

CITY COUNCIL MEETING
Tuesday, June 27, 2023

The Grimes City Council Meeting was held as an in-person. Zoom capabilities were unavailable due to a power outage in the City. The meeting was called to order by Mayor Pro Tem Ryan Burger, June 27, 2023, at 5:37 p.m. at the Grimes Community Complex, 410 SE Main Street, Grimes, Iowa. The Pledge of Allegiance was led by Mayor Pro Tem Burger.

ROLL CALL

Present: Council Members: Ryan Burger, Andrew Borcharding, Eric Johansen, David Gisch, Laurie DePhillips
Absent: Mayor Scott Mikkelsen

AGENDA ITEMS

APPROVAL OF THE AGENDA

Mayor Pro Tem Burger asked for approval of the agenda.

Council Member Johansen asked to have Consent Agenda item “c” Resolution 06-4223 Approving an 28E Agreement Between the City of Grimes, Iowa and the City of Johnston, Iowa for the Sharing of Administrative Resources and Equipment Supporting Fire and Emergency Medical Services

Moved by Johansen, Second by Gisch, to approve the agenda with the removal of Consent Agenda Item “c”

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

CONSENT AGENDA

A. Resolution 06-1623 Claims Report \$10,541,323.01 B. Resolution 06-1723 Approving Bills and Quotes over \$10,000 C. Resolution 06-1823 Approving Tobacco Renewals for 2023-2024 D. Resolution 06-1923 Receiving and Filing of Correspondence E. Resolution 06-2023 Approving ABD Renewals & New License: 1. Hy-Vee Fast & Fresh #1: Renewal: 1401 W. 1st Street, Class E. Liquor 2.Hy-Vee Grocery: Renewal: 351 NE Gateway Dr, Class E. Liquor 3. Hy-Vee Market Grille: Renewal: 351 NE Gateway Dr, Class E Liquor 4. 1st Street Tavern: 1101 1st Street #112, Class C Liquor, Outdoor Service & Sunday Sales.5. New Temporary Special Permit: Hy-Vee Healthy Smiles Technology: 3801 S. James St. #400: Class C Retail Alcohol License G. Resolution 06-2123 Approving Professional Services Payments: 1. Pay Request #8 Nilles Associates, Inc for Grimes Existing Basins Enhancements \$2,500.00 2. Pay Request #10 Civil Design Advantage – GrimesPlex \$37,747.94 3. Pay Request #18 ISG – Water Works Park Splash Pad \$43,681.68 4. Pay Request #6 MSA Professional Services, Inc – SE Trail Ridge Road Reconstruction \$11,397.50 5. Pay Request #54 Veenstra & Kimm, Inc – WRA Connectors \$78,532.16 6. Dorsey and Whitney – legal fees \$3,945.50 7. Pay Request # 16 The Weitz Company, LLC – The New Grimes Public Library \$66,843.51 8. Pay Request #1 MSA Professional Services, Inc – SE Little Beaver Drive and SE 4th thru 6th Street Water Main \$44,690.00 9. Pay Request #8 MSA Professional Services, Inc – SE Jacob Street Reconstruction and Storm Sewer \$13,531.60 10. Pay Request #8 McClure Engineering Company – North Jordan Well Repairs \$371.25 (to be paid by insurance under claim) 11. Pay Request #2 Snyder & Associates, Inc – East Gateway Drive & East 1st Street Intersection Improvements \$19,471.82 12. Pay Request #10 McClure Engineering Company – Phase 1 A Water System Improvements \$76,818.83 13. Pay Request #8 Snyder & Associates, Inc – NE Destination Drive & NE Beaverbrooke Blvd Improvements #12,788.50 14. Pay Request #38 Bolton I& Menk, Inc – Highway 44 & SW County Line Road Intersection Improvements \$4,389.50 15. Pay Request #8 Foth Infrastructure & I Environment, LLC – SE 11th Street I& S James Street \$96,996.39 16. Whitfield & Eddy Law – legal fees \$5,616.50 H. Resolution 06-2223 Approving Pay Requests: 1. Pay Request #15 S.J. Louis Construction, Inc – WRA Grimes Connector – Contract 1 \$608,123.28 2. Pay Request #1

