CITY COUNCIL MEETING
Tuesday, May 14, 2019
Grimes City Hall 5:30 P.M.

The regular meeting of the Grimes City Council was called to order by Mayor Scott Mikkelsen on Tuesday, May 14, 2019 at 5:30 P.M. at the Grimes City Hall. The Pledge of Allegiance was led by Mayor Mikkelsen. Roll Call: Present: Gisch, Hamp, Berger, Altringer Absent: Johansen

AGENDA ITEMS.

Approval of the Agenda

Mayor Mikkelsen asked for approval of the agenda.
Moved by Altinger, Seconded by Gisch; the Consent Agenda; shall be approved.
Roll Call: Ayes: All. Nays: None. Motion passes: 4 to 0.

CONSENT AGENDA

A. Minutes from previous meeting B. Set a Public Hearing for Budget Amendment C. Pay Application #1 to Concrete Technologies, Inc for the SE 37th Street at Hwy 141 Improvement $127,333.90 D. Request for Street Closure on SE 6th Street E. City Wide Detention Area Improvement Project not to exceed $70,000 F. Pay Request #2 to All Terrain Seeding for the Little Beaver & Prairie Creek Improvements $100,809.06 G. Alcohol License Renewal for Plaza Tapatia Class C Liquor License with Sunday Sales H. Alcohol License Renewal for Walmart Supercenter #5748 I. Alcohol License Renewal for Spirts Liquor Class E with Sunday Sales J. Alcohol License Renewal for Casey's General Store #2520 Class E with Sunday Sales K. Resolution 05-0319 Adopting the Iowa League of Cities Record Retention Manual for Iowa Cities L. Resolution 05-0419 Consenting to Assignment of Trustee Agent Agreements; Escrow Agent Agreements; and/or Paying Agent and Registrar and Transfer Agent Agreements M. Beaverbrook Blvd Crossing Cleanup $7,394 (emergency repair of silt that was blocking culvert) N. Wilson Brothers – contract for mosquito control O. Speculative Use Proposal for New Water Tower in Grimes P. Request to Write Off EMS Bill for Dependent of Veteran Pursuant to Resolution 01-0119 Q. Set a Public Hearing on Proposed Plans, Specifications, Form of Contracts and Estimate of Cost for the Construction and Award of Contract for the 2019 City of Grimes HMA Resurfacing Project for May 28, 2019 at 5:30 pm and Notice to Bidders for May 24th at 2:00 pm at Grimes City Hall R. Beeline & Blue Plotter/Scanner Purchase for Development Services $6,250 S. Resolution 05-0619 Personnel Transactions T. Tax Increment Finance Payments: GD Development $1,412.50, Hubbell Realty 2012 $65,948, Hubbell Realty 2014 $48,036.50, Premier Concrete $ 11,565, Shade Tree Auto $18,234, Serv Pro $ 14,312.50, Total Family Eye Care $20,112. TNC LLC $240.50 U. Engagement Letter with Dorsey and Whitney for GO Bonds V. Settlement Agreement with Gabus Family Trust L.C. for the SE 37th Street Condemnation $16,710 W. Change Order #2 Little Beaver & Prairie Creek Channel Improvements $1,400 (three trees from SE 37th and Hwy 141 Project relocated to the south side of Little Beaver Creek west of NW Brookside Drive $750, removal of a large downed tree outside the work limits $650 X. Resolution 05-1119 Personnel Transactions Y. Pay Request #17 to Absolute Concrete for the S James Street & SE 37th Street Improvements $2,225.00 Z.NE 17th Court Drainage Easement Repair not to exceed $15,000 AA. Pay Request #2 Grosch Irrigation Company for the New Jordan Well $127,475.75 BB. Metering & Technology Solutions $,6,500 (Itron Mobile Radio Reader for utilities) CC. Lee Chamberlin Consultant Engineers $14,926 – Polk County mapping inputs, sign inventory and control network determination DD. Lee Chamberlin Consultant Engineers $15,195 – Project inventory, plan and specification preparation, bid document preparation and notice of public hearing preparation 2019 HMA Resurfacing Project EE. Grimes 16 Inch Raw Water Main: Mark and Miranda Paup – water main easement, Offer To Purchase Agreement $10,000 FF. Software Agreement – Gworks – third party meter reader interface software $2,750 GG. Elevate Roofing – Repair to Portion on GCC roof $5,000 HH. Treasurer's Report II. Claims Report $2,081,405.44 JJ. Resolution 05-1419 Certifying the Johnston-Grimes Metropolitan Fire Department Lieutenant Promotion List Dated April1, 2019 KK. Resolution 05-1219 Certifying the Johnston-Grimes Metropolitan Fire Department Captain Eligibility List Dated April 1, 2019 LL. Resolution 05-1319 Certifying the Johnston-Grimes Metropolitan Fire Department Hiring Eligibility List Dated April 25, 2019

