

**CITY COUNCIL MEETING**  
**Tuesday, July 25, 2023**

The Grimes City Council Meeting was held in-person and Via Zoom. The meeting was called to order by Mayor Pro Tem Ryan Burger, July 25, 2023, at 5:33 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: Mayor Pro-Tem Ryan Burger, Eric Johansen, Laurie DePhillips. Attending via Zoom: Council Member David Gisch. Absent: Mayor Scott Mikkelsen and Council Member Andrew Borcharding

**AGENDA ITEMS**

**APPROVAL OF THE AGENDA- Amended July 25, 1:57 p.m.**

Mayor Pro Tem Burger asked for approval of the amended Agenda.

Moved by DePhillips, Second by Gisch to approve the amended agenda with the removal of Consent Item M.1.

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

**CONSENT AGENDA**

A. Resolution 07-0123 Minutes approval from previous meeting B. Resolution 07-0223 Claims Report  
C. Finance Report for June 2023 D. Resolution 07-0323 Approving Bills and Quotes over \$10,000  
E. Resolution 07-0423 Approving ABD Licenses: 1. Sol Agave: 721 E. 1st Street Renewal: Class C Retail Alcohol License 2. McDevitt's Sports Pub: 3390 SE Crossroads Dr. #100: Class C Retail Alcohol License. 3. Pole Position: 1350 SE Gateway Dr. #108: Class C Retail Alcohol License. 4. Grimes Community Foundation: Special Class C License F. Receiving and Filing of Reports and Correspondence  
G. Resolution 07-0523 Approving Professional Services Payments 1. Whitfield and Eddy Law – legal fees 94.00 2. Pay Request #5 Snyder & Associates, Inc – IA Hwy 44 Trail Extension \$12,329.31 3. Pay Request #9 Foth Infrastructure & Environment, LLC – South James and SE 11th Street \$89,777.20 4. Pay Request #7 MSA Professional Services, Inc – SE Trail Ridge Road Reconstruction \$3,283.20 5. Pay Request #3 Snyder & Associates, Inc – East Gateway Dr & East 1st Street Intersection Improvements \$32,135.65 6. Pay Request #9 Snyder & Associates, Inc – NE Destination Drive & NE Beaverbrooke Blvd Improvements \$7,638.28 7. Pay Request #55 Veenstra & Kimm Inc – WRA Connector – Phase 2 Construction Engineering Services \$25,031.74 8. Pay Request #2 MSA Professional Services, Inc – SE Little Beaver Drive and SE 4th thru 6th Street Water Main \$7,930.00 9. Pay Request #17 The Weitz Company, LC – New Grimes Public Library 75,174.03 10. Pay Request #4 Foth Infrastructure & Environment, LLC – S James and S 19th Temp Signal \$3,008.40 11. Pay Request #13 Foth Infrastructure & Environment, LLC – 2021 Sanitary Sewer Collection System Study \$6,404.00 12. Pay Request #9 MSA Professional Services, Inc – SE Jacob Street Reconstruction and Storm Sewer \$26,880.00 13. Pay Request #8 Foth Infrastructure & Environment, LLC – SE 19th Street Sanitary Sewer Extension \$13,727.50 14. Pay Request #11 McClure Engineering Company – Phase 1A Water System Improvements \$76,239.09 15. Pay Request #39 Bolton & Menk, Inc – Highway 44 & SW County Line Road Intersection Improvements - \$1,841.00 16. Pay Request #1 Foth Infrastructure & Environment, LLC – NW 8th Street and NE Park Drive Speed Studies - \$1,755.32 17. Pay Request #9 McClure Engineering Company – North Jordan Well Repairs \$708.75 (to be paid by City's insurance) H. Resolution 07-0623 Approving Payments for Capital Projects: 1. Pay Request #16 Shank Constructors, Inc for WRA Grimes Connector – Contract 4 \$474,905.50 2. Pay Request #1 S.M. Hentges & Sons, Inc – WRA Grimes Connector – Contract 2 \$46,033.91 3. Pay Request #2 Sternquist Construction, Inc – SE Trail Ridge Road

