contract 1
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

3.Resolution 12-3021 Authorizing Construction Contract and Bond for the WRA Grimes Connector – Contract 1

Motion by Altringer, Second by Borcherding, to approve Resolution 12-3021 Authorizing Construction Contract and Bond for the WRA Grimes Connector – Contract 1
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

D. Resolution 12-1621 Entering Into A 28E Agreement With USSD and Waukee Regarding WRA Grimes Collector Sanitary Sewer Project

Development Services Director Pfaltzgraff advised the Council that when Grimes began designing the Grimes WRA Connector, our design engineer had a discussion with Urbandale Sanitary Sewer District (USSD) regarding reserving future capacity. He stated the City of Waukee also indicated that they

would like to participate in this arrangement. Pfaltzgraff said in this Resolution, in the first stage, the costs would be split as follows: Grimes 58.39%, USSD 22.15%, and Waukee 19.46%. Pfaltzgraff said in the second stage, the shared costs would be Grimes at 72.50%, and USSD at 27.5%.
Motion by Altringer, Seconded by Johansen, to approve Entering into a 28E Agreement With USSD and Waukee Regarding WRA Grimes Collector Sanitary Sewer Project
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

E. Public Hearing and Award of Contract for New Grimes Public Library
City Engineer Ahrens spoke to the Council about the recent construction bids that were received for the new library. Ahrens said that while there is interest in this type of project, the bids reflected issues with supply chain and workforce shortages. Ahrens advised that the following resolutions before the Council are to adopt plans, specifications, form of contract and estimate of cost, making the award of construction, and approving construction contract and bonds. Councilmember Altringer said that since she first started participating on the Library Board sixteen years ago, the first, and most frequent concern, was the lack of space to adequately serve the community. Altringer thanked everyone that participated in making this project finally become a reality. Mayor Mikkelsen and Councilmember Johansen also thanked the Library Board and acknowledged the great amount of work that went into this project.

1. **Public Hearing on Contracts for the New Grimes Public Library**

Mayor Mikkelsen opened the Public Hearing at 5:57 p.m. Being no written or oral comments, Mayor Mikkelsen closed the Public Hearing at 5:59 p.m.

2. **Resolution 12-1721 Adopting Plans, Specifications, Form of Contract and Estimate of Cost for the New Grimes Public Library**

Motion by Altringer, Second by Borcherding, to Resolution 12-1721 Adopting Plans, Specifications, Form of Contract and Estimate of Cost for the New Grimes Public Library
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

3. **Resolution 12-3121 Making Award of Construction Contract for The New Grimes Public Library**

Motion by Altringer, Second by Borcherding, to Approve Resolution 12-3121 Making Award of Construction Contract for The New Grimes Public Library to the following bidders: Corell Contractors - $438,000.00, Graphite Construction Group - $2,665,000.00, Forrest 7 Associates - $317,587.00, Ideal Floors - $109,575.00, Des Moines Marble & Mantel - $119,025.00, Academy Roofing - $422,350.00, Forman Ford (Cable Glass) - $844,487.00, PCI - $1,466,520.00, Schindler Elevator - $113,950.00, Midwest Automatic Fire Sprinkler - $86,660.00, AMC Mechanical - $1,021,690.00, Van Maanen Electric - $977,086.00, Nehring Construction - $235,622.00, Miner Hardscape - $149,970.00 – Total Construction $8,967,522.00
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

4. **Resolution 12-3221 Authorizing Construction Contract and Bond for The Grimes Public Library**

Motion by Altringer, Second by Borcherding, to Approve Resolution 12-3221 Authorizing Construction Contract and Bond for The Grimes Public Library
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

F. Third Reading of Ordinance 756 to Consider Amending Provisions of the Zoning Ordinance of the City of Grimes, Iowa Regarding Format and Fees

Development Services Director Pfaltzgraff stated there were no material changes to the Ordinance since the last two readings. Council Members Johansen and Gisch also noted that this will be a welcome change and would make it much easier for the public to be able to search and find information in the future.

Motion by Altringer, Second by Gisch, to approve the Third Reading of Ordinance 756 to Consider Amending Provisions of the Zoning Ordinance of the City of Grimes, Iowa Regarding Format and Fees
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

Motion by Altringer, Second by Gisch, to Approve the Final Reading and Adopt Ordinance 756 to Consider Amending Provisions of the Zoning Ordinance of the City of Grimes, Iowa Regarding Format and Fees.
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

G. Public Hearing and Action on the Grimes City Code

Development Services Director Pfaltzgraff advised the Council that with the anticipated transition of the Code of Ordinances from the current PDF online format, to the interactive Encode solution that was acquired last year, staff has been reformatting the code into a Title, Section, Chapter format. Pfaltzgraff said in doing so, we can more appropriately organize our codes and regulations, thus providing a better end user experience. Pfaltzgraff noted that while re-formatting, Staff also removed all fees that are currently codified. Pfaltzgraff said the City adopted its first fee schedule in 2019, which removed the reliance upon using the code as reference for fees. Pfaltzgraff asked that if everyone was in agreement, he would recommend waiving the Second and Third readings.

1. Public Hearing on Updates to the Grimes City Code

Mayor Mikkelsen opened the Public Hearing at 6:18 p.m. Being no written or oral comments, Mayor Mikkelsen closed the Public Hearing at 6:18 p.m.

