

CITY COUNCIL MEETING

Tuesday, December 14, 2010

Grimes City Hall 5:30 P.M.

The regular meeting of the Grimes City Council was called to order by Mayor Thomas M. Armstrong on Tuesday, December 14, 2010 at 5:30 P.M. at the Grimes City Hall.

Roll Call: Present: Evans, Patterson, Shatava, Altringer Absent: Tapper

GENERAL AGENDA ITEMS.

APPROVAL OF THE AGENDA

Moved by Evans, Seconded by Patterson; the agenda shall be approved.

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

Approval of the Consent Agenda

A. Minutes from the November 23, 2010 B. Change Order #2 for the Grimes Business Park Rise Improvements increasing contract with Iowa Signal, Inc. \$2,693.50 C. Pay Request #3 for the Grimes Business Park Rise Improvements to Iowa Signal in the amount of \$14,207.97 D. Certificate of Substantial Completion for the Grimes Business Park RISE Improvement Division I – S 11th & Hwy 141 Traffic Signals Contract with Iowa Signal, Inc. E. Engineer's Statement of Completion for the Grimes Business Park Rise Improvements – division I – S 11th & Hwy 141 Traffic Signals F. Pay Application #3 for the Grimes Cemetery Expansion to Grimes Asphalt & Paving in the amount of \$22,004.60 G. Resolution 12-0110 Releasing Norfolk Southern Railroad from SE 37th Street Assessment as per Development Agreement H. Trademark and Copyright License and Agreement for Use of Central Iowa Trails Signage Logos and Designs Between The city of Des Moines and Central Iowa Communities I. Retainage to Echo Electric for the Hwy 44 Street Lighting in the amount of \$20,903 J. Pay Request #13 to Reilly Construction for the IA 44 Improvements \$294,811.77 K. Change Order #1 for the Hwy 44 Electric Relocation with Communication Technologies, LLC decreasing contract \$-13,581.05 L. Pay Request #5 for the Hwy 44 Electric Utility Relocation Project to Communication Technologies, LLC in the amount of \$19,893.71 M. Appointments to Metropolitan Planning Organization (MPO) 1. DM Area Primary Representative – Tom Armstrong, Alternate-Kelley Brown 2. DM Area MPO TTC Primary Representative-John Gade. Alternate-Jerry Byg N. Engineer's Statement of Completion with Reilly Construction for the South James Street Improvements Project O. Approval of Quote from Mississippi Valley Pump for Rebuild of One Gateway Lift station Pump in the amount of \$3,367 P. Approval of Quote for Lab Spectrophotometer in the amount of \$2,600 Q. Approval of Quote from Melvin Marsh to Remove and Dispose of Lime Solids in the amount of \$30,000 R. Pay Request #3 to Cover's Construction for the Water Wastewater Storage Building in the amount of \$20,000 S. Purchase of Ford Expedition from Gabus Ford - \$27,773.36 T. Finance Report for November 2010 U. Claims – Date 12/14/10 in the amount of \$1,391,036.53

Moved by Evans, Seconded by Patterson; the consent agenda shall be approved.

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

Fire Chief Report

Fire Chief Krohse was unable to attend the meeting

Patrol Report

Senior Deputy Steve Ballenger from the Polk County Sheriff's Department was present. He advised that he had no traffic concerns at this time.

PUBLIC AGENDA ITEMS AND COUNCIL ACTION

A. Resolution 12-0310 Recognizing Gary Sinclair As Superintendent Of The Year

Mayor Armstrong read Resolution 12-0310 to the Council. He stated that this was a great honor for Mr. Sinclair and the Dallas Center Grimes School District. Mayor Armstrong then presented a plaque to Mr. Sinclair. The Council each thanked Mr. Sinclair for all his hard work in the school system. Mr. Sinclair stated that this honor was a team effort from everyone who is a part of the district. He went on to say that he appreciated the great working relationship the school has with the City.