Reconstruction \$59,538.93 4. Pay Request #7 Van Maanen Electric – City Traffic Signal Communication Network \$180,473.64 5. Pay Request #9 Rognes Corporation – WRA Grimes Connector – Contract 3 \$256,820.91 6. Pay Request #16 S.J. Louis Construction, Inc – WRA Grimes Connector – Contract 1 \$104,834.79 7. Pay Request #1 Des Moines Asphalt and Paving – NW 107th Street HMA Overlay \$482,984.94 8. Pay Request #8 Reilly Construction Co. – SE Jacob Street Reconstruction and Storm Sewer \$383,353.50 9. Pay Request #2 Howrey Construction – Iowa Highway 44 Trail Extension \$187,293.50 10. Pay Request #15 Graphite Construction Group – New Grimes Public Library \$107,528.09 11. Pay Request #11 AMC Mechanical Inc – New Grimes Public Library \$83,563.04 12. Pay Request #2 Midwest Auto Fire Sprinkler – New Grimes Public Library \$25,460.00 13. Pay Request #9 Forman Ford – New Grimes Public Library \$75,207.93 14. Pay Request #8 Performance Contracting Inc – New Grimes Public Library \$195,757.00 15. Pay Request #7 Forrest & Associate Inc – New Grimes Public Library \$137,743.11 16. Pay Request #15 Van Maanen Electric Inc – New Grimes Public Library \$75,888.66 17. Pay Request #4 Van Maanen Electric, Inc – County Line Road Traffic Improvements \$3,647.12 – retainage to be paid in 30 days. 18. Pay Request #8 Edge Commercial, LLC – Waterworks Park Improvements \$381,325.85 19. Pay Request #6 Redbud Landscaping, LLC – Kennybrook Wetland Landscaping (Landscaping) - \$1,971.25 I. County Line Road Traffic Signal Improvements a. Resolution 07-0723 Project Acceptance J. Resolution 07-0823 Approving Change Orders: 1. Change Order #6 Graphite Construction – New Grimes Public Library increasing contract \$2,885.09 2. Change Order #4 Redbud Landscaping, LLC – Kennybrook Wetland (Landscaping) Increasing Contract \$3,550.00 K. Accepting Public Improvements: 1. Resolution 07-0923 Accepting Public Improvements in M-KEDS Home Place Plat 3 2. Resolution 07-1023 Accepting Public Improvements in Prairie Business Park II Phase 2 L. Professional Services Agreements and Amendments: 1. Resolution 07-1123 MSA Professional Services Amendment #3 – SE Jacob Street Reconstruction and Storm Sewer 2. Resolution 07-1223 Snyder & Associates PSA Amendment #1 – NE Destination Drive & NE Beaverbrooke Blvd. Improvements 3. Resolution 07-1323 To Enter into Contract for Professional Services – Terracon Consultants GrimesPlex Buildings Project 4. Resolution 07-1423 To Amend Contract for Professional Services – SVPA Architects, Inc – for additional design services on GrimesPlex Building 5. Resolution 07-1523 To Amend Contract for Professional Services – Veenstra & Kimm, Inc. For Consulting Services WRA Grimes Connector M. Setting Public Hearings: \*1. ~~Resolution 07-1623 Setting Dates for Bid Letting and Public Hearing for NE Beaverbrooke Boulevard and IA 141 Intersection Improvements~~ 2. Resolution 07-1723 Setting Dates for Bid Letting and Public Hearing for S James Street and SE 11th Street Improvements 3. Resolution 07-1823 On Notice and Intent to Vacate Certain Public Alleys in Block 7, Town of Grimes, and Setting a Public Hearing for August 22, 2023, at 5:30 pm N. Resolution 07-1923 Approving the Destination Grill Agreement O. Resolution 07-2023 Approving Personnel Transactions P. Resolution 07-2123 Discussion on Fireworks R. Resolution 07-2223 Approving REAP Grant Application S. Resolution 07-2323 Approving Offer to Purchase and Agreement – Broderick Property T. Resolution 07-2423 Approving Offer to Purchase and Agreement – EBH Property U. Resolution 07-2523 Approving Outdoor Temporary Use Location for Grimes Sweetcorn V. Resolution 07-2623 Approving Equipment Transactions Pursuant to FY23 Budget W. Resolution 07-2723 Authorizing the Disposal of Equipment X. Resolution 07-2823 Approving Declaration of Site Restrictions Lot 59 and 60, Beaverbrooke West Plat 4 –1912 NW Norton Court Y. Resolution 07-2923 Consent and Agreement for Improvements- Lot 7 of Pinnacle Pointe -204 NE Little Beaver Dr. Z. Resolution 07-3023 Consent and Agreement for Improvement Within Overland Flowage Easement for Lot 6 of Beaverbrooke Pointe Plat 3 – 1005 NE 16th Street. AA. Annual Report for Information Technology Department 2022 BB. Resolution 07-3123 Authorizing Pump Repair at SE 37th Street Lift Station CC. Resolution 07-3223 Authorizing Purchase of Pump for SE 37th Street Lift Station DD. Resolution 07-3323 To Adjust Utility Charges EE. Resolution 07-3423 Approving Block Party Request FF. Resolution 07-4323 To Enter into Agreement with Pictometry International Corp.

