CITY COUNCIL MEETING
Tuesday, August 13, 2019
Grimes City Hall 5:30 P.M.

The regular meeting of the Grimes City Council was called to order on Tuesday, August 13, 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, Altringer, Berger, Johansen

AGENDA ITEMS.
Approval of the Agenda
Mayor Mikkelsen requested for approval of the agenda.
Moved by Johansen, Seconded by Altringer to approve the agenda with the request to move Items V,W, X from the Consent Agenda and move Items B & C from the Public and Council Agenda Items to the Council Discussion after the Closed Session.
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

CONSENT AGENDA
A. Minutes from previous meeting B. Veenstra and Kimm, Inc-inspection fees June- $26,515.00 July - $25,445.00 C. City of Johnston – Cost Sharing of Salaries $49,648.79, misc. charges $8,561.99 D. Refund Cash Bond for Landscaping 2100 SE Gateway Drive $10,000 and 1000 SE 19th Street $6,000 to Anderson Four LLC E. Refund Cash Bond to Heritage Commercial Plat 2 $10,000 F. JT Abatement - reed bed removal at water plant $35,000 G. Hawkins Inc. water treatment $6,460.00 H. New Alcohol License for Pole Position Raceway I. Van Wall Equipment $10,546.53 MIDZ Mower J. Greater Des Moines Partnership $5,000 Investor Commitment K. FOX Engineering $233,902.05 L. Bankers Trust credit card statement $8,733.95 M. Mississippi Lime Company $4,374.10 quicklime N. Martin Marietta $5,111.33 street maintenance O. Municipal Supply Inc. $6,268.90 P. Mi-Fiber $16,745.27 fiber to Grimes Community Complex Building Q. Landlord Consent Letter – AT& T request to replace existing equipment R. MidAmerican Energy Company $33,202.95 installation of streetlight along SE 11th Street and SE Destination Drive S. Municipal Supply Inc. $13,788.50 water meters and parts T. TAPCO Safe Travels $11,013.18 U . Municipal Emergency Services $11,620 for fire rescue protective equipment V. (Removed from Consent Agenda) W. (Removed from Consent Agenda) X. (Removed from Consent Agenda) Y. Professional Services Agreement for Field and laboratory test and observation services for the Grimes New 1.5 MG Water Storage Tank between the City of Grimes and Allender Butzke Engineers Inc. Z. Utility Refunds $4,229.62 AA. Resolution 08-0219 Approving Job Descriptions for Plans Examiner/Deputy Building Official and Building Inspector BB. Request for Relief on EMS Bill CC. Resolution 08-0419 Award of Contract for Financial Advisor Services to PFM Financial Advisors LLC DD. Request for Street Closure for a Block Party on August 17, 2019 NW 23rd Court EE. Change Orders: Change Order #3 to All Terrain Seeding for the Little Beaver & Prairie Creek Channel Improvements decreasing the contract $600. (add a pay item for seeding, fertilizing, and straw mulching $3,000/acre x 3 acres = $9,000, and reduce bid item 9.03 by CO No. 3 $3,200/acre x 3 acres = $9,600 decrease Change Order #5 to Absolute Concrete for the S James and SE 37th Street Improvements decreasing the contract $11,499.50 for adjustment to erosion control Change Order #1 to Grosch Irrigation Co. Inc for the New Jordan Well increasing contract $19,392.10 (increase contract dates 40 days- no charge, expensed incurred to address lost circulation, alternate grout mixture to top 920 feet of the well – no charge FF. Pay Requests: a. Pay Request #5 to All Terrain Seeding for the Little Beaver and Prairie Creek Channel Improvements $12,931.16 b. Pay Request #19 to Absolute Concrete for the S James and SE 37th Street Improvement Project $4,420. c. Pay Request #6 to Concrete Technologies, Inc for the SE 37th Street a Hwy 141 Improvements $234,854.00 d. Pay Request #3 to CB&I for the New 1.5 Elevated Storage Tank $254,457.50 e. Pay Request #5 to Grosch Irrigation Company for the New Jordan Well $503,170.00 f. Pay Request #18 to Alliance Construction for the North James Street and Bridge improvements $30,000.00 and Statement of Completion and Final Acceptance of Work g. Pay Request #4 to Cahoy Pump Services, Inc for the ASR Modifications $8,747.35 retainage to be paid in 30 days and Certificate of Substantial Completion h. Pay Request #2 to Progressive Structures, LLC for the Grimes 16-inc RAW Water Main $238,455.08 i. Pay Request to Lee Chamberlin Consultant Engineers for the 2019 City of