Sternquist Construction, Inc -SE Trail Ridge Road Reconstruction \$230,833.79 3. Pay Request #7
Halbrook Excavating – SE Jacob Street Reconstruction and Storm Sewer \$253,574.00 4. Pay Request
#15 Shank Constructors, Inc – WRA Grimes Connector – Contract 4 \$235,379.16 5. Pay Request #10 S.
M. Hentges & Sons, Inc – WRA Grimes Connector – Contract 2 \$246,981.24 6. Pay Request #5 Edge
Commercial, LLC – GrimesPlex \$5,598,522.01 7. Pay Request #1 Howrey Construction – Iowa Highway
44 Trail Extension \$149,410.82 8. Pay Request #7 Performance Contracting, Inc - New Grimes Library
\$106,067.50 9. Pay Request #14 Van Maanen Electric, Inc - New Grimes Library \$73,130.96 10. Pay
Request #3 Academy Roofing & Sheet Metal Co. - New Grimes Library \$44,089.50 11. Pay Request #10
AMC Mechanical Inc - New Grimes Library \$183,842.62 12. Pay Request #8 Forman Ford – New
Grimes Library \$24,415.00 13. Pay Request #6 Forrest & Associates Inc – New Grimes Library
\$100,024.67 14. Pay Request #14 Graphite Construction Group – New Grimes Library \$52,327.41
15. Pay Request # 1 Midwest Auto Fire Sprinkler – New Grimes Library \$24,700.00 16. Pay Request #8
(Retainage to be paid in 30 days) Van Maanen Electric, Inc for Highway 44 at County Line Road
Temporary Traffic Signal \$2,891.91 17. Pay Request #7 Edge Commercial, LLC – Waterworks Park
Improvements \$275,456.19 I. Resolution 06-2323 Change Orders: 1. Change Order #3 AMC Mechanical
Group - New Grimes Public Library increasing contract \$48.52 2. Change Order #2 Performance
Contracting Inc – New Grimes Public Library increasing Contract \$7,211.00 3. Change Order #2 Van
Maanen Electric Inc – New Grimes Public Library increasing contract \$4,702.82 4. Change Order #5
Graphite Construction Group, Inc – New Grimes Public Library - increasing contract \$7,914.97
5. Change Order #3 Edge Commercial, LLC – GrimesPlex increasing contract \$24,977.41. 6. Change
Order #3 Sternquist Construction, Inc – SE Trail Ridge Road Reconstruction increasing contract
\$2,651.00. 7. Change Order #3 Edge Commercial, LLC – Waterworks Park Improvements increasing
contract \$254,027.00. 8. Change Order #2 Van Maanen Electric, Inc – Highway 44 at County Line Road
Temporary Traffic Signal decreasing contract \$7,200.00 9. Change Order #1 Howrey Construction –
Iowa Highway 44 Trail Extension increasing contract \$1,600.00. J. Resolution 06-2423 For Adjustment
of Thorpe Water Development (Gould Heights District) Water Charges K. Resolution 06-2523
authorizing the Administration and Funding of a Stormwater Assistance Grant Program for the City of
Grimes L. Resolution 06-2623 Request for Street Closure for Block Party M. Resolution 06-2723
Amending Fee Schedule 2023 N. Resolution 06-2823 Accepting Public Improvements in Heritage Town
Center Phase 2 O. Resolution 06-2923 Approving an Amendment to A Field Rental Agreement P.
Resolution 06-3023 Regarding Uncollectible Utility Debt Q. Resolution 06-3123 Approving Personnel
Transactions R. Resolution 06-3223 Approving Fiscal Year 2022-2023 End of Year Transfers S.
Resolution 06-3323 Accepting A Proposal from MidAmerican Energy Company in The Amount of
\$561,000.00 For the Relocation of Overhead Electric Facilities to Underground Along S. James Street
from 2nd Street to 11th Street T. Resolution 06-3423 Ordering Construction of the SW 19th Street Water
Transmission Main, and Fixing a Date for Hearing Thereon and Taking of Bids Therefor U. Resolution
06-3523 Accepting the Highway 44 at County Line Road Temporary Traffic Signal V. Resolution 06-
3623 Professional Services Contract with McClure Engineering – Central Iowa Water Works Assistance
and Aquifer Storage Reservoir Evaluation W. Resolution 06-3723 Ordering Construction of the Ground
Storage Reservoir, and Fixing A Date For Hearing Thereon and Taking of Bids Therefor X. Resolution
06-3823 Approving Offer to Purchase and Agreement - NW County Line Road Water Main Hope K
Farms Y. Resolution 06-3923 Approving Offer to Purchase and Agreement – NW County Line Road
Water Main Hope Timber Z. Marketing and Communications Annual Report 2022 a. Resolution 06-4023
Adjusting Employee Compensation and Approving Salary Ranges for Fiscal Year 2024 b. Resolution 06-
4123 Authorizing Human Resources Director to Sign Collective Bargaining Contract For American
Federation of State, County, And Municipal, Iowa Council 61 (AFSCME) July 1, 2023, through June 30,
2024 c. (removed from agenda) d. Resolution 06-4323 Approving Johnston Grimes Metropolitan Fire
Department General Policy Addendum Statement for July 1, 2023, through June 30, 2024 e. Resolution