\*Item M.1. Removed from Agenda.

Motion by Gisch, Second by DePhillips, to approve the Amended Consent Agenda

Roll Call: Ayes: All; Nays: None Motion passes 4 – 0

## **PUBLIC FORUM**

Residents Kent Sayles- 813 SE 13<sup>th</sup> Street, Terri Golightly- 1810 NE Heritage Dr., Lori Vetter 508 NE 10<sup>th</sup> St., Barbra Klocke, 316 NW Sunset Lane, and Steven Ervin, 905 NE Harvey St. requested the Council review of the current Fireworks Ordinance. The main items of concern were on the number of days permitted, noise levels, physical and psychological effects on individuals as well as service animals, property damage and the enforcement of stated rules. The residents provided petitions signed by over 135 residents, along with numerous letters and testimonials from those that were unable to attend the meeting. Council members noted they appreciated the feedback, and that the ordinance would be discussed at future council workshops.

## **PUBLIC AND COUNCIL AGENDA ITEMS**

### **1. Resolution 07-3523 Approving Memorandum of Understanding for Iowa Great Places**

#### **Designation.**

Development Services Director Alex Pfaltzgraff notified Council that last spring, the City submitted a request to the Iowa Department of Cultural Affairs to be designated as a Great Place. Following a Community Site Visit, and consideration by their Board, the designation has been awarded to the City of Grimes. Pfaltzgraff said the program requires the City of Grimes to execute a Memorandum of Understanding. Pfaltzgraff said with approval of this Memorandum, the City will be able to access new grant funding sources and increase our scoring on grant applications.

Moved by Johansen, Second by DePhillips, to Approve Resolution 07-3523 Approving Memorandum of Understanding for Iowa Great Places Designation.

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

### **2. Third 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 located west of SE Gateway Drive and north of SE 8<sup>th</sup> Street, is consistent with the Future Land Use Plan. 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 a previous Council meeting. Pfaltzgraff said the representatives of the Dovetail Condominiums presented their concerns, primarily regarding trash management issues with their current neighbors. Pfaltzgraff added that the Planning and Zoning Commission recommended approval at their May 5, 2023, meeting.

Moved by Johansen, Second by DePhillips, to approve the Third 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: 4 - 0.

Moved by Johansen, Second by DePhillips, to approve Final Passage 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: 4 - 0.

### **3. Water Revenue Loan and Disbursement Agreement and To Borrow Money Thereunder in a Principal Amount Not to Exceed \$12,500,000.**

City Engineer Matt Ahrens addressed Council stating the action in front of the council is to hold a public hearing and act on a resolution for the proposal to enter into a Water Revenue Loan and Disbursement Agreement. Ahrens said the City conducted a Water System Study with McClure Engineering a couple of years ago which identified a number of water system improvements such as a Water Transmission Main on SW 19<sup>th</sup> Street, a Ground Storage Reservoir, a Feeder Main on N. James Street and a Water Main on NW County Line Road. Ahrens said the funding for the construction of these projects is scheduled to be covered by a Drinking Water State Revolving Fund loan. Ahrens said the next action to proceed for the loan includes a resolution for council approval. Ahrens noted the first two projects are on the agenda for public hearing and construction contract award at this meeting and the other two projects will be going out to bid soon. The max principal loan amount for the 4 projects is not to exceed amount of \$12,500,000.

