CITY COUNCIL MEETING
Tuesday, September 13, 2022

*Please note the regular City Council Meeting was held as an electronic and in person meeting. The meeting was called to order by Mayor Pro Tem Ryan Burger Tuesday September 13, 2022, at 5:32 p.m. at the Grimes Community Complex, 410 SE Main Street, Grimes, Iowa. The Pledge of Allegiance was led by Mayor Tem Burger.

ROLL CALL
Present: Council Members: Andrew Borcherding, Ryan Burger, Eric Johansen via Zoom. Absent: Laurie DePhillips, David Gisch, Mayor Scott Mikkelsen,

AGENDA ITEMS

APPROVAL OF THE AGENDA
Mayor Pro Tem Burger asked for approval of the agenda.
Moved by Borcherding, Second by Johansen to approve the agenda
Roll Call: Ayes: All. Nays: None. Motion passes: 3 - 0.

CONSENT AGENDA
A. Minutes from previous meeting B. ABD Renewal: Fareway Stores-351 SE Gateway Dr. Class E Liquor, Class B Wine, Class C Beer. C. Resolution 09-0122 Approving an Investment Pledge to Support the Greater Des Moines Partnership D. Resolution 09-0222 Authorizing Water and Sewer Billing Adjustment E. Resolution 09-0322 Approving to Remove Dead, Diseased, or Dying Trees Located on City Owned Greenspace Located Behind NW Prairie Creek Drive and NW 8th Street F. Resolution 09-0422 Approving Emergency Proceeding Under Iowa Code Section 384.103 (2) To Purchase Replacement of the North Jordan Well Water Pumping Equipment G. Resolution 09-0722 Approving Update to Fee Schedule H. Resolution 09-0922 Consent for Improvements Lot 27 Chevalia Valley Plat 2- 208 NE 22nd Circle I. Request for Street Closure for Block Party 1. 2305 NE Birch Lane. 2. 809 NW Sunset Lane J. Professional Services Payments: 1. Whitfield & Eddy Law- $24,794.10 2. Pay Request #2 Nilles Associates, Inc for Outlet Repairs – Crossings Townhomes and Lot J Beaverbrooke West Plat 8 $9,357.50 3. Pay Request #4 Civil Design Advantage for GrimesPlex $99,482.25 4. Pay Request #9 Nilles Associates, Inc for Kennybrook South Detention Basin Improvements $3,017.50 5. Pay Request #45 Veenstra & Kimm, Inc for WRA Connector $82,131.55 6. Sports Facilities Development LLC – Service Agreement $29,333.00 7. Christensen Development LLC – Consulting for New Grimes Library $10,000.00 K. Pay Requests: 1. Pay Request #1 Halbrook Excavating for SE Jacob Street Reconstruction and Storm Sewer $95,089.78 2. Pay Request #1 S.M. Hentges & Sons, Inc for WRA Grimes Connector – Contract 2 $322,598.34 3. Pay Request #2 Rognes Corporation for WRA Grimes Connector – Contract 3 $248,097.25 4. Pay Request #5 Van Maanen Electric, Inc for Highway 44 at County Line Road Temporary Traffic Signal $3,815.31 5. Pay Request #6 S.J. Louis Construction, Inc for WRA Grimes Connector – Contract 1 $1,721,837.63 6. Pay Request #6 Shank Constructors, Inc for WRA Grimes Connector – Contract 4 $949,547.80 7. Pay Request #7 Absolute Concrete – County Line Road Intersection Improvements $24,076.80 8. Pay Request #3 Synergy Contracting, LLC – SE Trail Ridge Road Water Main $164,531.70 9. Pay Request #1 Cogley LLC DBA Blue Sky Cleaning Services for Demolition of City Property (Wallace Farm) $50,000 L. Professional Contracts 1. Amendment to Owner-Engineer Agreement Amendment #2- Nilles Associates, Inc for Design and Construct Grimes Existing Basins Enhancements 2. Resolution 09-2022 Agreement for Professional Consulting Services – SE Trail Ridge Road Reconstruction – MSA Professional Services, Inc. 3. Resolution 09-2122

