



101 North Hawkey, Grimes, Iowa 50111 515.986.3036 Fax 515.986.3846

**CITY COUNCIL MEETING**

Tuesday, February 10, 2009

**Grimes City Hall 5:30 P.M.**

The regular meeting of the Grimes City Council was called to order by Mayor Tom Armstrong on Tuesday, February 10, 2009 at 5:30 P.M. at the Grimes City Hall.

Roll Call: Present: Long, Altringer, Grove. Absent: Evans, Patterson.

Patterson arrives at 5:45 P.M.

**GENERAL AGENDA ITEMS.**

**APPROVAL OF THE AGENDA**

Moved, by Long seconded by Grove, the Agenda shall be approved.

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

**APPROVAL OF CONSENT AGENDA**

Minutes from the January 27, 2009 Council Meeting, Resolution 02-0209 to Appoint a Representative and Alternate Representative to the Polk County Emergency Management Commission, Bid in the amount of \$8,945 to Ball Construction for work on City Hall to comply with Fire Safety Regulations, Partial payment application in the amount of \$4,244.75 to Elder Corporation for work on the Grimes Sports Complex Drainage, Claims report dated February 10, 2009 in the amount of \$101,237 and the Finance Reports for January, 2009.

Roll Call: Ayes: All Nays: None

Jan-09

Funds	Beg Balance	Receipts	Expenses	Ending Balance
General Fund	1,601,650.50	85,000.64	-166,500.58	1,853,151.72
Special Revenue Fund	1,856,378.25	0.00	0.00	563,879.56
Debt Service	1,456,253.35	547,895.87	62,500.00	1,941,649.22
	-			-
Capital Improvements	1,506,661.01	302,699.49	60,168.17	1,264,129.69
Enterprise Fund	2,853,935.13	582,666.55	540,194.46	2,896,407.22
Total	6,261,556.22	1,518,262.55	496,362.05	5,990,958.03

**FIRE CHIEF REPORT**

Fire Chief Krohse was called out on a rescue call so no report was given.

**PATROL REPORT**

No one was in attendance. Written reports were submitted.

**PUBLIC AGENDA ITEMS**

(Agenda item B was presented first) Council Member Patterson arrives during this discussion. 5:45 P.M.

**B. Proposal from Crossroads Community Church on a meeting room at the Grimes Community Center**

Pastor Jason Friesen representing Crossroads Community Church presented a meeting room proposal for the Grimes Community Complex. He stated that the Crossroads Church had begun in 2003 and since they are a young church they do not have a permanent church building. They meet each Sunday in the DC-G High School cafeteria, which involves setting it up and tearing it down each week. For the past two years they have been looking for



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another facility in Grimes as a more permanent location. Pastor Friesen advised that the City of Grimes has few public meeting rooms that can seat 150 people. This plan would be to remodel the former home economics and science rooms at the Grimes Community Complex into a large meeting area as a gift to the community, and at no cost to the City. Pastor Friesen stated that since the beginning of Crossroads they have been involved in the community. One of the principles is to “build bridges into the community”. Pastor Friesen advised that not only were they interested in holding worship services in the room, but also envision holding classes to the public on finances, parenting and marriage. This room would remain under the control of the City and be available to the public for business meetings, luncheons, receptions, and dances. Pastor Friesen advised that when this meeting room becomes too small for the church, it would still be a meeting room available to the community.

Pastor Friesen advised that as they looked into the project, two concerns surfaced. First was a structural concern, as the existing wall between the two rooms would need to be removed. A structural engineer who was contacted by the City reviewed this and found that it was not a load-bearing wall. The second was the division of church and state, which was reviewed by the attorney and found to not be an issue. Pastor Friesen reviewed the floor plan and remodeling with the Council. An audio-visual system would be installed, including a DVD player, microphone, speakers, video projector and screen. This equipment along with any chairs would be purchased by the church and would be retained by the church when they outgrow this facility and leave the building. If approved, the work would begin in the home economics room as soon as possible, with work to be completed by fall. Crossroads would provide management over the project using a labor pool that includes general laborers to professionals in the fields need to complete the project in a professional manner. Pastor Friesen stated that the church would be making a donation of labor to this project along with pursuing grant money. In consideration of the investment in time and money for this project, the church request that the City consider those monies as part of the lease and thereby reduce the lease accordingly. At this point the church is looking to use this facility for 5 years, unless they outgrow the facility sooner. The facility is expected to be used on Sunday mornings along with Wednesday and Thursday evenings for classes and rehearsals. Also on Sunday mornings the use of the activity room would be requested for children’s church. Pastor Friesen also asked for the use of the room currently used by the YMCA as a nursery, for Sunday morning nursery. As part of the lease, the church would vacuum and clean the counters after use on Sundays.