Moved by Altringer, Seconded by Gisch; the Consent Agenda; shall be approved.
Roll Call: Ayes: All. Nays: None. Motion passes: 4 to 0.

Fire Department Report
Chief Clark stated for the month of April 2019 there were 240 calls for service across all districts. He broke down the calls by department: Station 37 – 57 calls, Station 38 – Grimes District – 19, Johnston District – 50, Station 39 – 107 calls and 5 mutual aid. Chief Clark stated that 85.48% of the calls were EMS and 14.52% were fire and other calls. He added that they held a Tiny Tot Triathlon and that the pancake feed was well attended.

Patrol Report

Update from DART –
Amanda Wanke, Chief External Affairs Officer and Luis Montoya the Planning and Development Manager addressed the Council regarding the DART Fall 2019 Service Change Proposals. The Council voiced concerns over the change in services to Grimes for the cost that the City pays. Mayor Mikkelsen asked if they would be able to tell us what the average cost of a trip is for picking up a Grimes resident. He added that he understands that DART is in a tough spot making the system work all over the metro. Mayor Mikkelsen stated that it is their job to make sure they are paying attention to the tax payer and residents dollar. He added that running numbers to see what the per trip costs are would be helpful. Mayor Mikkelsen stated that information would let them know if the systems are set up for communities that are out on the edges of the metro. He added that maybe the City needs to find a way to get our residents to DART's drop spots. Mayor Mikkelsen again stated that he would like to see with the levy rate of .60 what is the per trip cost. Wanke stated that she did not have those numbers but would be happy to look into providing that information.

PUBLIC FORUM
Ammon Taylor, Municipal Marketing Manager of Waste Management addressed the Council. Taylor stated that recently they had been in Grimes partnering with the parks department at Kennybrook Park and helped plant some trees on Arbor Day. He stated that currently they provide recycling and yard waste service to the City of Grimes. He stated that there is a "Think Green Grant" available through Waste Management that he encouraged the City to apply.

PUBLIC AGENDA

A. Approval of Site Plan for Stone Ridge Mega Storage, 3305 SE Miehe Drive
Development Services Director Alex Pfaltzgraff addressed the Council regarding the site plan. Pfaltzgraff stated that the property owner Kevin Henter was seeking a waiver on the siding requirements of brick and a parking waiver. The building is proposed to be primarily constructed out of metal paneling, with brick/stone to be provided along the west side that faces SE Miehe Drive. Pfaltzgraff stated that at a previous Council meeting on this site plan it was stated that the Code Section 165.51 indicates that for buildings that face public streets, a minimum of 25% masonry shall be provided, and at least 30-feet along the adjacent side wall. He stated the applicant is requesting approval of the site, with a waiver for the stone along the north and south wall. Pfaltzgraff advised that the north side would be difficult to provide masonry, considering the proposed design of overhead doors and adjacent man doors. He added the applicant is willing to provide landscaping along the north side of the parking lot, as well as the south-west corner where the 30-foot of stone is lacking. Pfaltzgraff stated that he felt the waiver for the parking requirement was reasonable due to this building would be a storage facility so additional parking would not be needed.
Moved by Hamp, Seconded ty Altringer; the site plan for Stone Ridge Mega Storage; shall be approved.
Roll Call: Ayes: All. Nays: None. Motion passes: 4 to 0.

