

Grimes City Council Agenda

Grimes City Hall
101 NE Harvey Street
Grimes, Iowa 50111
Phone | 515.986.3036
www.grimesiowa.gov

Mayor | Scott Mikkelsen
City Council | Eric Johansen, Andy Borcharding,
David Gisch, Ryan Burger, Laurie DePhillips

Mission Statement

The mission of Grimes City Government is to provide excellent/exceptional city services and facilities in a financially responsible and community-friendly manner through a high performing city team that result in adding value to resident's lives.

Grimes City Council Meeting July 30, 2024 In Person at Grimes Community Center, 410 SE Main Street

The public is welcome and encouraged to attend City Council meetings.

Public Comment: If you would like to address the City Council during the Public Comment portion of the meeting, please use the sign-up sheet upon arrival. Participants must be recognized by the presiding officer and must state their full name and address before addressing the City Council. The Mayor will recognize you for 3 minutes of comment. Pursuant to §21.4(2) of the Code of Iowa (2019), the City has the right to amend this agenda up until 24 hours before the posted meeting time.

For any additional assistance or questions about attending the meeting, please call: 515-986-3036

Meetings will be recorded

AGENDA ITEMS FOR JULY 30, 2024, AT 5:30 PM AT GRIMES COMMUNITY CENTER

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Agenda
5. Approval of the Consent Agenda (**Discussion is not allowed unless the Mayor or a City Council Member ask for an item to be removed and placed under Council actions for consideration**)
 - A. Resolution 07-3424 Approval of Previous Meeting Minutes
6. **Public Forum**
"People wishing to address the Council need to sign up on the sheet which has been provided on the table near the door. Each person will be allowed three minutes from the podium and may address no more than two issues per Grimes Rules of Procedure for Conduct of City Business – May 2005."

PUBLIC AND COUNCIL AGENDA ITEMS

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

1. Bauman Creek Investments, LLC Voluntary Annexation

- A. Public Hearing on Proposed Voluntary Annexation of Property Owned By Bauman Creek Investments, LLC in Polk County, Iowa
- B. Resolution 07-3524 Approving Voluntary Annexation of Property Owned By Bauman Creek Investments, LLC in Polk County, Iowa
- 2. Station Crossing Farm, LLC Voluntary Annexation
 - A. Public Hearing on Proposed Voluntary Annexation of Property Generally Located East of NE Heritage Drive and North of NE Station Crossing in Polk County, Iowa
 - B. Resolution 07-3624 Approving Voluntary Annexation of Property Owned By Station Crossing Farm, LLC in Polk County, Iowa

ADJOURNMENT

APPROVAL OF PREVIOUS MEETING MINUTES

Grimes Resolution No. 07-3424

WHEREAS, the City Clerk shall keep minutes of all City Council meetings;

WHEREAS, the minutes according to Iowa Code Section 21.3 are required to show the date, time and place, the members present, and the action taken at each meeting;

WHEREAS, the minutes shall show the results of each vote taken and information sufficient to indicate the vote of each member present;

WHEREAS, Iowa Code Section 372.13(6) requires that within 15 days following a regular or special meeting the Council, the clerk shall cause the minutes to the proceedings of the Council, including the total expenditure from each city fund, to be published in a newspaper of general circulation in the city.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Grimes, Iowa, recommend approval of the attached (Exhibit A) minutes.

PASSED and APPROVED on July 30, 2024.

Scott Mikkelsen, Mayor

Attested:

Rachel Greving, City Clerk

CITY COUNCIL MEETING
Tuesday, July 23, 2024

The Grimes City Council Regular Meeting was held in-person. The meeting was called to order by Mayor Pro Tem Ryan Burger, July 23, 2024, at 5:31 p.m. at the Grimes Community Complex, 410 SE Main Street, Grimes, Iowa.

ROLL CALL

Present: Mayor Pro Tem: Ryan Burger, Council Members: David Gisch, Laurie DePhillips

Absent: Mayor: Scott Mikkelsen, Council Members: Eric Johansen, Andrew Borcharding

AGENDA ITEMS

APPROVAL OF THE AGENDA

Mayor Pro Tem Burger asked for approval of the agenda.

Moved by DePhillips, Second by Gisch, to approve the agenda with the removal of Public and Agenda Items 4.B. and 5.B.

Roll Call: Ayes: All. Nays: None. Motion passes: 3 - 0.

CONSENT AGENDA

A. Resolution 07-0124 Minutes Approval from Previous Meeting

B. Resolution 07-0224 Approving Bills and Quotes over \$10,000

 a. Resolution 07-0324 Approving Shade Structure Purchase and Installation at Autumn Park, GrimesPlex and the Splash Pad

C. Receiving and Filing of Reports

 a. Resolution 07-0424 Claims Report \$7,654,247.66

 b. Finance Report for June 2024

 c. 2023 Information Technology Department Annual Report

 d. 2023 Marketing & Communications Annual Report

D. Resolution 07-0524 Approving Consent and Agreement to Improvements Within Sanitary Sewer Easement, Storm Sewer Easement, and Overland Flowage Easement for Lot 46 in Brentwood Estates - 2944 NE Brentwood Circle

E. Resolution 07-0624 Approving Consent and Agreement to Improvements Within Overland Flowage Easement for Lot 63 in Beaverbrooke Pointe Plat 3 - 1504 NE Heritage Drive

F. Resolution 07-0724 Approving Payments for Professional Services

 a. Pay Request #2 Snyder & Associates, Inc. - NE Gateway Dr. Temporary Traffic Signals \$5,513.22

 b. Pay Request #7 Snyder & Associates, Inc. - Streets Master Plan/Design Guide \$4,429.50

 c. Pay Request #13 Snyder & Associates, Inc. - Traffic Signal Network Communication Project \$5,520.50

 d. Pay Request #20 Snyder & Associates, Inc. - NE Destination Dr. & NE Beaverbrooke Blvd. Improvements \$43,292.53

 e. Pay Request #10 MSA Professional Services, Inc. - SE Little Beaver Dr. & SE 4th - 6th Sts. Water Main \$997.50

 f. Pay Request #2 MSA Professional Services, Inc. - SE Little Beaver Dr. & SE 4th - 6th Sts. Reconstruction \$7,465.00