Agreement for Professional Consulting Services – West Area Trunk Sewer Conceptual Study – Veenstra & Kimm, Inc M. Resolution 09-1022 Approving Development Agreement and Purchase Agreement HD LLC N. Resolution 09-1122 Approving Quotes and Bills Over $10,000.00 0. Resolution 09-1322 Authorizing the Temporary Traffic Speed Calming Measures on NW 8th Street Traffic and NE Park Drive P. Resolution 09-1522 Approving Agreement Regarding Sidewalk Construction -1250 SE 25th St. Q. Resolution 09-1722 Personnel Transaction R. Resolution 09-1822 Approving Listing Services Agreement with Stanbrough Realty – 309 E 1st Street S. Receiving and Filing of Correspondence T. Finance Report for August 2022 U. Claims Report $6,975,894.48
Motion by Borcherding, Second by Johansen, to approve the Consent Agenda.
Roll Call: Ayes: All; Nays: None Motion passes 3 - 0

PUBLIC FORUM

Polk County Supervisor Robert Brownell addressed the Council with updates on the Food Bank's open access procedures. Brownell also informed Council about the current 911 audit at the county, as well as the carbon pipeline that would bisect a small portion of Polk County. Mayor Pro Tem Burger asked about the status of the airport expansion plans. Brownell noted that the airport has received contribution support from the metro communities along with some other cities.
Brenda Johnson, 604 NE 13th Street voiced concerns about internet utility providers process and procedures for easement access, and homeowner communications.

Council Member David Gisch joins the meeting at 5:52 pm

PUBLIC AND COUNCIL AGENDA ITEMS

1. **Resolution 09-1222 Authorizing the Increase of the Speed Limit on a Portion of NE Gateway Drive From 25 MPH to 30 MPH**

City Engineer Matt Ahrens stated due to numerous resident concerns, a traffic study was performed by Snyder and Associates to evaluate the NW Gateway Drive speed limit. Ahrens said this study recommended that the section of roadway between East 1st Street and NE Heritage Drive should remain at 25 miles per hour, however, due to the commercial nature, and the grading, the portion between NE Heritage Drive to Beaverbrooke Boulevard could be raised to either 30 or 35 miles per hour. Ahrens proposed raising this section to 30 MPH, with the option to reduce it in the future if the traffic flows changed. The Council discussed the concerns and the recommendations that were presented.
Motion by Borcherding, Second by Johansen, to approve Resolution 09-1222 Authorizing the Increase of the Speed Limit on a Portion of NE Gateway Drive from 25 MPH to 30 MPH.
Roll Call: Ayes: All; Nays: None Motion passes 4 – 0

2. **Resolution 09-1622 Approving Final Plat – Destination Market Plat 7**

Development Services Director Alex Pfaltzgraff stated this area is currently Lot 3 of Menards at Destination Market Plat 1 and is Zoned C-2. He said the applicant is requesting approval for the subdivision of property located at 2125 E 1st Street. Pfaltzgraff said this final plat would create two development lots approximately 1.00 acre and 1.16 acres in size for the proposed Freddy's and Panera restaurants. Pfaltzgraff advised the Council that the Planning and Zoning Board had reviewed the plans and had recommended approval at their January 4th, 2022, meeting along with staff.
Motion by Borcherding, Second by Gisch, to approve Resolution 09-1622 Approval of Destination Market Plat 7 Final Plat.
Roll Call: Ayes: All; Nays: None Motion passes 4- 0

3. **Resolution 09-0522 Terminating the Sports Management Agreement between the City of Grimes and Hope Development & Realty, LLC**
Park and Recreation Director Brian Becker said in 2020, there was an agreement between the previous owner, Hope Development, and the City for sports management of the area being developed for the GrimesPlex. Becker said that now that the City owns that land, the agreement is no longer necessary, and needs to be formally terminated.
Motion by Borcherding, Second by Gisch, to approve Resolution 09-0522 Terminating the Sports Management Agreement between the City of Grimes and Hope Development & Realty, LLC
Roll Call: Ayes: All; Nays: None Motion passes 4 – 0