A. Public Hearing on Proposal to Enter into A Water Revenue Loan and Disbursement Agreement.

Mayor Pro Tem Burger opened the Public Hearing at 6:22 p.m. Being no written or oral comments, the hearing was closed at 6:22 p.m.

b. Resolution 07-3623 Taking Additional Action on Proposal to Enter into a Water Revenue Loan and Disbursement Agreement.

Moved by Johansen, Second by DePhillips, to Approve Resolution 07-3623 Taking Additional Action on Proposal to Enter into a Water Revenue Loan and Disbursement Agreement.

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

### **4. SW 19th Street Water Transmission Main**

City Engineer Matt Ahrens stated the action before the council is to hold a public hearing on the proposed Contract Documents, give approval of resolutions to adopt plans, specifications, form of contract and estimate of cost, make the award of construction contract, and approve the construction contract and bonds. Ahrens said this project was bid on July 18, 2023, and the results from the bidding showed great interest for this type of work. He noted that most of the bids came in under the engineer's estimate with the low bidder, Rognes Corporation of Ankeny, being \$465,000 under the engineer's estimate. Ahrens said staff have worked with Rognes Corporation before and feel they can perform this work.

a. Mayor Pro Tem Burger opened the Public Hearing at 6:25 p.m. Being no written or oral comments, the hearing was closed at 6:25 p.m.

b. Resolution 07-3723 Adopting Plans, Specifications, Form of Contract and Estimate of Cost for SW 19<sup>th</sup> Street Water Transmission Main.

Moved by Johansen, Second by DePhillips, to Approve Resolution 07-3723 Adopting Plans, Specifications, Form of Contract and Estimate of Cost for SW 19<sup>th</sup> Street Water Transmission Main.

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

c. Resolution 07-3823 Award of Construction Contract for SW 19<sup>th</sup> Street Water Transmission Main.

Moved by Johansen, Second by DePhillips, to Approve Resolution 07-3823 Making Award of Construction Contract for SW 19<sup>th</sup> Street Water Transmission Main to Rognes Corporation of Ankeny Iowa.

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

d. Resolution 07-3923 Authorizing Construction Contract and Bond for SW 19th Street Water Transmission Main.

Moved by Johansen, Second by DePhillips, to Approve Resolution 07-3923 Authorizing Construction Contract and Bond for SW 19th Street Water Transmission Main.

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

## **5. Grimes Ground Storage Reservoir**

City Engineer Matt Ahrens said this action before the council is to hold a public hearing on the proposed Contract Documents and approve Resolutions to adopt plans, specifications, form of contract and estimate of cost, make the award of construction contract; and approve the construction contract and bonds. Ahrens stated the project was bid on July 18, 2023, and as with the previous project with half the bids coming in under the engineer's estimate. Ahrens said the low bidder was Preload, LLC of Louisville Kentucky, came in \$320,000 under the engineers estimate. Ahrens noted that while the City has not contracted with that firm before, McClure Engineering is familiar with their work and feels they are capable of completing the work.

a. Public Hearing on Grimes Ground Storage Reservoir

Mayor Pro Tem Burger opened the Public Hearing at 6:30 p.m. Being no written or oral comments, the hearing was closed at 6:30 p.m.

b. Resolution 07-4023 Adopting Plans, Specifications, Form of Contract and Estimate of Cost for the Grimes Ground Storage Reservoir.

Moved by Johansen, Second by DePhillips, to Approve Resolution 07-4023 Adopting Plans, Specifications, Form of Contract and Estimate of Cost for the Grimes Ground Storage Reservoir.