- g. Pay Request #1 McClure Engineering Company - CIP Updates, Standpipe, Booster Station & On-Call \$16,307.50
- h. Pay Request #19 McClure Engineering Company - North Jordan Well Repairs \$1,687.50 (Insurance)
- i. Pay Request #21 McClure Engineering Company - Phase 1A Water System Improvements \$57,818.26
- G. Resolution 07-0824 Approving Capital Project Payment Requests
 - a. Pay Request #1 Graff Excavating, Inc. - NW County Line Road Water Main \$543,143.50
 - b. Pay Request #1 McAninch Corporation - WTP to N. James Street Feeder Main \$823,849.18
 - c. Pay Request #7 Preload, LLC - Ground Storage Reservoir \$202,292.05
 - d. Pay Request #6 S.M. Hentges & Sons, Inc. - SE/SW 19th Street Sanitary Sewer Extension \$163,276.05
 - e. Pay Request #3 Iowa Sports Turf Management - GrimesPlex Batting Cages & Bullpens \$289,081.13
 - f. Pay Request #16 S.M. Hentges & Sons, Inc. - WRA Grimes Connector -Contract 2 \$105,012.90
 - g. Pay Request #9 Absolute Concrete Construction, Inc. - S James Street and SE 11th Street Improvements \$155,465.31
 - h. Pay Request #5 Concrete Technologies, Inc. - NE Beaverbrooke Blvd. & IA 141 Intersection Improvements \$158,533.84
 - i. Pay Request #4 Jackson Creek Enterprises, L.C. - SE Little Beaver, 4th, 5th & 6th Water Main \$119,013.07
 - j. Pay Request (Retainage) Forrest & Associate, Inc. - Grimes Public Library \$17,698.49
- H. Resolution 07-0924 Approving Change Order
 - a. Change Order #5 Edge Commercial, LLC - Waterworks Park Improvements \$29,021.00
 - b. Change Order #2 Iowa Sports Turf - GrimesPlex Batting Cages & Bullpens \$12,980.00
- I. Resolution 07-1024 Accepting Public Improvements in Willow Hills North Plat 1
- J. Resolution 07-1124 Approving a Professional Services Agreement with ISG, Inc. for the Glenstone Multigolf Park Restoration
- K. Resolution 07-1224 Approving a Professional Services Agreement with LAD Consulting for Hazard Mitigation Assistance: Grant Application Preparation
- L. Resolution 07-1324 Approving a Professional Services Agreement with Snyder & Associates, Inc. for the Highway 44/1st Street Concept Analysis
- M. Resolution 07-1424 Authorizing Conveyance of Underground Electric Easement in Connection with the Grimes Public Safety Center
- N. Resolution 07-1524 Approving a Proposal with MidAmerican Energy Company for the Grimes Public Safety Center Electric Service
- O. Resolution 07-1624 Approving Equipment Transactions
- P. Resolution 07-1724 Approving Entering into a Service Contract with Frontline Warning Systems to Repair and Maintain Severe Weather Warning Sirens
- Q. Resolution 07-1824 Approving Contractual Services Agreement - Bridget Rottinghaus
- R. Resolution 07-1924 Approving Personnel Transactions
- S. Resolution 07-2024 Approving Purchase of Equipment
- T. Resolution 07-2124 Approving Improvements to Public Works Site
- U. Resolution 07-2224 Approving a Professional Services Agreement with OPN Architects, Inc. for the Grimes Public Administration Building
- V. Resolution 07-2324 Approving Fiscal Year 2023-2024 End of Year Transfers
- W. Resolution 07-2424 Approving Equipment Transactions Pursuant to FY23 Budget
- X. Resolution 07-2524 Approving Outdoor Temporary Use Location for Grimes Sweetcorn

Y. Resolution 07-2624 Approving Purchases and Disposal of Equipment
Z. Resolution 07-2724 Setting Public Hearing (08-27-2024, 5:30 PM): Station Crossing Farm Rezone
AA. Resolution 07-2824 Approving Request for Street Closure for a Block Party
BB. Resolution 07-2924 Approving State of Iowa Alcohol Licenses

Motion by Gisch, Second by DePhillips, to approve the Consent Agenda.
Roll Call: Ayes: All; Nays: None; Motion passes 3 - 0.

PUBLIC FORUM

Kimberly Gahan of 408 SE 5th Street addressed Council about drainage concerns affecting her neighborhood.

PUBLIC AND COUNCIL AGENDA ITEMS

1. NE Gateway Dr. Temporary Traffic Signals

City Engineer Ahrens presented details of the bidding outcomes for the project. The lowest bid was from Iowa Signal Inc. Staff recommends approval.

A. Public Hearing on Plans, Specifications, Form of Contract and estimate of Cost for the NE Gateway Dr. Temporary Traffic Signals

Mayor Pro Tem Burger opened the Public Hearing at 5:43 PM. Being no written or oral comments, the Public Hearing closed at 5:43 PM.

Council asked questions of staff.

B. Resolution 07-3024 Adopting Plans, Specifications, Form of Contract and Estimate of Cost for the NE Gateway Dr. Temporary Traffic Signals

C. Resolution 07-3124 Making Award of Construction Contracts and Bonds for the NE Gateway Dr. Temporary Traffic Signals

D. Resolution 07-3224 Authorizing Construction Contracts and Bonds for the NE Gateway Dr. Temporary Traffic Signals

Motion by Gisch, Second by DePhillips, to approve Resolution 07-3024 Adopting Plans, Specifications, Form of Contract and Estimate of Cost for the NE Gateway Dr. Temporary Traffic Signals, Resolution 07-3124 Making Award of Construction Contracts and Bonds for the NE Gateway Dr. Temporary Traffic Signals, Resolution 07-3224 Authorizing Construction Contracts and Bonds for the NE Gateway Dr. Temporary Traffic Signals
Roll Call: Ayes: All; Nays: None; Motion Passes 3-0

2. Second Reading of Ordinance 790 SE 4th & Main Street Rezone

Senior Planner Martin gave a brief description of the amendment.

Motion by DePhillips, Second by Gisch, to approve the Second Reading of Ordinance 790 SE 4th & Main Street Rezone

Roll Call: Ayes: All; Nays: None; Motion Passes 3-0

3. Resolution 07-3324 Approving Final Plat of Hope Commercial Plat 7 and Certain Related Easements

Senior Planner Martin provided details of the final plat located at the southeast corner of NE Gateway and NE Heritage Drive. Staff recommends approval.

Motion by Gisch, Second by DePhillips, to approve the Second Reading of Ordinance 790 SE 4th & Main Street Rezone

Roll Call: Ayes: All; Nays: None; Motion Passes 3-0

4. Bauman Creek Investments, LLC Voluntary Annexation

Senior Planner Martin presented the details of the area for annexation. It totals 87.67 acres and is 100% consenting.

A. Public Hearing on Proposed Voluntary Annexation of Property Owned by Bauman Creek Investments, LLC in Polk County, Iowa

Mayor Pro Tem Burger opened the Public Hearing at 5:54 PM. Being no written or oral comments, the Public Hearing closed at 5:54 PM.

B. Resolution 07-3424 Approving Voluntary Annexation of Property Owned by Bauman Creek Investments, LLC in Polk County, Iowa

Removed from Agenda per Approval of Agenda. No action taken.