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Grimes HMA Resurfacing Project $6,651.00 j. Pay Request to Lee Chamberlin Consultant Engineers for the 2019 GIS Project $2,891.50 k. Pay Request to Lee Chamberlin Consultant Engineers for the 2019 City of Grimes SW County Line and SW 19th Street Pavement Improvements $80,068.50 l. Pay Request to Lee Chamberlin Consultant Engineers for the Intersection Improvements North Main/Beaverbrooke $3,122.00 m. Pay Request to Lee Chamberlin Consultant Engineers for the Drainage Improvements Trailridge and Little Beaver $15,965.00 GG. Request for Relief of Sewer Charges HH. Refund of Cash Bond for Landscaping Pepperwood Glen $$15,000 and $7,500 II. Finance Report for June 2019 JJ. Claim Report KK. Resolution 08-0519 Personnel Transactions LL. Set a Public Hearing for September 10, 2019 to Authorize City to Issue a Quit Claim to Abutting City Alleyways and Vacating Alley.
Moved by Altringer, Seconded by Hamp; the Consent agenda shall be approved as Amended.
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

5. Update from Polk County Supervisor Robert Brownell
Robert Brownell, Polk County Supervisor stated he is on the food, rescue, mental health, human trafficking and now the 911 Board for Polk County. Brownell was present to update the status of the new 911 Board. He stated that a group is working on a study to determine the best approach for communications services in the Metro area and to operate and provide recommendations for the 911 system going forward for the next 10 years. Brownell stated that there are currently two radio systems in place, one being RACOM and the other being WESTCOM. Brownell said that both of the radio systems are very good; however, they don't always work together in the most efficient manner. He stated that the study in process will be very in depth and he would anticipate the results to be available shortly after the New Year. Brownell also discussed the Mental Health Board and how the Legislature recently passed a Children's Mental Health System. He stated that all fifteen regions in Iowa are working now on developing an operating plan specifically to help children. Brownell also said that the Immigration Board is planning on setting up a "Welcome" center to help refugees and immigrants get established and find housing, jobs, etc. to help them get started in the community.

<u>PUBLIC FORUM</u>
Virginia Contenelli of 701 SE Dovetail expressed concern that that her condo association was not providing recycling bins for the residents. Conetenelli also was concerned that the Ordinance that requires recycling to be available for the residents did not appear to be enforced. Mayor Mikkelsen expressed appreciation that she raised this concern and intended to follow up get procedures in place to verify compliance.

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<u>PUBLIC AND COUNCIL AGENDA ITEMS</u>

A. Public Hearing, Approve Plans and Specs and Award of Contract for the 2019 SW County Line and SW 19th Street Project

Weston Wunder, Public Works Director addressed the Board to report on the results of the bids taken for this project. Wunder stated that the low bidder was Des Moines Asphalt at 1,343,012.54 which was around $200,000 below the estimate. Wunder stated that Staff had researched the company to make sure they would be able to meet requirements and ultimately recommend approval for the contract.
Mayor Mikkelsen announced the Public Hearing was open at 5:57 and asked if there was anyone present or correspondence received on this project. Being none, the Public Hearing was closed at 5:57 and asked Council for action on this item.
Motion by Hamp, Second by Altringer to approve the Award of Contract for the 2019 SW County Line and SW 19th Street Project to Des Moines Asphalt
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

B. (Moved to Council Discussion)
C. (Moved to Council Discussion)

D. **Dallas Center Grimes Administration – Final Plat**
Alex Pfaltzgraff, Development Services Director addressed the Council to request approval on the Final Plat. Pfaltzgraff stated that previously on this site was an abandoned house that the Fire Department recently used for training on a controlled burn. That property has now been cleared and is ready to become the site for the Dallas Center Grimes Administration building. Pfaltzgraff said that during the review process it was determined that the parcel would need to be re-platted for the administrative office use. He also noted that the easements necessary for the road improvements were in the process of being deeded over to the City. Pfaltzgraff stated that this project has been through Planning and Zoning review and both Planning and Zoning and Staff are recommending approval of this plat.
Motion by Johansen, Second by Hamp, to approve the Dallas Center Grimes Administration Final Plat.
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

E. **Aldi Grocery – Site Plan**
Alex Pfaltzgraff addressed the Council with an overview of the site located south of Menards at the intersection of Highway 141 and Highway 44. Pfaltzgraff said the site plan is for a 22,000 square foot Aldi's store with parking on the south and west sides of the structure. Pfaltzgraff stated that this site plan meets all of the Highway 141 and Hwy 44 Corridor requirements and has been through Planning and Zoning. Pfaltzgraff stated that both Planning and Zoning and Staff are in agreement and do not have any objections and recommend this project for approval. Derek Johnson with ISG, 508 East Locust Street addressed the Council stating they anticipate opening in 2020. Altringer asked if there were any updates on the traffic signal plan for that area. Pfaltzgraff stated that area is under control of the Department of Transportation but he was aware that as growth continues in that area, the traffic flow would need to be reviewed and that he would look into the current status with the Department of Transportation and report back to the Council on any updates.
Motion by Johansen, Second by Gisch to approve the Aldi Grocery Site Plan.
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