B. Quik-Trip Preliminary Plat

Mike Talcott, Real Estate Manager for Quik-Trip Corporation, 5725 Foxridge Drive, Kansas City, Missouri addressed the Council. Talcott advised that this preliminary plat was being submitted again due to the expiration of the original approval. He thanked the Council for their reconsideration. There were no changes to the Preliminary Plat previously approved by the Council other than some additions to the water quality improvements. City Engineer Gade stated that the majority of their questions have been addressed on the preliminary and site plan. He advised that they were only waiting on the storm water maintenance easement. Gade stated that Planning and Zoning did add a storm water quality component to the site plan which is according to the new ordinance. He recommended approval subject to the Fox Engineering letter. Council Member Shatava asked for a time frame on the project. Talcott stated that the project is anticipated to begin the end of March and will take about 6 months.

Moved by Patterson, Seconded by Shatava; the Quik-Trip Preliminary Plat shall be approved subject to Fox Engineering letter dated December 2, 2020.

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

C. Quik-Trip Site Plan

Moved by Shatava, Seconded by Patterson; the Quik-Trip Site Plan shall be approved subject to Fox Engineering letter dated December 2, 2020.

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

D. Chevalia Trace Final Plat

Jessie Duff Cooper Crawford & Associates, located at 475 S. 50th Street #800, West Des Moines, IA 50265 representing JBTT. This is the first Plat of three consisting of almost 6 acres and will have 21 single-family lots and two outlots. He advised that this property is located between N James Street and Chevalia Valley. Duff advised that he understood there were a few legal issues outstanding but asked for approval subject to those items. City Engineer Gade stated that he wanted to bring up a few items that were not addressed on his letter dated November 24, 2010. 1. The plat is very close to the water treatment plant and so would like to see a waste water treatment separation agreement which has now been done. 2. Due to weather conditions a small section of sidewalk along N James Street was not able to be put in so a performance bond would be needed. Gade stated that some core samples were done on the street and a deficiency according to SUDAS standards was found on the pavement thickness in about 300 feet of a band along the street. He stated that they would not have to remove the pavement but submit a payment to the City for the deficiency in thickness. Gade stated that the amount owed to the City would be calculated according to an Iowa Department of Transportation formula.

Moved by Patterson, Seconded by Evans; the Chevalia Trace Final Plat shall be approved subject to Fox Engineering letter dated December 2, 2020 and add the following: 1. Waste water treatment separation agreement be drawn up 2. A sidewalk performance bond be secured to cover the section of sidewalk along N James Street that needs to be completed. 3. Agreement of payment to the City of Grimes for the pavement deficiency

City Attorney Henderson asked if anything further needed to be added regarding the bonds for the project and not just the sidewalk. City Engineer Gade stated that the bonds that are for these projects are usually

the same ones on each project. He stated that the bonds cover the maintenance of the street and the utilities in the event of things like pavement failures, settlements, or utility issues. Gade requested that the language in the bond be reviewed and the City look at adopting a standard bond that will be used on all projects. City Attorney asked for the motion to be amended so that the City Attorney review the language for the bond so that is acceptable to all parties and that at another date come up with a standard bond to be used on all projects.

Moved by Patterson, Seconded by Evans: to amend the motion to add that the City Attorney be instructed to review the language in the bond and at a later date come to the Council with a standard bond to be used on all projects, shall be approved.