Pastor Friesen stated that once the final costs are determined and a lease is negotiated, Crossroads membership must approve the arrangements. If this approval is not met, Crossroads has the option to withdraw this proposal. Mayor Armstrong advised that this plan would seat 205 people using padded folding chairs. Mayor Armstrong advised that this plan had been reviewed by a structural engineer and was approved. Councilmember Grove asked for clarification regarding the remodel of the ceiling. Council Member Altringer asked for clarification as to the use of the YMCA’s nursery. Mayor Armstrong advised that the lease detailed the days that the YMCA used this room and that would be reviewed. Council Member Altringer also asked whether Council Member Evans was aware of this project, as she was a supporter of the Community Center. Pastor Friesen advised that Council Member Evans was aware of the project. Council Member Patterson stated that he was happy with the proposal and felt this would provide a community meeting room. He went on to state that as long as we treat all churches equally when it came to using this facility, he supported this project. Patterson also wanted to make the church aware of some heating and cooling issues in this building and that the City is still looking at the viability of the Grimes Community Complex building. Moved by Long, Seconded by Patterson; that the concept shall be approved and that the City Attorney and City Staff shall be empowered to negotiate the lease. Mayor Armstrong asked for additional discussion and Council Member Long did ask for verification that the chairs and audiovisual equipment would be purchased and be retained by the church. Pastor Friesen stated that was correct.

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



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**A. Presentation from Brad Miller on DART and how the service provided to the City of Grimes.**

Brad Miller, General Manager of DART (Des Moines Area Regional Transit Authority) presented an update on DART'S new formula which would be used to pay for their services. He gave an overview of past history, FY2010 Budget and services that are provided to the City of Grimes. Miller advised that DART currently has an agreement with 20 cities, are an independent taxing authority, and have a 9 member board. Grimes is represented by Mayor Steve Van Oort of Ankeny. Seven of these members are appointed, one per Senatorial Districts and then two Polk County members. The FY09 Old Formula was calculated at \$0.054 levy to an actual cost of \$16,111 for Grimes. Under the FY2010 formula 70% of the cost would be figured the old way by figuring the miles of service in each community, 30% is spread evenly according to valuations. Grimes would pay \$9,259 (0.19%) of the first \$4.8M at a \$0.027 levy, (this constitutes the amount of miles of service) \$17, 158 (3.06%) of \$561K at a \$0.050 levy, (this is the regional buy in by 17 of the 20 cities) and then \$39,106 (1.93%) of the remaining \$1.64M at a \$0.113 levy (remaining amount that is spread equally over all 20 members. This amount totals to a tax levy of \$0.18956 for FY10 resulting in a cost of \$65,523 for the taxpayers of the City of Grimes. Miller then reviewed how this affects a typical homeowner in Grimes. A home assessed in Grimes at \$199,900 and a next taxable value of \$88,120 under the old program would pay DART Tax in the amount of \$4.28. Under the FY2010 New Formula Tax they would pay \$16.17. Miller provided a breakdown of how those tax dollars are distributed. Miller went on to say that this formula was the only way that DART felt they could expand their services into the future. Miller provided a handout showing a summary of DART'S Strategic Planning Initiatives.