F. Pepperwood Glen – Site Plan Amendment
Development Services Director Alex Pfaltzgraff addressed the Council on behalf of Pepperwood Glen. He stated that this site plan is located directly south of Kennybrook Park and will be the second phase of the apartment village project. He stated that in addition to the final 8 buildings, this will include the pavement, parking stalls and a maintenance garage for the complex. Pfaltzgraff said the improvements are consistent with the first phase of the project and that neither Planning and Zoning nor Staff has any concerns or questions with this project and recommend approval. Mayor Mikkelsen asked about the Amendment status for this site plan. Pfaltzgraff stated that only the first half of the project had been approved previously. He felt that while there were no material changes to the second phase, due to the time lapse between the first and second phases, he wanted to make sure there were not any concerns or issues that had come up to prevent the final phase from proceeding. Kelly McIver with Redwood Development addressed the Council and asked if there were any additional questions that she could answer. Council Member Gisch clarified that this phase consisted of 46 additional units.
Motion by Gisch, Second by Hamp to approve the Pepperwood Glen Site Plan Amendment subject to the City of Grimes letter dated August 1st, 2019.
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

G. Grimes Distribution 5 Parking Addition – Site Plan
Alex Pfaltzgraff, Development Services Director addressed the Council stating that this project is a parking addition to the fifth phase of the Grimes Distribution Center. Pfaltzgraff said that this parking area adjoins the 110,000 square foot facility that is currently under construction. He said that the area will have approximately 160 parking spaces with connections off of Mercantile Circle and access to the Distribution Center. Pfaltzgraff noted that this proposal does not have any waiver requests attached and it does meet the zoning requirements. He added that the prospective tenant would also use parking at Adesa to obtain the needed employee parking. He also noted that the lots would need to be tied together with a lot tie agreement prior to final approval. Chris

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Trosper, Hubbell Realty, 6900 Westown Parkway, West Des Moines addressed the Council on behalf of Hubbell Realty. Trosper stated that this project is designed specifically to address the parking needs for a prospective tenant. Council Member Johansen asked to view the initial proposal for Building 5 as it was approved. Trosper stated that the original building 5 was approved with parking for 213 stalls which met the requirements for a speculative building and would accommodate most users. Trosper added that the prospective tenant that has come forward for this building is anticipating parking for over 800 stalls. Pfaltzgraff said that they are now reviewing the proposed schedules for traffic movement onto Highway 141 from SW 11th and SW 19th.
Motion by Altringer, Second by Burger, to approve the Grimes Distribution 5 Parking Addition Site Plan subject to the Lot Tie Agreement as well as making the parking area approval contingent on the specific tenant under consideration with the potential to require a traffic study if warranted.
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

H. Second Reading of Ordinance 729 Zoning Ordinance of the City of Grimes, Iowa regarding the Board of Adjustments – Development Services Director
Alex Pfaltzgraff noted that there had been some adjustments on the Zone 1 provisions and have incorporated greater detail regarding how improvements are conducted. He added the Ordinance has had Attorney review and additional notifications have been sent to property owners. Pfaltzgraff said that Staff recommends approval.
Motion by Altringer, Second by Gisch, to approve the Second Reading of Ordinance 729 Zoning Ordinance of the City of Grimes regarding the Board of Adjustments.
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

I. Set a Public Hearing for September10, 2019 for Ordinance 730 92.02(1) with Regard to Water Service Rates and Section 99.04 with Regard to Sewer Service Rates and including 92.05 (5) Regarding Reestablishing Service.

City Administrator Jake Anderson addressed the Council advising them that PFM Financial Advisors had recently attend a workshop where they recommended rates be increased on the water and sewer utilities of an average of 9.6% that would be used to fund almost $60,000,000 in necessary water and waste water improvements. Anderson stated that he recommended a public hearing be set for discussion.
Motion by Gisch, Second by Altringer to set a Public Hearing for September 10, 2019 for Ordinance 730 92.02(1) with Regard to Water Service Rates and Section 99.04 with Regard to Sewer Service Rates, and including 92.05 (5) Regarding Reestablishing Service.
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

J. Resolution 08-0119 Approving Property Tax Relief and the Advancement of Municipal Facility Projects.
City Administrator Jake Anderson addressed the Council advising them that this Resolution would direct Staff to draft a budget following the Local Option Sales and Services Tax Referendum that will reduce the city tax rate by at least a dollar, and advance the municipal facilities projects. Anderson explained that the Iowa Code does not allow for Cities to change the tax structure in mid-year, so this Resolution will be drafted to be ready to enact after the first of the fiscal year being July 1 of 2020.
Motion by Johansen, Second by Altringer to approve Resolution 08-0119 Approving Property Tax Relief and The Advancement of Municipal Facility Projects.
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

K. Resolution 08-0319 Dallas County Emergency Management 28E Agreement for Mutual Assistance for Dallas County Area Fire/Rescue Services
Fire Chief Jim Clark addressed the Council explaining that they had been approached by Dallas County Emergency Management regarding a 28E agreement allowing for reciprocal support in emergency situations.