5. Station Crossing Farm, LLC Voluntary Annexation

Senior Planner Martin presented the details of the area for annexation. It totals 34.44 acres and is 100% consenting.

A. Public Hearing on Proposed Voluntary Annexation of Property Generally Located East of NE Heritage Drive and North of NE Station Crossing in Polk County, Iowa

Mayor Pro Tem Burger opened the Public Hearing at 5:57 PM.

Citizens residing on NE Heritage Drive to the west of the annexation area asked questions about what commercial business(es) would be established in the planned commercial portion of the annexed land. Staff responded that it is unknown what it will specifically be at this time.

The Public Hearing closed at 6:10 PM.

B. Resolution 07-3524 Approving Voluntary Annexation of Property Owned by Station Crossing Farm, LLC in Polk County, Iowa

Removed from Agenda per Approval of Agenda. No action taken.

ADJOURN

There being no further business the meeting was adjourned at 6:11 p.m.

Motion by Gisch, Second by DePhillips to adjourn.

Roll Call: Ayes: All; Nays: None; Motion passes: 3 - 0.

ATTEST:

Rachel Greving, City Clerk

Scott Mikkelsen, Mayor

CITY COUNCIL COMMUNICATION
Meeting Date: 7/30/2024

AGENDA ITEM: Resolution 07-3524 Approving Voluntary Annexation of Property Owned By Bauman Creek Investments, LLC in Polk County, Iowa

BACKGROUND: The City of Grimes is in receipt of an application for voluntary annexation of property generally located at the northeast corner of NW 27th Street and NW County Line Road in Polk County, Iowa. The area encompasses approximately 87.67 acres of development ground, and a range of land uses supported. All annexation acres are voluntary and consenting.

BUDGETARY CONSIDERATIONS: N/A

STRATEGIC PLANNING:

Prioritized: No

BOARD/COMMISSION ACTIONS: N/A

STAFF RECOMMENDATION: Staff recommend approval of the Resolution.

RESPONSIBLE STAFF/CONTACT INFORMATION:

Evann Martin, Assistant Planner, 515-986-4050, emartin@grimesiowa.gov

Prepared by: Evann Martin, Senior Planner

Return to: Evann Martin, Senior Planner

RESOLUTION 07-3524 APPROVING VOLUNTARY ANNEXATION OF PROPERTY OWNED
BY BAUMAN CREEK INVESTMENTS, LLC IN POLK COUNTY, IOWA

Grimes Resolution No. 07-3524

WHEREAS, the City of Grimes, State of Iowa, is a duly organized municipal organization; and

WHEREAS, the City of Grimes, State of Iowa, has received an application for voluntary annexation from the property owner of certain real estate, located in Polk County, Iowa, and as legally described, and shown on the application and maps included as Exhibit A, attached hereto and made part hereof (the "Annexation Territory"); and

WHEREAS, such property adjoins the City as required by Chapter 368, Code of Iowa; and

WHEREAS, all required notification, notices and consultation meetings have been carried out pursuant to Chapter 368, Code of Iowa; and

WHEREAS, it is the desire of the Grimes City Council to approve the voluntary annexation of property into the City of Grimes.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Grimes, Iowa:

1. That the application for Voluntary Annexation of the property shown on Exhibit A and legally described on Exhibit B is hereby approved, and said property shall be annexed into the City of Grimes, Iowa, in accordance with Chapter 368, Code of Iowa.
2. That the Mayor, City Clerk, Staff, and City Attorney are hereby authorized and directed to prepare and execute all documents necessary for this annexation and are directed to file the same with the City Development Board as required by the Code of Iowa.

PASSED and APPROVED on July 30, 2024.

Scott Mikkelsen, Mayor

Attested:

Rachel Greving, City Clerk



DEVELOPMENT SERVICES

410 SE Main Street, Suite 102, Grimes, Iowa 50111

P: 515.986.4050

ANNEXATION APPLICATION

**Applications are due the fourth Monday of the
month at 12:00 p.m.**

**Please read application thoroughly. The City has the
right to refuse an incomplete application.**

Annexation

Application Packet



1. Application Packet. Be sure to complete and submit *all the required materials* that are a part of this Application Packet. Failure to do so will result in a delay in accepting your application until it is complete.

2. What must be submitted?

- One (1) PDF of the Annexation Petition, map of property to be annexed, legal description in Word format, and description of intent for annexed property submitted to:
 - ❑ Development Services Department: DevServ@grimesiowa.gov

3. What is the process?

- Schedule a pre-application meeting with the City of Grimes. Pre-application meetings may be held on any date, however must be scheduled at least **1 month prior to the intended submittal date**. Call 515-986-4050 to coordinate.
- PDF submittal is due at 12:00 pm on the **4th Monday of the month**. Staff will review the application and provide comment to the applicant.
- Planning & Zoning Commission shall consider the submittal based upon the **Development Review Schedule**. **Note that the dates outlined on the Development Review Schedule are not guaranteed.**
- The submittal process from first submission to Council consideration, is approximately 12 weeks.

Annexation



Application Form

Project Information:

Project Address: LAYMANS: APPROX. 88 ACRES NE CORNER OF NW 27TH STREET & COUNTY LINE ROAD
Legal Description: SEE EXHIBIT
Project Name: BAUMAN PROPERTY
Project Description: MULTI-USE RESIDENTIAL AND COMMERCIAL DEVELOPMENT

Property Owner:

Name: BAUMAN CREEK INVESTMENTS LLC
Address: 1005 S 12TH STREET
ADEL, IA 50003
Phone:
Email:

Applicant:

Name: ATI GROUP
Address: 1615 SW MAIN STREET, STE #207
ANKENY, IA 50023
Phone: (712) 540-3756
Email: ERIC@ATIREALTY.COM

Obtaining approval does not absolve the applicant from obtaining all other applicable permits such as building permits, IDOT access permits, IDNR permits, etc.

I (We) certify that I (we) have submitted all the required information to apply for approval and that the information is factual. 5/8/2024

DocuSigned by:
Markell Bauman
5E5761F68A64FE...
Signature of Property Owner

Date

(Note: No other signature may be substituted for the Property Owner's signature.)

DocuSigned by:
Bradly J. Stokesbury
E380F0C7D194473...
Signature of Applicant

5/8/2024

Date

Application Fee: (Check to "City of Grimes")

CERTIFICATE OF AUTHORIZATION

The undersigned, constituting as the authorized representative of Bauman Creek Investments, LLC, an Iowa limited liability company (the “**Company**”), hereby consents, ratifies and confirms the Company’s May 8, 2024 Application for Voluntary Annexation to the City of Grimes, enclosed herewith and marked as Exhibit 1 (the “**Application**”). The undersigned further ratifies and confirms their authority to act on behalf of the Company, and as it pertains to the execution and submission of the Application.