B. Public Hearing and Approval of Resolution 05-0719 Taking Additional Action on Proposal to Enter Into a Loan Agreement, Combining Loan Agreements, Set the Date for Sale of General Obligation Corporate Purpose Bonds and Authorizing the Use of a Preliminary Official Statement in Connection Therewith May 28, 2019

Mayor Mikkelsen opened the Public Hearing at 6:42 pm. There being no oral or written comments the hearing was closed at 6:42 pm.

City Administrator Anderson stated this resolution was for an additional 7 million general obligation bonds. Travis Squires of Piper Jaffray reviewed with the Council the 2019 Debt Issuance.

Moved by Hamp, Seconded by Altringer; Resolution 05-0719 taking additional action on proposal to enter into a loan agreement, combining loan agreements, set the date for sale of general obligation corporate purpose bonds and authorizing the use of a preliminary official state in connection therewith for May 28, 2019; shall be approved.

Roll Call: Ayes: All. Nays: None. Motion passes: 4 to 0.

C. Resolution 05-0819 Relating to the Financing of a Proposed Project to be Undertaken by the City of Grimes, Iowa; Establishing Compliance with Reimbursement Bond Regulations Under the Internal Revenue Code

Moved by Hamp, Seconded by Altringer; Resolution 05-0819 relating to the financing of a proposed project to be undertaken by the City of Grimes, Iowa; establishing compliance with reimbursement bond regulations under the Internal Revenue Code; shall be approved.

Roll Call: Ayes: All. Nays: None. Motion passes: 4 to 0.

D. Public Hearing on Proposal To Enter Into a Water Revenue Loan and Disbursement Agreement

Mayor Mikkelsen opened the Public Hearing at 6:57 pm. There being no oral or written comments the Hearing was closed at 6:57 pm. City Administrator Anderson stated these funds would be used for the 16 inch RAW Water Main.

E. Resolution 05-0919 Authorizing and Approving a Loan and Disbursement Agreement and Providing for the Issuance and Securing the Payment of $1,559,000 Taxable Water Revenue Bonds, Series 2019B

Moved by Gisch, Seconded by Hamp; Resolution 05-0919 authorizing and approving a loan and disbursement agreement and providing for the issuance and securing the payment of $1,559,000 taxable water revenue bonds, Series 2019B; shall be approved.

Roll Call: Ayes: All. Nays: None. Motion passes: 4 to 0.

F. Resolution 05-1019 to Fix a Date for a Public Hearing on Proposal to Enter into a Sewer Revenue Loan and Disbursement Agreement and to Borrow Money Thereunder in a Principal Amount not to Exceed $475,000 May 28, 2019

City Administrator Anderson stated these funds would be used for Planning and Design for the WRA.

Moved by Hamp, Seconded by Altringer; Resolution 05-1019 to fix a date for a Public Hearing on proposal to enter into a sewer revenue loan and disbursement agreement and to borrow money thereunder in a principal amount not to exceed $475,000 for May 28, 2019; shall be approved.

Roll Call: Ayes: All. Nays: None. Motion passes: 4 to 0.

G. Proposal for Professional Consultant Services – SW County Line Road and SW 19th Street HMA Paving Project including service agreement

Mark Lee of Chamberlin Consultant Engineers addressed the Council regarding the SW County Line Road and SW 19th Street HMA paving project. Lee advised this agreement would be to construct a hard surface pavement to access the DCG Middle School Project during the new school construction and as a long-term alternate access to the school. He added this project will include milling and overlaying from the intersection of South James Street and SE 19th to divided section of SE 19th Street. Lee provided three options to the Council but recommended Option A at an estimated cost of $2,040,269.00.

Moved by Gisch, Seconded by Hamp; to approved Option A for the Proposal for professional consultant services on SW County Line Road and SW 19th Street for the HMA paving project including the service agreement; shall be approved.
Roll Call: Ayes: All. Nays: None. Motion passes: 4 to 0.