Miller advised the Council that the City's of Clive and Johnston had submitted withdrawal letters from DART prior to 12/31/08. According to a 28M Agreement City's are required to give an 18 month notice of withdrawal request so the earliest that a withdrawal could be made from Clive and Johnston is 7/1/2010. DART must approve withdrawals. At this time Clive and Johnston have asked to table this request and not act on the withdrawal request in an effort to see if services improve. Miller advised that the FY2010 Budget includes significant NW improvements to benefit Grimes. An estimated 25-40 Grimes residents ride DART into Johnston and Urbandale each month. One of the new services being consider is a route with a pickup at Dahls at 86<sup>th</sup> and NW 62<sup>nd</sup> Avenue, which DART advises will be more convenient for Grimes commuters. Mayor Armstrong asked if vanpools would be available in Grimes and Miller advised that it would be available. Council Member Altringer asked what the service is now in Grimes. Miller advised that it is a regional on call service on Thursday which goes to Valley West Mall. This bus picks up three times on that Thursday in Grimes and three times on Thursday at Valley West Mall. There is also a Polk County service that runs two times a month that is funded by Polk County and Medicaid. Council Member Altringer asked what the fare was to ride the bus. Miller responded that a person under 65 would pay \$2.50 for a round trip. Mayor Armstrong did advise that it is difficult to know how many people who live in Grimes use DART, as ridership is anonymous. Council Member Altringer asked if any of the services have changed since the beginning of DART in Grimes in 2006 and Miller advised they were the same. Council Member Altringer went on to say that the same service, which is a on call one day a week service, cost the City of Grimes \$16,111 under the old formula. Under the new formula the same service would cost \$65,523 or approximately \$50,000 additional. Miller advised that today you are getting the same services. Miller stated that the plan is to improve and increase the services in the future. A summary of DART's Strategic Planning Initiative was provided to the Council, which outlined a list of implemented, approved to be implemented and a prioritized list of improvements. Council Member Altringer asked if the list of improvements were in priority order. Miller advised that this list was not necessary in priority order. Mayor Armstrong advised that he knew there were further questions, but no decisions needed to be made at this time. Council Member Altringer inquired if Miller could come back again and speak. Council Member Grove asked if Johnston and Clive do withdraw from DART in FY2011 who would pick up those costs. Miller advised that at this time Johnston and Clive were still in and that DART would have to vote on this request. Council Member Grove asked when this list of improvements would be complete. Miller advised as many things are unknown at this time, he could not speak to question at this time. Council Member Patterson thanked Miller for coming and for the information provided. Council Member



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Patterson went on to say that he did have some concerns over the numbers, but did appreciate all the information given.

**C. Presentation from Kathy Schumacher regarding safety issues on 54<sup>th</sup> Avenue and 128<sup>th</sup> Street**

Kathy Schumacher of 910 29<sup>th</sup> Street, Des Moines, Iowa addressed the Council regarding safety issues at 54<sup>th</sup> Avenue and 128<sup>th</sup> Street (James Street). Schumacher advised that she worked for the Child Support Office at Brookside Drive and she had obtained the signatures of 70 people from this area. These signatures were provided to the Council. Mayor Armstrong thanked Schumacher for taking the time to bring this issue to the Council's attention. City Engineer, John Gade provided a copy of the City's Comprehensive Plan. (CIP) The CIP addresses this intersection as a controlled intersection in the future. John Gade advised that a controlled intersection could have three options: 1. Four way stop signs. 2. Standard traffic signal. 3. Round about. John Gade advised that a warrant study could be done on this area. John Gade advised that he was sure that traffic had increased in this area due to the growth and DOT may have done new traffic counts. Council Member Grove stated that he would like to see the traffic count numbers. Mayor Armstrong advised that if the stimulus package does go through some improvements would be made on James Street. Mayor Armstrong stated that if traffic numbers warrant a signal, the type of signal needed will have an effect on how quickly the intersection can be addressed. An example would be that stop signs could be in much quicker than traffic lights. Council Member Grove explained that although stop signs can be installed in a more timely manner, that there are many concerns with stop signs that need to be addressed thus necessitating the need for traffic counts before this decision can be made. Schumacher thanked the Council for their time in addressing this issue.

**D. Public Hearing on of proposed action to institute proceeding to enter into a loan agreement in a principal amount not to exceed \$360,431.38 to pay costs of constructing 2008 S. 11<sup>th</sup> Street.**

Mayor Armstrong opened the Public Hearing at 6:50 p.m. There being no one present to address council, nor any written communication, Mayor Armstrong closed the Public hearing at 6:51 p.m.

**E. Resolution 02-0309 providing for additional action on special assessment loan agreement**

Moved by Patterson, seconded by Long; Resolution 02-0309 providing for additional action on a special assessment loan agreement shall be approved.