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Motion by Hamp, Second by Johansen to approve Resolution 08-0319 Dallas County Emergency Management 28E Agreement for Mutual Assistance for Dallas County Area Fire/Rescue Services.
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

COUNCIL DISCUSSIONS

1. **Mayor's Report –** No new updates at this time.
2. **City Staff's Report**

Public Works Director Weston Wunder stated that there was a progress meeting regarding the Beaver Creek restoration project. Wunder noted that the contractor has been running a little behind, but still intended to have substantial completion by September 15, 2019. Mayor Mikkelsen noted a number of residents have expressed frustration regarding the trail closings and asked if there was a way to accommodate the residents while work was underway. Wunder noted that the trail is supposed to be entirely closed during the restoration, but that a number of residents are still using the trail anyway. He also noted that he thought the trails could be open in the evening hours when the contractors are not on site and they would work with the contractor to try to accommodate that. Wunder also updated the Council on the Park Plan recently presented by RDG and adopted by the Council. He hopes to get some plans and drawing available to the Council by the next meeting.

3. Council Reports- None at this time.

Recess Open Session
Motion by Hamp, Second by Johansen to Recess Open Session at 6:50 PM
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

Resolution 08-0619 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
Motion by Johansen, Second by Gisch to enter into Closed Session at 7:20 PM.
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

Rise from Closed Session
Motion by Johansen, Second by Gisch to Rise from Closed Session at 8:02 PM
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

Reconvene Open Session- 8:03PM

Open Session - cont.

(Moved from Consent Agenda Item V) **Agreement for Engineering Services for the Reverse Osmosis Water Treatment Plat – Phase 1 between the City of Grimes and McClure Engineering.**
Motion by Altringer, Second by Hamp to approve the Agreement for Engineering Services for the Reverse Osmosis Water Treatment Plat – Phase 1 between the City of Grimes and McClure Engineering
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

(Moved from Consent Agenda Item W) Professional Services Agreement for the Hope Commercial Plat 1 Public Improvement between the City of Grimes and Bolton I& Menk, Inc.
Motion by Altringer, Second by Hamp to approve Professional Services Agreement for the Hope Commercial Plat 1 Public Improvement between the City of Grimes and Bolton I& Menk, Inc.
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

1. **(Moved from Consent Agenda Item X) Professional Services Agreement for SW County Line Road Improvements between the City of Grimes and Bolton & Menk, Inc.**

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Motion by Altringer, Second by Hamp to approve Professional Services Agreement for SW County Line Road Improvements between the City of Grimes and Bolton & Menk, Inc.
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

2. **(Moved from Public Agenda Item B) Set a Public Hearing for September 24, 2019 at 5:30 PM and Bid Letting of Sept 18, 2019 at 11:00 AM for the Hope Commercial Plat 1 Public Improvement.**
Motion by Altringer Second Hamp by to approve the setting of a Public Hearing for September 24, 2019 at 5:30 PM and Bid Letting of Sept 18, 2019 at 11:00 AM for the Hope Commercial Plat 1 Public Improvement.
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

3. **Moved from Public Agenda Item C) Set a Public Hearing and Award of Contract for September 10, 2019 at 5:30 PM and Bid Letting of September 4, 2019 at 11:00 AM for the 2019 SW County Line Road Improvements.**
Motion by Altringer, Second by Hamp to approve setting a Public Hearing and Award of Contract for September 10, 2019 at 5:30 PM and Bid Letting of September 4, 2019 at 11:00 AM for the 2019 SW County Line Road Improvements.
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

4. **Possible Action Resulting from Closed Session**
City Attorney Henderson states that in regards to the pending case of Fried versus the City of Grimes regarding a challenge to an assessment he asked that the Council instruct him to proceed with regard to the authority he was granted in closed session.
Motion by Johansen, Second by Hamp to have the City Attorney proceed with regard to the Authority granted in Closed Session.
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

Moved by Altringer, Seconded by Hamp; there being no further business the meeting was adjourned at 8:07 pm.
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

ATTEST:

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Rochelle Williams, City Clerk Scott Mikkelsen, Mayor

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