2. First Reading of Ordinance 758 Updated to the Grimes City Code

Motion by Altringer, Second by Borcherding to Approve the First Reading of Ordinance 758 to update the Grimes City Code.
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

Motion by Altringer, Second by Borcherding to waive the Second and Third Reading of Ordinance 758 to update the Grimes City Code.
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

Motion by Altringer, Second by Borcherding to Approve the Final Reading and Adopt Ordinance 758 to update the Grimes City Code.
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

H. Public Hearing and First Reading of Ordinance 757 Amending Chapter 6 Part B Entitled "Election Precinct Boundaries Based Upon the 2020 Census

Greg Jamison, GIS Technician for the City of Grimes, addressed the Council stating it is required by state law to redistrict its city after the conclusion of the decadal census. Jamison noted that on November 5th, 2021, Iowa Governor Kim Reynolds signed SF621 starting the 60-day countdown for cities to reprecinct their city. Jamison said every precinct cannot have more than 3,500 people living within it, and our situation is unique in the metro area as we have two counties, three school districts, two Iowa Legislature house districts, and islands of territory from Polk County and City of Urbandale. Jamison said because of Grimes' growth to 15,392 people, we are required to have at least 5 precincts within Polk County. Jamison presented the proposed 5 precinct plan for the city, stating that this was coordinated with Polk County, Dallas County, and City of Urbandale. Jamison noted the 60-day window to finalize this process and asked to have the Second and Third Readings waived to meet that deadline.

1. **Public Hearing on Ordinance 757**

Mayor Mikkelsen opened the Public Hearing at 6:22 p.m. Being no written or oral comments, Mayor Mikkelsen closed the Public Hearing at 6:22 p.m.

2. **First Reading of Ordinance 757 Amending Chapter 6 Part B Entitled "Election Precinct boundaries Based Upon the 2020 Census**

Motion by Altringer, Second by Gisch, to First Reading of Ordinance 757 Amending Chapter 6 Part B Entitled "Election Precinct Boundaries Based Upon the 2020 Census
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

Motion by Altringer, Second by Gisch, to waive the Second and Third Reading of Ordinance 757 Amending Chapter 6 Part B Entitled "Election Precinct Boundaries Based Upon the 2020 Census
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

Motion by Altringer, Second by Gisch, to Approve the Final Reading and Adopt Ordinance 757 Amending Chapter 6 Part B Entitled "Election Precinct Boundaries Based Upon the 2020 Census
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

3. **Resolution 12-2121 Approving the Amended Memorandum of Agreement between City of Grimes and Dallas County for Redistricting**

Motion by Altringer, Second by Gisch, to Resolution 12-2121 Approving the Amended Memorandum of Agreement between City of Grimes and Dallas County for Redistricting
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

4. **Resolution 12-2221 Approving a Memorandum of Agreement Between the City of Grimes and Polk County for Redistricting**

Motion by Altringer, Second by Gisch, to approve Resolution 12-2221 Approving a Memorandum of Agreement Between the City of Grimes and Polk County for Redistricting
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

5. **Resolution 12-2321 Approving a Memorandum of Agreement Between the City of Grimes and Polk County Jefferson Township**

Motion by Altringer, Second by Gisch, to approve Resolution 12-2321 Approving a Memorandum of Agreement Between the City of Grimes and Polk County Jefferson Township
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

I. Freddy's and Panera Preliminary Plat

Development Services Director Pfaltzgraff addressed the council stating this project will be located just east of Aldi's on Lot 3 in Menards at Destination Market Plat 1. Pfaltzgraff said the applicant is requesting approval of a preliminary plat, which will allow for the future subdivision of the property. He said the proposed preliminary plat will provide for two development lots that will be 1 acre, and 1.16

acres in size for the proposed Freddy's and Panera restaurants. Pfaltzgraff stated that the Planning and Zoning Board along with city staff recommend approval of the preliminary plat.
Motion by Altringer, Second by Borcherding, to approve Freddy's and Panera Preliminary Plat subject to the letter dated December 1, 2021.
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

J. Freddy's and Panera Site Plan
Development Services Director Pfaltzgraff advised the Council that this site plan shows a 3,475 square foot Panera located at 2103 E. 1st Street and a 3,200 square foot Freddy's at 2151 E. 1st Street. Pfaltzgraff noted that these properties are located within the C-2 zoning district and Zone 1 of the Highway 141 Mixed Use Development Corridor District. Pfaltzgraff stated that the Planning and Zoning Board recommended the approval of the site plan along with city staff.
Motion by Altringer, Second by Borcherding, to approve Freddy's and Panera Site Plan.
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

K. Mayor Report
1. Recognition of Madonna Hughes

Mayor Mikkelsen acknowledged the many contributions Madonna Hughes brought to the City over her time with us. He noted her devotion to family, and church, and how she has always been a generous and courteous staff member always willing to bring aid and support to every department. Mayor Mikkelsen wished her the very best in her retirement.

L. Oath of Offices
1. Oath of Office to Mayor Mikkelsen
2. Oath of Office to Council Members: David Gisch, Ryan Burger and Laurie DePhillips

ADJOURN
Motion by Altringer, Second by Johansen, to adjourn the meeting at 6:45 p.m.
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

ATTEST:

Rochelle Williams, City Clerk	Scott Mikkelsen, Mayor