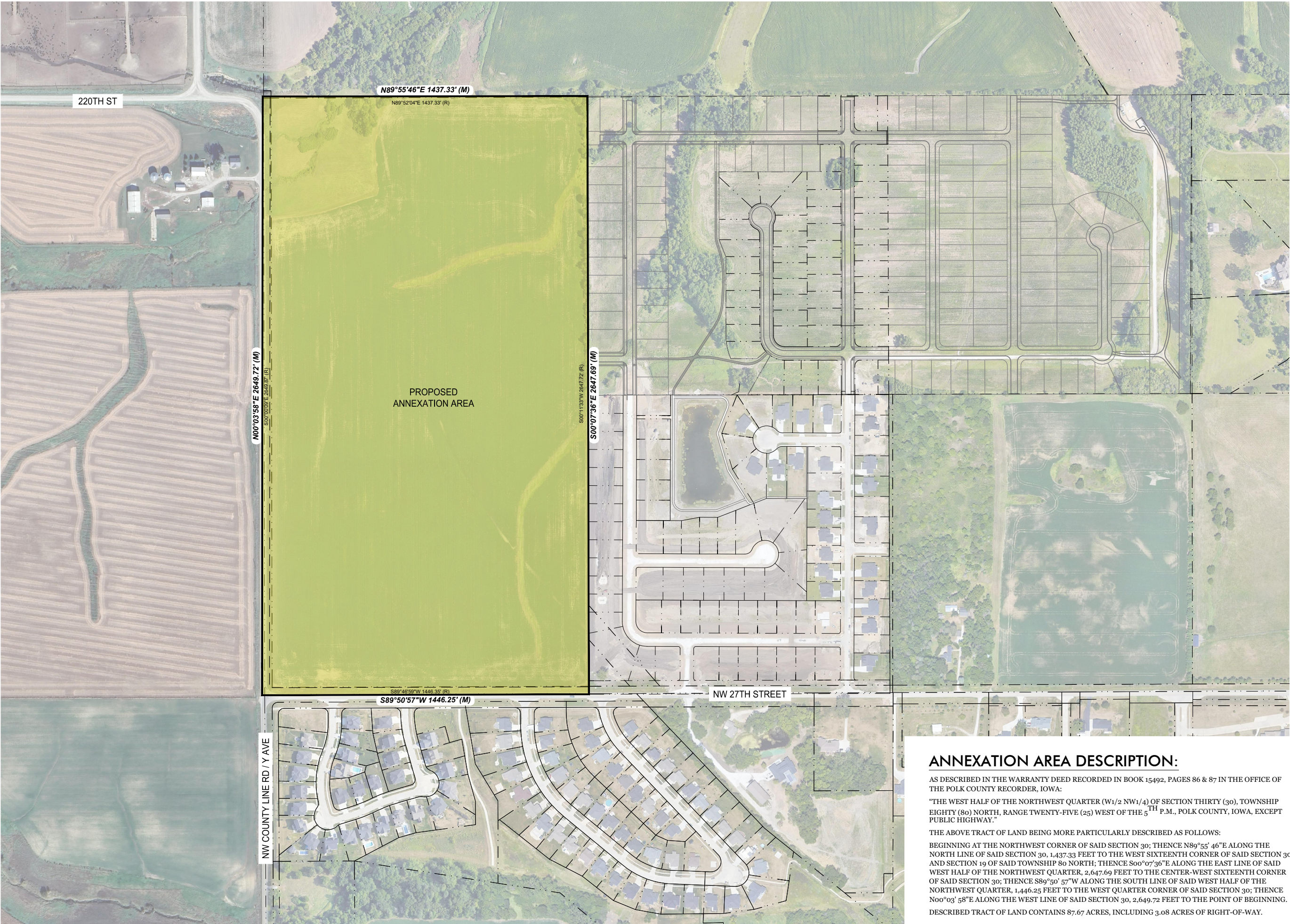
IN WITNESS WHEREOF, the undersigned authorized representative of the Company has executed this Certificate of Authorization as of 6/10/2024, 2024.

Bauman Creek Investments, LLC

DocuSigned by:
By: DARRELL BAUMAN
5E5761F6BA544FE...

Printed Name: DARRELL BAUMAN

Title: Manager



building strong communities.

1360 NW 121ST. Street
Clive, Iowa 50325
515-964-1229
fax 515-964-2370

NOTICE:
McClure Engineering Company waives any and all responsibility and liability for problems which arise from failure to follow these Plans, Specifications, and the engineering intent they convey, or for problems which arise from failure to obtain and/or follow the engineers guidance with respect to any errors, omissions, inconsistencies, ambiguities, or conflicts which are alleged.

COPYRIGHT:
Copyright and property rights in these documents are expressly reserved by McClure Engineering Company. No reproductions, changes, or copies in any manner shall be made without obtaining prior written consent from McClure Engineering Company.

BAUMAN PROPERTY
ANNEXATION EXHIBIT



NORTH



GRAPHIC SCALE

BAUMAN PROPERTY

GRIMES, IA
210851
5/6/2024

REVISIONS
...
...
...
...

ENGINEER
J. BECKER
CHECKED BY
J. BECKER

DRAWN BY
J. BECKER
FIELD BOOK NO.

DRAWING NO.
EX-01

SHEET NO.
1 / 1

ANNEXATION AREA DESCRIPTION:

AS DESCRIBED IN THE WARRANTY DEED RECORDED IN BOOK 15492, PAGES 86 & 87 IN THE OFFICE OF THE POLK COUNTY RECORDER, IOWA:

"THE WEST HALF OF THE NORTHWEST QUARTER (W1/2 NW1/4) OF SECTION THIRTY (30), TOWNSHIP EIGHTY (80) NORTH, RANGE TWENTY-FIVE (25) WEST OF THE 5TH P.M., POLK COUNTY, IOWA, EXCEPT PUBLIC HIGHWAY."

THE ABOVE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 30; THENCE N89°55' 46"E ALONG THE NORTH LINE OF SAID SECTION 30, 1,437.33 FEET TO THE WEST SIXTEENTH CORNER OF SAID SECTION 30 AND SECTION 19 OF SAID TOWNSHIP 80 NORTH; THENCE S00°07'36"E ALONG THE EAST LINE OF SAID WEST HALF OF THE NORTHWEST QUARTER, 2,647.69 FEET TO THE CENTER-WEST SIXTEENTH CORNER OF SAID SECTION 30; THENCE S89°50' 57"W ALONG THE SOUTH LINE OF SAID WEST HALF OF THE NORTHWEST QUARTER, 1,446.25 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 30; THENCE N00°03' 58"E ALONG THE WEST LINE OF SAID SECTION 30, 2,649.72 FEET TO THE POINT OF BEGINNING.