06-4423 To Fix A Date For A Public Hearing On Proposal To Enter Into A Water Revenue Loan and Disbursement Agreement and To Borrow Money Thereunder in a Principal Amount Not to Exceed \$12,500,000. f. Finance Report May 2023

Motion by Johansen, Second by Gisch, to approve the Consent Agenda minus Item “c”.

Roll Call: Ayes: All; Nays: None Motion passes 5 - 0

PUBLIC FORUM - None

PUBLIC AND COUNCIL AGENDA ITEMS

1. Third Reading of Ordinance #779 Amending the Grimes Official Zoning Map, Pursuant to the Code of Ordinances Section 12-3-5 for the Following Rezoning Request for Hope Timber and Associated Zoning change and Development Agreement

Alex Pfaltzgraff, Development Services Director, said there had not been any material changes since the previous readings and the proposal is consistent with the Future Land Use Plan. Pfaltzgraff noted that the current layout provided is only conceptual and will continue to be refined as required public improvements are determined. Pfaltzgraff said that Planning and Zoning had made a recommendation of approval at their April 5, 2023, meeting.

Moved by Gisch, Second by Borcharding, to Approve the Third Reading of Ordinance #779 Amending the Grimes Official Zoning Map, Pursuant to the Code of Ordinances Section 12-3-5 for the Following Rezoning Request for Hope Timber and Associated Zoning change and Development Agreement

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

Moved by Gisch, Second by Borcharding, to Approve Final Passage of Ordinance #779 Amending the Grimes Official Zoning Map, Pursuant to the Code of Ordinances Section 12-3-5 for the Following Rezoning Request for Hope Timber and Associated Zoning change and Development Agreement

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

2. Third Reading of Ordinance #781 Amending the Hope Commercial Planned Unit Development

Alex Pfaltzgraff, Development Services Director, advised the Council that as part of the PUD amendments, the Development Agreement will be amended to remove old code references, remove references to NE 6th Street extension and to clarify development details regarding the GrimesPlex. He noted that a few standards within the development agreement will be updated to reflect the actual number of sport fields, increase the minimum parking requirements, and clarify signage requirements associated with the complex. Pfaltzgraff stated that the Planning and Zoning Commission recommended approval at their April 5th meeting.

Moved by Johansen, Second by Borcharding, to Approve the Third Reading of Ordinance #781 Amending the Hope Commercial Planned Unit Development.

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

Moved by Johansen, Second by Borcharding, to Approve Final Passage of Ordinance #781 Amending the Hope Commercial Planned Unit Development.

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

3. Third Reading of Ordinance 782 Amending Grimes Code of Ordinance Chapter 11-3 Provisions of the Building and Property Regulations of the City of Grimes, Iowa, Regarding the Adoption of the Grimes Rental Program

Alex Pfaltzgraff, Development Services Director, said public informational meetings were held for property owners and managers with details on the program, which was generally positive and well received. Pfaltzgraff said that staff would recommend approval.

Moved by Gisch, Second by Johansen, to Approve the Third Reading of Ordinance #782 Amending Grimes Code of Ordinance Chapter 11-3 Provisions of the Building and Property Regulations of the City of Grimes, Iowa, Regarding the Adoption of the Grimes Rental Program

Moved by Gisch, Second by Johansen, to Approve Final Passage of Ordinance #782 Amending Grimes Code of Ordinance Chapter 11-3 Provisions of the Building and Property Regulations of the City of Grimes, Iowa, Regarding the Adoption of the Grimes Rental Program

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

4. Second Reading of Ordinance 783 on Proposed Rezoning of Property Referred to as Grimes Crossing Generally Located at West of SE Gateway Drive and North of SE 8th Street from C-2 General and Highway Service Commercial District to R-3 Medium Density Two or More Family Dwelling District

Alex Pfaltzgraff, Development Services Director advised the Council the proposed development for this property is consistent with the Future Land Use Plan designation. Pfaltzgraff said the applicant has provided a conceptual plan for the site showing twelve townhome units along with the associated private streets, parking, and landscaping. Pfaltzgraff noted that a rezone petition was submitted by neighboring property owners within the Dovetail Condominiums located south of the rezone property. He said the petition was received and filed at the previous Council meeting. He added that the rezone requires a 4/5 vote of approval at each reading of the ordinance to approve the rezone request. Pfaltzgraff said the representatives of the Dovetail Condominiums presented their concerns at the previous meeting, primarily regarding trash management. Pfaltzgraff added that the Planning and Zoning Commission recommended approval at their May 5, 2023 meeting.