H. Proposal for Professional Consultant Services –2019 City of Grimes Intersection Improvements - Pedestrian school crossing modification at the NE Beaverbrooke Blvd and North Main Street Intersection including Service Agreement
Mark Lee of Chamberlin Consultant Engineers addressed the Council regarding safety concern at the intersection of NE Beaverbrooke Blvd and North Main Street with regards to pedestrian crossing. He stated the main purpose of this project is to provide a safe crossing for pedestrian crossing on Beaverbrooke Boulevard from the east side of the intersection to the west side of the intersection to avoid the conflict with the exiting school traffic and to install rapid flashing beacons to ensure a safe crossing for pedestrians. Chamberlin added that he would provide the professional services to design and produce project plans and specification and assist the Public Works Department in the construction of the improvement. He added the total cost of the project including his services would be $70,000. Council Member Gisch thanked Lee for looking at this project. He added this crossing has been a concern with the children who are in this area crossing the street.
Moved by Hamp, Seconded by Altringer; the proposal for professional consultant services for the 2019 City of Grimes Intersection Improvements pedestrian school crossing modification at the NE Beaverbrooke Blvd and North Main Street Intersection including service agreement; shall be approved.
Roll Call: Ayes: All. Nays: None. Motion passes: 4 to 0.

I. Public Hearing and First Reading of Ordinance 727 to Amend the Grimes Code of Ordinance Chapter 108.06 to Provide for the Increase in the Charge for the Collection of Recyclable Materials from $2.68 to $3.43 effective July 1, 2019
City Administrator Anderson stated this was just passing along costs from Metro Waste Authority. Mayor Mikkelsen opened the Public Hearing at 7:25 pm. There being no oral or written comments the hearing was closed at 7:25 pm.
Moved by Gisch, Seconded by Hamp; the First Reading of Ordinance 727 to amend the Grimes Code of Ordinance Chapter 108.06 to provide for the increase in the charge for the collection of recyclable materials from $2.68 to $3.43 effective July 1, 2019; shall be approved.
Roll Call: Ayes: All. Nays: None. Motion passes: 4 to 0.

J. Public Hearing and Approval of Resolution 05-0119 Assenting To The Annexation Of Certain Real Estate To The City Of Grimes, Iowa
Mayor Mikkelsen opened the Public Hearing at 7:26 pm. There being no oral or written comments the hearing was closed at 7:26 pm.
Moved by Hamp, Seconded by Altringer Resolution 05-0119 assenting to the annexation of certain real estate to the City of Grimes, Iowa for Mustang Ridge; shall be approved.
Roll Call: Ayes: All. Nays: None. Motion passes: 4 to 0.

COUNCIL ACTIONS

A. Discussion on Special Use Permits, Conditions and Expirations – Alex Pfalzgraff – Development Services Director
Development Services Director Alex Pfaltzgraff addressed the Council regarding Special Use Permits, conditions and expiration of those permits. Pfaltzgraff stated that the Council recently modified the Zoning Ordinance, to remove the special use permit provisions within the C-1 Zoning District. He stated the Ordinance did not address the special use permits that were previously approved by the BOA, but not acted upon. Pfalzgraff stated there are approximately 6-7 special use permits that were previously granted by the BOA (in some cases nearly 7 years ago) with no additional site or construction approvals. He added that staff feels that it would be appropriate to impose an expiration date on all special use permits in general, as well as a retroactive expiration date on all prior

issued permits. Staff would suggest the following language. 1. Special Use Permits issued prior to the adoption date of this ordinance, and not acted upon: 1 year 2. Special Use Permits issued after the adoption date of this ordinance: a. requires a site approval and or building permit: 180 days b. requires a certificate of zoning approval: 60 days. He also asked the Council to consider adding language to allow the Board of Adjustments ground for approval or denial of Special Use Permits and also give the applicant and neighborhood a clear understanding of the expectations. Pfaltzgraff stated that he wanted to be sure the Council felt he was on the right track with moving forward with these changes. He added that he will be setting a hearing on May 28th for an ordinance change and will be taking it to Planning and Zoning for review on July 2, 2019 and then will bring it back to Council.