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

E. Request from John Koester for Approximately \$10K for the Historic District Designation

John Koester of 517 NW Morningside Drive, Grimes, Iowa was present representing Koester Construction, 3050 SE Enterprise Drive, Grimes, Iowa. Koester advised that Koester Construction along with investors were interested in partnering with the City to purchase and redevelop the Odd Fellows building in the Governor's District in downtown Grimes. Koester gave an overview of Koester Construction's past experience with redeveloping buildings. He advised that he was requesting \$10K from the City to be able to apply for a Historic District Designation which would not only make grants and tax credits available to this building for restoration but other building in the area once this designation was received. Koester stated that due to his past experience and studies done he feels that the Odd Fellows building is repairable. He provided the Council with a vision for the building and the surrounding green space along with costs for the redevelopment. Koester stated that he was coming with two requests. The first was the allocation of approximately \$10,000 from the City to pay for the historic district application process. He stated that this money would be split between the fees for the architectural firm and the historian. The second request was to have the City Administrator work with the City's bond attorney to work out a partnership between the City and the investors on this project. Koester stated that at a later date he would like to discuss a TIF agreement with the City. He thanked the Council for taking the time to listen to this request. Mayor Armstrong asked about the status of the buildings ownership. Koester stated that the building is in a foreclosure at this time. Council Member Evans asked if this \$10,000 would benefit the entire historic district area and Koester advised that was correct. City Attorney Henderson asked who would own the building. Koester advised that the building would probably be owned by a newly formed LLC once everything is in place. Council Member Patterson stated that he was happy to see them take this project on in the Governor's District. City Attorney Henderson stated that he did not want to see any work on the building until the current owner has relinquished ownership of the building and Koester agreed. Brian Buethe, of the Grimes Chamber and Economic Development addressed the Council. Buethe wanted to make clear that the \$10,000 from the City to apply for the historic designation would not only benefit this area but the entire designated historic district and pay back dividends back to the City as well as aid future investors in the area with grants and tax credits.

Moved by Shatava, Seconded by Patterson; that the request from John Koester for approximately \$10K for the Historic District Designation, shall be approved.

Mayor Armstrong advised that he had spoke with Council Member Tapper earlier in the day and he was in support of the project. Council Member Evans stated that she was also in favor in the project and wanted to make sure that if the funding from the insurance company was not there that other funding would be available for the cost of the application.

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

F. Request from John Koester for Permission to Review the Independent Order of Odd Fellows Project with City's Bond Attorney

Moved by Patterson, Seconded by Evans; that the request from John Koester for permission to review the Independent Order of the Odd Fellows Project with the City's Bond Attorney, shall be approved.

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

G. Request from Mike Nigro of Drake Homes of Iowa LLC for Partial Relief of Hydrant Meter Rental Fee

Mike Nigro, Project Manager for Drake Homes of Iowa LLC was present to discuss the company's charges for a hydrant meter and a request for partial relief of these charges. Nigro stated that he felt he was not informed of the daily meter rental fee when he took the hydrant meter out.

Moved by Patterson, Seconded by Evans; that a reduction in the total charges for the daily meter rate to \$400 plus the actual cost of water shall be approved.

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

H. Grimes Public Library Update.

Kendal Meyer, President of the Board of Trustees for the library was present to give an update on the future expansion of the library. Meyer's advised that they would be looking for input from the community on the vision for this expansion.

I. Public Forum

No one was present to address the Council.

COUNCIL DISCUSSIONS

1. Mayor's Report

Mayor Armstrong Appointed Wanda Armstrong to the Library Board to complete the term of Justin Kirchoff who's term expires 12/31/10. Mayor Armstrong then reappointed Wanda Armstrong to the Library Board to beginning January 1, 2011 for a six year term.

Mayor Armstrong wanted to remind everyone that there is an opening on the Board of Adjustment if they know of anyone who is interested.

2. City Attorney's Report

City Attorney Henderson had nothing new to report.

3. City Engineer's Report

City Engineer Gade stated that the Hwy44 Project is now shut down for the winter and they were still working on the new traffic signals.

4. City Staff Report

City Staff had nothing new to report.

5. Old Business

Council Member Evans stated that she would like to revisit what appointments are made by the Mayor without the approval of the Council. She stated that she had no concerns with the appointment made earlier in the meeting but would like to revisit this item.

6. New Business

Moved by Altringer, Seconded by Shatava; there being no further business, this meeting shall be adjourned at 7:03 p.m.

ATTEST:

Rochelle Williams, City Clerk

Thomas M. Armstrong, Mayor