DESCRIBED TRACT OF LAND CONTAINS 87.67 ACRES, INCLUDING 3.08 ACRES OF RIGHT-OF-WAY.

Exhibit B
Legal Description of Annexation Territory

AS DESCRIBED IN THE WARRANTY DEED RECORDED IN BOOK 15492, PAGES 86 & 87 IN THE OFFICE OF THE POLK COUNTY RECORDER, IOWA:

“THE WEST HALF OF THE NORTHWEST QUARTER (W_{1/2} NW_{1/4}) OF SECTION THIRTY (30), TOWNSHIP EIGHTY (80) NORTH, RANGE TWENTY-FIVE (25) WEST OF THE 5TH P.M., POLK COUNTY, IOWA, EXCEPT PUBLIC HIGHWAY.”

THE ABOVE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 30; THENCE N89°55' 46"E ALONG THE NORTH LINE OF SAID SECTION 30, 1,437.33 FEET TO THE WEST SIXTEENTH CORNER OF SAID SECTION 30 AND SECTION 19 OF SAID TOWNSHIP 80 NORTH, RANGE 25 WEST; THENCE S00°07'36"E ALONG THE EAST LINE OF SAID WEST HALF OF THE NORTHWEST QUARTER, 2,647.69 FEET TO THE CENTER-WEST SIXTEENTH CORNER OF SAID SECTION 30; THENCE S89°50' 57"W ALONG THE SOUTH LINE OF SAID WEST HALF OF THE NORTHWEST QUARTER, 1,446.25 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 30; THENCE N00°03' 58"E ALONG THE WEST LINE OF SAID SECTION 30, 2,649.72 FEET TO THE POINT OF BEGINNING.

DESCRIBED TRACT OF LAND CONTAINS 87.67 ACRES, INCLUDING 3.08 ACRES OF RIGHT-OF-WAY.

THE ANNEXATION TERRITORY EXTENDS TO THE CENTERLINE OF ALL SECONDARY ROADS ADJACENT TO THE PROPERTY.

SAID ANNEXATION TERRITORY IS ADJOINING AND COINCIDENT WITH THE CURRENT NORTHERLY AND WESTERLY BOUNDARY OF THE CITY OF GRIMES.

CITY COUNCIL COMMUNICATION
Meeting Date: 7/30/2024

AGENDA ITEM: Resolution 07-3624 Approving Voluntary Annexation of Property Owned By Station Crossing Farm, LLC in Polk County, Iowa

BACKGROUND: The City of Grimes is in receipt of an application for voluntary annexation of property generally located east of NE Heritage Drive and north of NE Station Crossing in Polk County, Iowa. The area encompasses approximately 34.44 acres of development ground, and a range of land uses supported. All annexation acres are voluntary and consenting.

BUDGETARY CONSIDERATIONS: N/A

STRATEGIC PLANNING:

Prioritized: No

BOARD/COMMISSION ACTIONS: N/A

STAFF RECOMMENDATION: Staff recommend approval of the Resolution.

RESPONSIBLE STAFF/CONTACT INFORMATION:

Evann Martin, Assistant Planner, 515-986-4050, emartin@grimesiowa.gov

Prepared by: Evann Martin, Senior Planner

Return to: Evann Martin, Senior Planner

RESOLUTION 07-3624 APPROVING VOLUNTARY ANNEXATION OF PROPERTY OWNED
BY STATION CROSSING FARM, LLC IN POLK COUNTY, IOWA

Grimes Resolution No. 07-3624

WHEREAS, the City of Grimes, State of Iowa, is a duly organized municipal organization; and

WHEREAS, the City of Grimes, State of Iowa, has received an application for voluntary annexation from the property owner of certain real estate, located in Polk County, Iowa, and as legally described, and shown on the application and maps included as Exhibit A, attached hereto and made part hereof (the "Annexation Territory"); and

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2. That the Mayor, City Clerk, Staff, and City Attorney are hereby authorized and directed to prepare and execute all documents necessary for this annexation and are directed to file the same with the City Development Board as required by the Code of Iowa.

PASSED and APPROVED on July 30, 2024.

Scott Mikkelsen, Mayor

Attested:

Rachel Greving, City Clerk



DEVELOPMENT SERVICES

410 SE Main Street, Suite 102, Grimes, Iowa 50111

P: 515.986.4050

ANNEXATION APPLICATION

**Applications are due the fourth Monday of the
month at 12:00 p.m.**

**Please read application thoroughly. The City has the
right to refuse an incomplete application.**

Annexation

Application Packet



1. **Application Packet.** Be sure to complete and submit all the required materials that are a part of this Application Packet. Failure to do so will result in a delay in accepting your application until it is complete.

2. What must be submitted?

- One (1) PDF of the Annexation Petition, map of property to be annexed, legal description in Word format, and description of intent for annexed property submitted to:
 - ❑ Development Services Department: DevServ@grimesiowa.gov

3. What is the process?

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 - Planning & Zoning Commission shall consider the submittal based upon the **Development Review Schedule**. **Note that the dates outlined on the Development Review Schedule are not guaranteed.**
 - The submittal process from first submission to Council consideration, is approximately 12 weeks.
-

Annexation



Application Form

Project Information:

Project Address: See attached

Legal Description: See attached

Station Crossing Farm

Project Name: _____

Project Description: See attached

Property Owner:

Name: Station Crossing Farm, LLC

Address: 1220 NE Station Xing
Grimes, IA 50111

Phone: 515-559-4443

Email: justinframpton@framptonhomes.com

Applicant:

Name: Station Crossing Farm, LLC

Address: 1220 NE Station Xing
Grimes, IA 50111

Phone: 515-559-4443

Email: justinframpton@framptonhomes.com

Obtaining approval does not absolve the applicant from obtaining all other applicable permits such as building permits, IDOT access permits, IDNR permits, etc.

I (We) certify that I (we) have submitted all the required information to apply for approval and that the information is factual.

05.31.24

Signature of Property Owner

Date

(Note: No other signature may be substituted for the Property Owner's signature.)