B. Discussion and Guidance Relative to the Local Option Sales and Services Tax (LOSST) Referendum Scheduled for Tuesday, August 6, 2019

City Administrator Anderson stated that staff is pulling together some information related to LOSST that we will be able to post to the website.
City Administrator City Administrator Anderson stated that Ankeny City Council voted last night to not proceed with the August 6th referendum.

<u>COUNCIL DISCUSSIONS</u>

Mayors Report

Mayor Mikkelsen thanked Public Works Director Weston Wunder on innovative work he is doing on the turf at the softball complex diamonds and the work at the baseball batting cages. He added this has been well received by the community. He also thanked Development Services Director Alex Pfaltzgraff for his work with residents on finding solutions on issues. Mayor Mikkelsen thanked both of them. He stated there has been some frustration with the development that went in behind NW 23rd Court. Alex Pfaltzgraff stated he had met with the property owner/developer/engineer and brought to his attention come concerns over not keeping the street clean, construction debris, soil stockpiles, and rock stockpiles. He added that some of improvements haven't been installed yet as they are waiting on FEMA to make a decision with respect to the encroachment of the detention facility within the floodway. Pfaltzgraff stated that the engineer had put a report together to FEMA that there was a no net rise. He added that some formal correspondence is going out to the owner that the City wants to see some cleanup of the site and the street. Pfaltzgraff stated they want to see come cleanup of the north side of the development which still has raw dirt. He stated the owner is aware and is going to work on a retaining wall and address the concerns immediately. Mayor Mikkelsen thanked Pfaltzgraff for the follow-up.

City Attorney Report

City Attorney had no report

City Engineer Report

City Engineer had no report

City Staff Report

City Staff had not report

Old Business

New Business

Recess Open Session

Mayor Mikkelsen recessed open session at 7:41 pm.
Moved by Gisch, Seconded by Johansen to recess open session.
Roll Call: Ayes: All. Nays: None. Motion passes: 4 to 0.

Reconvene Open Session

Mayor Mikkelsen reconvened open session at 7:52 pm.

Resolution 05-0519 providing for Closed Session ref 21.5 1 (c) . To discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation

Moved by Altringer, Seconded by Hamp; Resolution 05-0519 providing for closed session at 7:53 pm; shall be approved.
Roll Call: Ayes: All. Nays: None. Motion passes: 4 to 0.

Rise from Closed Session
Moved by Altringer, Seconded by Hamp to rise from closed session at 8:35 pm.
Roll Call: Ayes: All. Nays: None. Motion passes: 4 to 0.

Reconvene Open Session

Open Session - cont.

New Business

Moved by Hamp, Seconded by Altringer;
Roll Call: Ayes: All. Nays: None. Motion passes: 4 to 0.

Moved by Hamp, Seconded by Altringer; Resolution 05-1219 which authorizes the Mayor to execute a contract with the firefighters union with regards to the proposed union contract.
Roll Call: Ayes: All. Nays: None. Motion passes: 4 to 0.

Moved by Hamp, Seconded by Altringer; to instruct the City Attorney and City Administrator carry forth the litigation strategy discussed with regard to the condemnation law suit that is currently pending with the railroad.
Roll Call: Ayes: All. Nays: None. Motion passes: 4 to 0.

Moved by Hamp, Seconded by Altringer to instruct City staff to follow recommendations in regards to the public engineering contracts that are currently in existence with the City of Grimes, pursuant to discussions that occurred during closed session.
Roll Call: Ayes: All. Nays: None. Motion passes: 4 to 0.

Moved by Altringer, Seconded by Hamp; there being no further business the meeting was adjourned at 8:37 pm.
Roll Call: Ayes: All. Nays: None. Motion passes: 4 to 0.

ATTEST:

Rochelle Williams, City Clerk

Scott Mikkelsen, Mayor