4. **Resolution 09-0622 Accepting Assignment of Lease Agreement Between Hope Development & Realty, LLC and City of Grimes Iowa for the GrimesPlex**
Park and Recreation Director, Brian Becker advised the Council that with the original development of the GrimesPlex in 2020, Hope Development and Realty entered into a lease agreement with Sporting Iowa. Sporting Iowa agreed to lease 6 fields within the complex for a total of $600,000 per year for a term of 10 years. Becker said with the transition of the Grimes Plex project from Hope Development and Realty, the lease needs to be assigned to the City of Grimes. Becker added that Hope Development has executed the assignment, and Sporting Iowa as attested to it.
Motion by Gisch, Second by Borcherding, to approve Resolution 09-0622 Accepting Assignment of Lease Agreement Between Hope Development & Realty, LLC and City of Grimes Iowa for the GrimesPlex
Roll Call: Ayes: All; Nays: None Motion passes 4 – 0

5. **Resolution 09-1922 Approving Disbursement of Donated Funds for GrimesPlex**
Development Services Director Pfaltzgraff said in October of 2020, Reza Kargarzadeh, President and CEO of Hope K Farms/Hope Development Realty, presented the Hope Entertainment District development plans to the City Council. Pfaltzgraff said earlier this year, the City accepted donations in the form of land from Hope K Farms, as well as a gift agreement, and took over control of the GrimesPlex project. He said within those agreements, it was identified that certain costs, would be reimbursed, or paid to the contractor involved. Pfaltzgraff said the first donation payment of $2,800,000 has been made, and we have invoices for costs to be reimbursed to Hope K Farm for a total of $430,023.96, and to Alliance Construction Group for $1,170,945.06.
Motion by Borcherding, Second by Gisch, to approve Resolution 09-1922 for the Disbursement of Donated Funds for the GrimesPlex.
Roll Call: Ayes: All; Nays: None Motion passes 4 – 0

6. **Resolution 09-2222 Ordering Construction of the GrimesPlex, and Fixing a Date for Hearing Thereon and Taking of Bids Therefor**
City Engineer Matt Ahrens addressed the Council to request setting a date for bid letting and public hearing dates for the GrimesPlex. Ahrens said the proposed schedule for this project is to set the dates for the bid letting for October 18th at 10:30 am and the public hearing and anticipated award of bid at the Council meeting on October 25th at 5:30 pm. Ahrens said this project includes construction of multiple recreational synthetic turf fields and public infrastructure just west of NE Heritage Drive and south of NE 12th Street.
Motion by Borcherding, Second by Gisch, to approve Resolution 09-2222 Ordering Construction of the GrimesPlex, and Fixing a Date for Hearing Thereon and Taking of Bids Therefor
Roll Call: Ayes: All; Nays: None Motion passes 4– 0

7. **Resolution 09-0822 Authorizing Staff to Solicit Proposals and Work with the Park and Rec Board to Evaluate Responses for Softball/Baseball and Concessionaire Tenants at the GrimesPlex**
Park and Recreation Director Brian Becker said that in anticipation of the GrimesPlex opening in 2023, staff are seeking proposals to provide concessionaire services for softball and baseball programs and tournaments at the GrimesPlex. Council Member Gisch asked if patrons would be allowed to bring in coolers and if alcoholic beverages would be allowed and how controls would be in place. Becker said similar venues limit any food or beverage to be purchased on site only. Becker said that staff would work with the Park and Recreation Board to evaluate responses to formulate a recommendation for Council's future consideration.
Motion by Borcherding, Second by Gisch, to approve Resolution 09-0822 Authorizing Staff to Solicit Proposals, With and Without Alcoholic Beverages, and Work with the Park and Rec Board to Evaluate Responses for Softball/Baseball and Concessionaire Tenants at the GrimesPlex
Roll Call: Ayes: All; Nays: None Motion passes 4– 0

ADJOURN
There being no further business.
Motion by Borcherding, Second by Johansen, to adjourn the meeting at 6:18 p.m.
Roll Call: Ayes: All. Nays: None. Motion passes: 4- 0.

ATTEST:

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Rochelle Williams, City Clerk Ryan Burger, Mayor Pro Tem