05.31.24

Signature of Applicant

Date

Application Fee: _____ (Check to "City of Grimes")

6/11/2024
 PROJECT NO. 23228
 DRAWING FILE NO. 23228
 DESIGNED BY: MKM
 DRAWN BY: JS
 DATE: 6/11/2024

NO.	REVISION DESCRIPTION	DATE
1		
2		
3		
4		

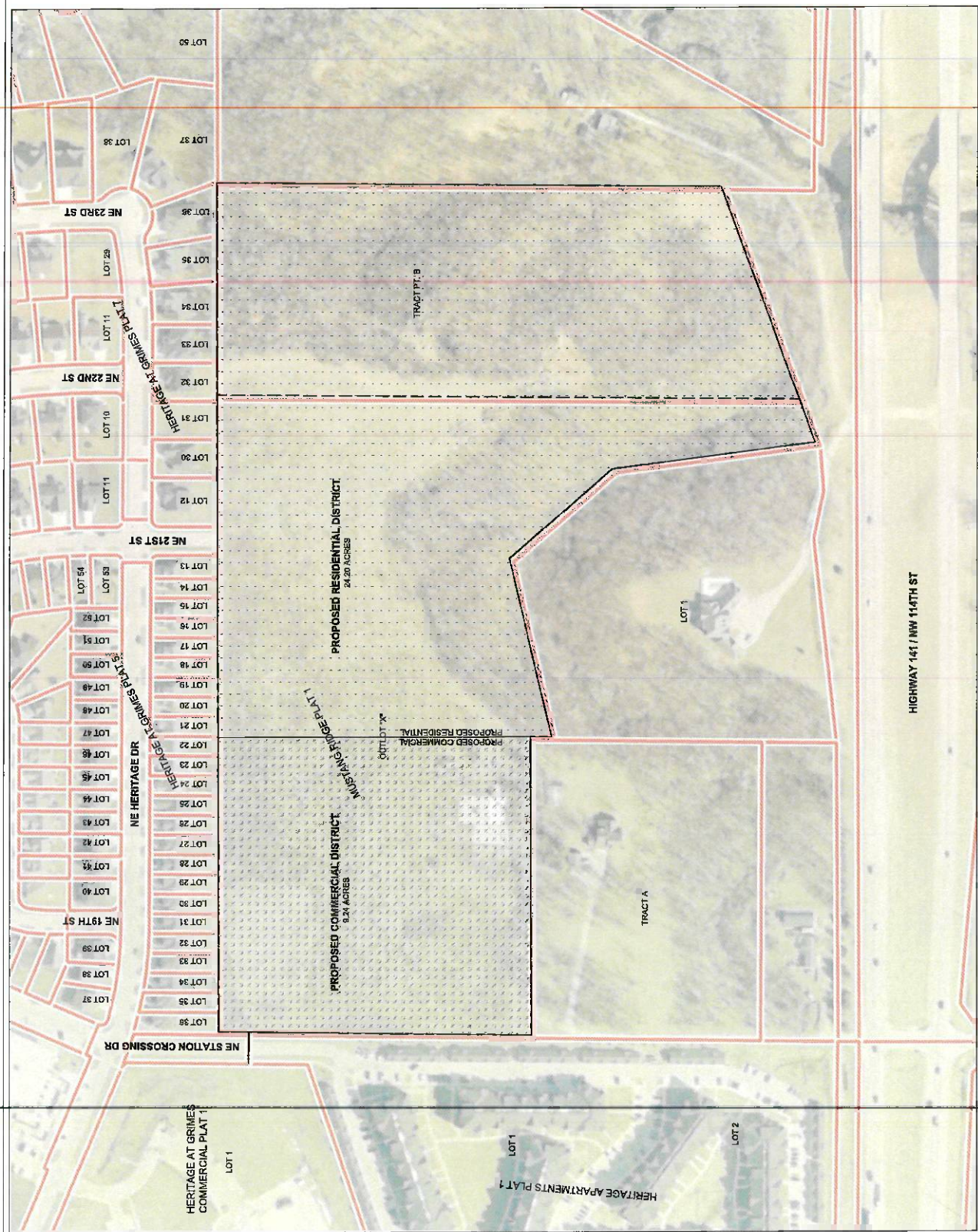
ABAC CONSULTING
 CIVIL ENGINEERING - LAND SURVEYING
 1000 WEST 10TH AVENUE, SUITE 100
 DENVER, CO 80202
 PHONE: 303.733.8888
 FAX: 303.733.8889
 EMAIL: info@abacconsulting.com

ANNEXATION MAP
 STATION CROSSING FARM, LLC
 1001 HERITAGE DRIVE
 DENVER, CO 80202

SHEET: **1**
 OF: **1**

ENGINEER/SURVEYOR:
 JAMES E. GRIMES, P.E.
 ABAC CONSULTING, INC.
 1000 WEST 10TH AVENUE, SUITE 100
 DENVER, CO 80202
 PHONE: 303.733.8888
 EMAIL: james@abacconsulting.com

OWNER/DEVELOPER:
 STATION CROSSING FARM, LLC
 1001 HERITAGE DRIVE
 DENVER, CO 80202



Legal Description: Proposed Residential District

Part of Tract "B" of the East ½ of the Southeast ¼ of Section 29, Township 80 North, Range 25 West of the 5th P.M., Polk County, Iowa. As recorded in the Plat of Survey filed in Book 6580, Page 901 in the Polk County Recorder's Office is more particularly described as:

Beginning at the Northwest Corner of the Southeast ¼, Southeast ¼ of said Section 29; Thence North 0°05'22" West, 444.73 Feet; Thence South 89°38'27" East, 1,049.50 Feet; Thence South 20°15'36" East, 474.81 Feet; Thence North 89°39'19" West, 1213.21 Feet to the Point of Beginning and containing 11.55 Acres.

And,

Outlot "X" of Mustang Ridge Plat 1, an Official Plat now included in and forming a part of the City of Grimes, Polk County, Iowa, excepting therefrom:

Beginning at the Southwest Corner of said Outlot "X", Thence North 0°11'38" West along the west line of said Outlot "X" a distance of 623.73 Feet, Thence South 89°29'33" East, 649.50 Feet; Thence South 0°12'15" East along the east line of said Outlot "X" 623.84 Feet; Thence North 89°28'40" West along the South line of said Outlot "X", 649.62 Feet to the Point of Beginning and containing 9.24 Acres.

Said parcel containing 12.65 Acres.

Legal Description: Proposed Commercial District

Part of Outlot "X" of Mustang Ridge Plat 1, an Official Plat now included in and forming a part of the City of Grimes, Polk County, Iowa.

Is more particularly described as:

Beginning at the Southwest Corner of said Outlot "X", Thence North 0°11'38" West along the west line of said Outlot "X" a distance of 623.73 Feet, Thence South 89°29'33" East, 649.50 Feet; Thence South 0°12'15" East along the east line of said Outlot "X" 623.84 Feet; Thence North 89°28'40" West along the South line of said Outlot "X", 649.62 Feet to the Point of Beginning and containing 9.24 Acres.

Project Description:

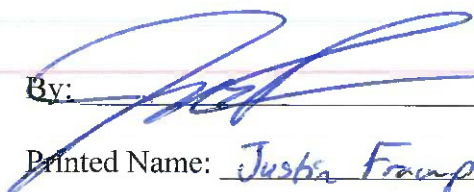
The proposed property to be annexed is a 33.44 acre site which is to be divided into approximately 24.20 acres for residential use, and approximately 9.24 acres for commercial use.