Moved by Gisch, Second by Borcharding, to approve the Second Reading of Ordinance 783 on Proposed Rezoning of Property Referred to as Grimes Crossing Generally Located at West of SE Gateway Drive and North of SE 8th Street from C-2 General and Highway Service Commercial District to R-3 Medium Density Two or More Family Dwelling District.

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

5. Environmental Input State Revolving Fund (SRF) Loan for Improvements to the City's Drinking Water Infrastructure

Alex Pfaltzgraff, Development Services Director, said a water study in 2020 recommended four high-priority distribution and storage projects that would be necessary to provide increased water supply and capacity to the City's water distribution system. Pfaltzgraff said the project includes construction of several new water mains and a new 2-million-gallon ground storage reservoir. Pfaltzgraff said obtaining the funding for these projects is the basis for this hearing and to ensure any feedback or concerns are addressed.

Mayor Pro Tem Burger opened the Public Hearing at 5:51p.m. Being no written or oral comments, the hearing was closed at 5:51 p.m. No further action was taken.

6. Vacate Certain Public Utility Easements in Hope Commercial Plat 4

Alex Pfaltzgraff, Development Services Director, addressed Council stating that as part of the development of the mixed-use area of the Hope Commercial PUD, the developer has requested the existing 10-foot public utility easement along NE Beaverbrooke Blvd be vacated to establish a new utility

easement that will better fit with the proposed development. Pfaltzgraff said a new public utility easement will be established following the vacation of the existing easement.

Mayor Pro Tem Burger opened the Public Hearing at 5:53p.m. Being no written or oral comments, Mayor Pro Tem Burger closed the Public Hearing at 5:53 p.m.

Moved by Johansen, Second by Borcharding, to approve Resolution 06-4523 Vacating Certain Public Utility Easement in Hope Commercial Plat 4

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

7. Resolution 06-4623 Approving Destination Ridge Plat 7 Final Plat

Alex Pfaltzgraff, Development Services Director, advised the Council the applicant is requesting approval of a final plat for property located at the southeast corner of SE Destination Drive and SE 3rd Street. The plat will consist of one development lot, one outlot for future development, and one street lot for the extension of SE 3rd Street to the east. Pfaltzgraff said the Planning and Zoning Commission recommended approval at the June 5 Planning and Zoning meeting.

Moved by Gisch, Second by Johansen, to approve Resolution 06-4623 Destination Ridge Plat 7 Final Plat

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

8. Approving GrimesPlex Plan Amendment

Alex Pfaltzgraff, Development Services Director, stated that when the site plan for the Grimes Plex was previously approved in November 2022, details regarding the concession buildings, maintenance building, and field lighting had not been fully developed at the time. Pfaltzgraff said to keep the project moving forward, the City approved the plans without the building and lighting. Pfaltzgraff said that now the details for the buildings and lighting have been developed and the site plan amendment is proposed for consideration.

Moved by Johansen, Second by Borcharding, to approve GrimesPlex Plan Amendment.

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

9. Approving Inspiring Dance Site Plan

Alex Pfaltzgraff, Development Services Director, said the applicant is requesting approval of a site plan for Inspiring Dance to allow construction of a 13,315 square foot dance studio. He said the applicant is proposing to add an additional 3,269 square feet to the east portion of the building in the future for a childcare center. Pfaltzgraff said the site will be accessed off SE 3rd Street and the applicant is proposing more than the required parking spaces. Pfaltzgraff added that with the anticipated overlapping class times for pickup and drop-off, plus assuring additional parking for the future childcare center, the additional parking spaces will assist in providing enough spaces for all visitors.

Moved by Johansen, Second by Gisch, to approve Inspiring Dance Site Plan.

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

ADJOURN

There being no further business the meeting was adjourned at 6:08 p.m.

Motion by Johansen, Second by Borcharding to adjourn.

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

ATTEST:

Rochelle Williams, City Clerk

Scott Mikkelsen, Mayor