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

c. Resolution 07-4123 Making Award of Construction Contract for Grimes Ground Storage Reservoir

Moved by Johansen, Second by DePhillips, to Approve Resolution 07-4123 Making Award of Construction Contract for Grimes Ground Storage Reservoir to Preload, LLC of Louisville, Kentucky.

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

d. Resolution 07-4223 Authorizing Construction Contract and Bond for Grimes Ground Storage Reservoir.

Moved by Johansen, Second by DePhillips, to Approve Resolution 07-4223 Authorizing Construction Contract and Bond for Grimes Ground Storage Reservoir

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

## **6. Grimes Ground Storage Reservoir Site Plan**

Development Services Director Alex Pfaltzgraff told the Council that McClure Engineering completed a water system study for the City that identified several project phases. Pfaltzgraff said the first phase of the water study includes water main extension improvements along SW 19th Street and County Line Road, water tower, and a ground storage reservoir (GSR). Pfaltzgraff said the GSR, which will store 2 million gallons of drinking water, is planned to go out to bid and begin construction this year. He said the City currently has the ability to store 400,000 gallons of drinking water in the existing clear well on site and upon completion of the GSR, the City will have capacity to store enough drinking water to cover one day of water demand. Pfaltzgraff said that in addition to the construction of the GSR, a second water main connection will be constructed to send water out of the plant into the City water distribution system. Pfaltzgraff said there is an existing landscape berm and buffer along the single-family lots to the east, and the City will provide an additional landscape buffer to provide additional screening for the GSR. In addition, he said funds have been reserved in the budget to incorporate architectural design elements to enhance the exterior elevations of the GSR.

Moved by Johansen, Second by DePhillips, to Approve Grimes Ground Storage Reservoir Site Plan.  
Roll Call: Ayes: All. Nays: None. Motion passes: 4- 0.

### **7. Hope Commercial Plat 6 Preliminary Plat**

Assistant Planner Evann Martin stated the Developer, Hope K Farms, is requesting approval of a preliminary plat to divide the northern portion of the Hope Commercial PUD along NE Beaverbrooke Boulevard into five development lots. Martin said full access will be provided from either NE 12<sup>th</sup> Street or a private drive connecting from NE 12<sup>th</sup> Street to NE Beaverbrooke Blvd. The private drive connection to NE Beaverbrooke Blvd will be right-in/right-out. Martin stated that Snyder & Associates has reviewed the access locations and determined it is at an appropriate distance from the Beaverbrook and Gateway intersection.

Moved by Johansen, Second by DePhillips, to Approve Hope Commercial Plat 6 Preliminary Plat.  
Roll Call: Ayes: All. Nays: None. Motion passes: 4- 0.

### **8. Hope District Apartments Site Plan**

Assistant Planner Evann Martin said that Hope K Farms is requesting approval of a site plan to construct townhomes and apartments within Lot 1, which will be a mixed-use area of the Hope Commercial PUD. Martin said the project will include 80 townhomes, 320 apartments, and a clubhouse with pool and gym. She said four 4-story apartment buildings will be located in the center of the site and will provide both underground and surface parking. Martins said that four-plex townhome buildings will surround the perimeter of the site. Martin stated the townhomes along street frontages will have front porches and sidewalk connections to the public street with garages located internally to the development. Martin said the development will be completely gated and include private utilities and stormwater detention. She said access will be provided via NE 12<sup>th</sup> Street, which will connect from NE Heritage Drive to NE Gateway Drive and a right-in/right-out access on NE Beaverbrooke Blvd. Martin added that Snyder and Associates is currently performing a study to ensure that the connecting roadways are structured appropriately to meet future usage needs.

Moved by Johansen, Second by DePhillips, to Approve Hope District Apartments Site Plan.  
Roll Call: Ayes: All. Nays: None. Motion passes: 4 - 0.

### **ADJOURN**

There being no further business the meeting was adjourned at 7:30 p.m.

Motion by Johansen, Second by DePhillips to adjourn.

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

### **ATTEST:**

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Rochelle Williams, City Clerk

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Scott Mikkelsen, Mayor