CERTIFICATE OF AUTHORIZATION

The undersigned, constituting as the authorized representative of Station Crossing Farm, LLC, an Iowa limited liability company (the “**Company**”), hereby consents, ratifies and confirms the Company’s May 31, 2024 Application for Voluntary Annexation to the City of Grimes, enclosed herewith and marked as Exhibit 1 (the “**Application**”). The undersigned further ratifies and confirms their authority to act on behalf of the Company, and as it pertains to the execution and submission of the Application.

IN WITNESS WHEREOF, the undersigned authorized representative of the Company has executed this Certificate of Authorization as of 6/7/2024, 2024.

Station Crossing Farm, LLC

By: 

Printed Name: Justin Fraumpton

Title: Owner

Exhibit B
Legal Description of Annexation Territory

PART OF TRACT "B" OF THE EAST ½ OF THE SOUTHEAST ¼ OF SECTION 29, TOWNSHIP 80 NORTH, RANGE 25 WEST OF THE 5TH P.M., POLK COUNTY, IOWA. AS RECORDED IN THE PLAT OF SURVEY FILED IN BOOK 6580, PAGE 901 IN THE POLK COUNTY RECORDER'S OFFICE IS MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST ¼, SOUTHEAST ¼ OF SAID SECTION 29; THENCE NORTH 0°05'22" WEST, 444.73 FEET; THENCE SOUTH 89°38'27" EAST, 1,049.50 FEET; THENCE SOUTH 20°15'36" EAST, 474.81 FEET; THENCE NORTH 89°39'19" WEST, 1213.21 FEET TO THE POINT OF BEGINNING AND CONTAINING 11.55 ACRES

AND

OUTLOT "X" OF MUSTANG RIDGE PLAT 1, AN OFFICIAL PLAT NOW INCLUDED IN AND FORMING A PART OF POLK COUNTY, IOWA

THE PROPOSED PROPERTY TO BE ANNEXED IS 33.44 ACRES. SAID ANNEXATION TERRITORY IS ADJOINING AND COINCIDENT WITH THE CURRENT EASTERLY BOUNDARY OF THE CITY OF GRIMES.

FROM THE DESK OF

Jane Halvorson

July 15, 2024

Rachel Greving
City Clerk, Grimes, IA
101 NE Harvey Street
Grimes, IA 50111

Dear Rachel,

I received information of annexation of property owned by Station Crossing Farm to the City of Grimes. This notice was due to my property being adjacent to the annexation territory. I am attaching copies.

I own a house on lot 34 next to Tract B. The address is 2205 NE Heritage Drive.

I am in full support of the annexation of this tract to the city of Grimes. I have attempted since September of 2021 to get Station Crossing to maintain their property and trim the dead and diseased trees on this tract/lot. The houses adjoining their property have frequently had to remove large branches and other refuse at our own personal expense. I regularly have to trim large sections of tree overgrowth. This expense is starting to add up, and should not be necessary if basic maintenance and attention is given to this tract/lot. On two occasions following the receipt of my letter, representatives of Station Crossing have come out to inspect the tree issue. They communicated willingness to be a "good neighbor" and take care of it. They never returned to do so.

On 6/18/24 I contacted the city about helping with the tree issue on the Station Crossing property due to them not responding to my communications. I spoke to Jordan Lang, and she actually came out to perform an inspection of the issues on 6/19. On 6/24 she advised the said property was in unincorporated territory outside the purview of the city. She provided advice on other options.

Due to the dead and diseased tree issue on Tract B of the proposed annexation, I am in full support of it. Perhaps the City of Grimes can assist then in insuring Station Crossing is actually a "good neighbor".

Sincerely yours,



Jane Halvorson



ALECIA A. CEDERDAHL
699 WALNUT STREET, SUITE 2000
DES MOINES, IOWA 50309

whitfieldlaw.com

515-288-6041 P 515-246-1474 F

515-558-0149 D
cederdahl@whitfieldlaw.com

July 1, 2024

Via US Mail

Jane A Halvorson
2205 NE Heritage Dr
Grimes, IA 50111

Re: City of Grimes Proposed Voluntary Annexation Within Urbanized Area – Notice of Applications Received and Public Hearing: Station Crossing Farm

To the above referenced:

Pursuant to Iowa Code § 368.7(3) and/or § 368.5, notice is hereby given that the City of Grimes will hold a public hearing on a proposed voluntary annexation within the urbanized area of Johnston. This hearing will take place at 5:30 p.m. on July 23, 2024, at the Grimes Community Center, 410 SE Main Street, in the City of Grimes, Polk County, Iowa. After completion of this hearing, the Grimes City Council may vote to annex the real estate as described on the enclosed Notice of Hearing and Applications for Voluntary Annexation, and as shown on the enclosed map.

You are receiving this notice because you own property adjoining the annexation territory.

If you would like to hear about this proposed voluntary annexation or would like to ask questions, you are encouraged to attend this hearing. If you would like to make a comment on this proposed voluntary annexation, you may also do so by submitting written comments to the Grimes City Clerk at City Hall, 101 NE Harvey St, Grimes, IA 50111, prior to the meeting or by submitting written or oral comments at the time of the hearing.

Thank you for your consideration, and if you have any questions in regard to this matter, please contact Alex Pfaltzgraff, Development Services Director for the City of Grimes, at (515) 986-4050.

Sincerely,

Alecia A. Cederdahl, City Attorney
Whitfield & Eddy, P.L.C.

Enclosures.

cc: Alex Pfaltzgraff, Development Services Director (via email)
Evann Martin, Assistant Planner
Molly Mannel, Assistant Planner

NOTICE OF PUBLIC HEARING FOR PROPOSED VOLUNTARY ANNEXATION OF
PROPERTY INTO THE CITY OF GRIMES, POLK COUNTY, IOWA

NOTICE IS HEREBY GIVEN that the City Council of the City of Grimes, Iowa, will meet at the Grimes Community Center, 410 SE Main Street, in the City of Grimes, Iowa, at 5:30 p.m. on the 23rd day of July, 2024, at which time and place the City Council will hold a public hearing on a proposed voluntary annexation of property legally described as:

PART OF TRACT "B" OF THE EAST ½ OF THE SOUTHEAST ¼ OF SECTION 29, TOWNSHIP 80 NORTH, RANGE 25 WEST OF THE 5TH P.M., POLK COUNTY, IOWA. AS RECORDED IN THE PLAT OF SURVEY FILED IN BOOK 6580, PAGE 901 IN THE POLK COUNTY RECORDER'S OFFICE IS MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST ¼, SOUTHEAST ¼ OF SAID SECTION 29; THENCE NORTH 0°05'22" WEST, 444.73 FEET; THENCE SOUTH 89°38'27" EAST, 1,049.50 FEET; THENCE SOUTH 20°15'36" EAST, 474.81 FEET; THENCE NORTH 89°39'19" WEST, 1213.21 FEET TO THE POINT OF BEGINNING AND CONTAINING 11.55 ACRES

AND

OUTLOT "X" OF MUSTANG RIDGE PLAT 1, AN OFFICIAL PLAT NOW INCLUDED IN AND FORMING A PART OF POLK COUNTY, IOWA

THE PROPOSED PROPERTY TO BE ANNEXED IS 33.44 ACRES. SAID ANNEXATION TERRITORY IS ADJOINING AND COINCIDENT WITH THE CURRENT EASTERLY BOUNDARY OF THE CITY OF GRIMES.

For all the particulars of the proposed voluntary annexation, see the proposed voluntary annexation applications now on file at the Grimes City Hall with the City Clerk of the City of Grimes.

All interested persons may appear at the public hearing and at such time and place the Grimes City Council will consider any objections to the proposed voluntary annexation and give all interested persons an opportunity to be heard. This Notice is given by order of the City Council of the City of Grimes, Iowa.

September 9th 2021

Station Crossing Farm LLC
1360 NW 121st St. Suite A
Clive, IA 50325-8165

To Whom It May Concern:

Per the Polk County Assessor's data base, you are the owner of the property in yellow on the attached report. Specifically, the area circled. Your property borders several single family homes.

I am writing to you to inform you of on going issues with the trees that are on your property bordering mine on NE Heritage Drive. See attached pictures. After Derecho, I was forced to clean up a back yard full of branches, and to trim back sections of your trees impeding my property. The mature trees on this section of property appear in many cases to be diseased, struggling, or dying/dead. The drought we have experienced this summer has probably not helped the situation.

Two weeks ago two large branches snapped off in sunny weather, hitting my fence and yard. Fortunately, this time, no damage other than cosmetic was done to my fence or yard. It did take a chain saw to get one of them off my fence. I have circled the branch on one of the photos where you can see the break. This happened spontaneously. For now, these incidences have been somewhat manageable, although I have had to hire people to assist in clean up, and the costs are not cheap.

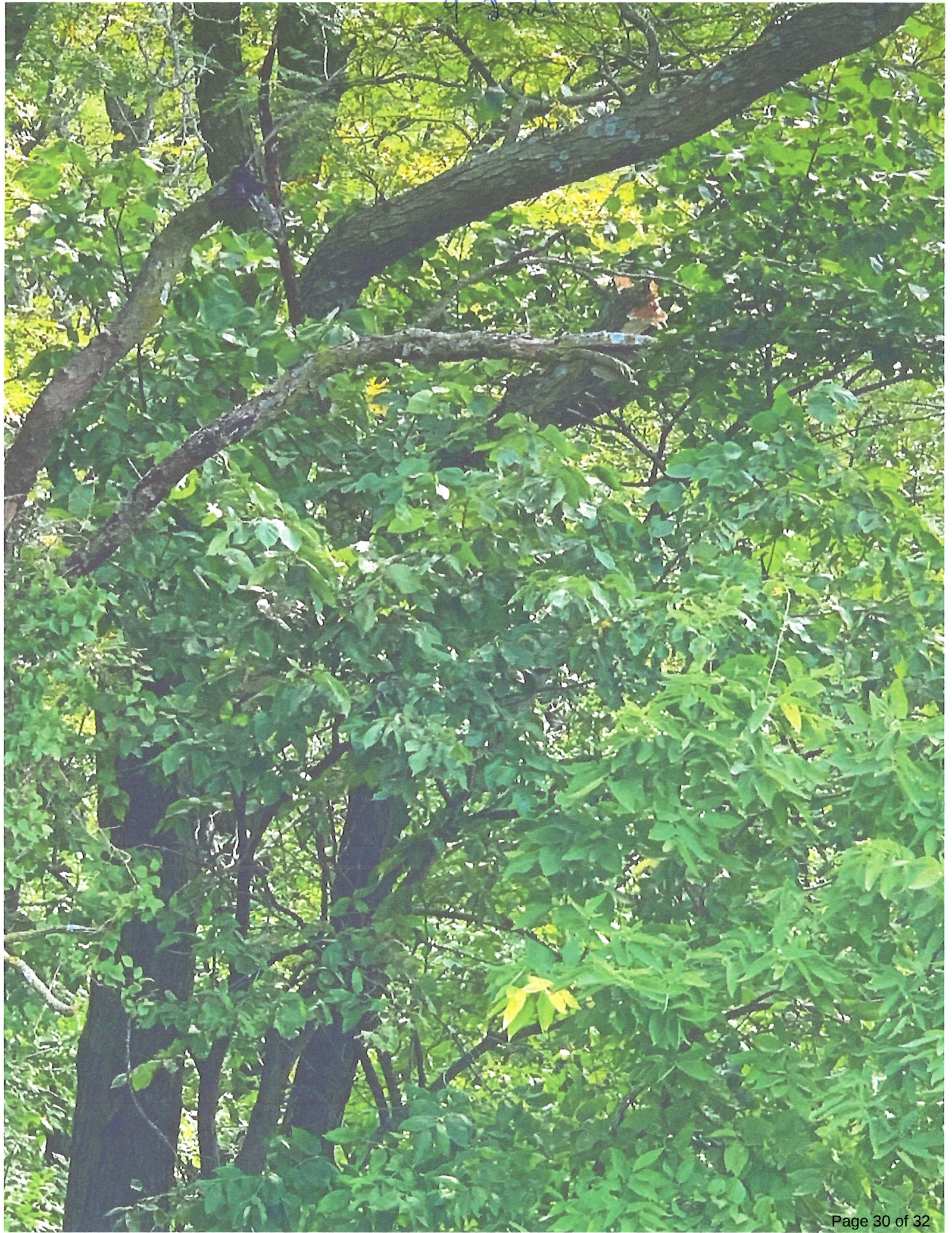
I recommend an arborist be hired to do a deep dive of the situation with these trees on the back section of your property. They could coordinate any trimming needed to insure there will be no damage done to your neighbors' properties on Heritage Drive.

If any damage by these large trees or branches results in me having to file an insurance claim, I will supply this letter and information to my agent/agency for handling directly with you. I would also be open to you supplying contact information for your company for me to deal with directly should I have any further issues in need of attention.

These large sections dropping spontaneously is a concern. This issue is for your company to address. If someone would like to access this section of your property via my property, please feel free to contact me for an appropriate time to do so.

Thank you!

Jane Halvorson
2205 NE Heritage Drive
817-701-5207



6-15-24
H2-51-9



42-51-9