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

**F. Public Hearing for Ordinance #571 Amending the Grimes Code of Ordinance Chapter 158 to provide for the Adoption of the State of Iowa §661 Iowa Administrative Code Chapter 504.**

Mayor Armstrong opened the Public Hearing at 6:51 p.m. There being no one present to address council, nor any written communication, Mayor Armstrong closed the Public hearing at 6:52 p.m.

**G. First Reading for Ordinance #571.**

Moved by Patterson, seconded by Altringer; the First Reading of Ordinance #571 shall be pass.

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

Moved by Grove, seconded by Patterson the Second and Third Readings for Ordinance #571 shall be waived.

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

Moved by Grove, seconded by Patterson; Ordinance #571 shall now pass.

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



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**H. Public Hearing for Ordinance #572 amending the Grimes Code of Ordinances Chapter 150 to provide for the adoption of a standard addressing system across the City of Grimes.**

Mayor Armstrong opened the Public Hearing at 6:53 p.m. There being no one present to address council, nor any written communication, Mayor Armstrong closed the Public hearing at 6:54 p.m.

**I. First Reading of Ordinance #572.**

Moved by Grove, seconded by Altringer; The First Reading of Ordinance #572 shall now pass.

Mayor Armstrong asked for any discussion. Council Member Patterson stated that he was really happy to be at this point and that no one was present to protest. He felt that this was a good product for Grimes.

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

**COUNCIL ACTIONS.**

**1. PUBLIC FORUM**

Brian Buethe, Executive Director of the Grimes Chamber of Commerce and Economic Development Director addressed the Council regarding the Comprehensive Plan Update Committee. Buethe advised that RFQ's have now been received regarding the updating of the Comprehensive Plan. The Comprehensive Plan Update Committee will review the RFQ's and a recommendation will be brought to the Council.

**IV.COUNCIL DISCUSSIONS.**

**Mayor's Report**

Mayor Armstrong had nothing new to report.

**City Attorney's Report**

Tom Henderson had nothing new to report.

**City Engineer's Report**

John Gade advised that he had met with the Park and Recreation Board regarding the trail options project. The one that needed Council attention tonight was the Cemetery trail, which had two options. After reviewing the options, the Council could not reach a consensus so they asked John Gade to come back at the next Council meeting. John Gade went on to say that the Des Moines MPO had met last week to discuss the NW Transportation Study. They had met with Larry Land of Polk County, Dave McKay of the City of Urbandale and David Wilverding of the City of Johnston to discuss what the MPO is going to do in regard to the NW Corridor Study. The MPO will investigate the following: Viability of a roadway between Grimes and Urbandale, roadway "classification" of NW 54<sup>th</sup>, roadway "classification" of Hwy 141 – possibility in 2030 of Hwy 141 going to 6 lanes and no interchange at Hwy 44, roadway "classification" of County Line Road (Hwy 6 to Hwy 44), Alice Road connection to Hwy 141 near Granger. The MPO is not going to investigate: 4-leg interchange (\$150 million) at Ryder Corner, roadway "classification" of S. James Street (NW 128<sup>th</sup>), roadway "classification" of NW 100<sup>th</sup> Avenue, Hwy 17 connection near Granger (Brenton Slough). John Gade advised the Council in the new future he would be giving some updates on Hwy. 44 project and will give some options on lighting the corridor.

**City Staff Report**

City Administrator Kelley Brown had nothing new to report.

**Old Business - none**



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**Recess Open Session**

Mayor Armstrong asked to recess the meeting and take a 5-minute break at 7:20 p.m.

**Reconvene Open Session**

Mayor Armstrong reconvened to open session at 7:40 p.m.

**Resolution 02-0409 providing for Closed Session Reference 21.5 1. (c.) to discuss potential matters in litigation.**

Mayor Armstrong asked for a motion to go into closed session at 7:40 p.m. Moved by Long, seconded by Patterson; Resolution 02-0409 providing for Closed Session Reference 21.5 1. (c) to discuss potential matters in litigation shall be approved.

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

**Rise from Closed Session**

Moved by Long, seconded by Grove; the Council shall rise from closed session at 8:30 p.m.

Roll call: Ayes. All Ayes: None. Motion passes: 4-0.

**Reconvene Open Session**

Moved by Long, seconded by Grove; the Council shall reconvene to open session.

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

**New Business**

None

**V. ADJOURNMENT**

Moved by Long, seconded by Grove: there being no further business, this meeting shall be adjourned at 8:32 p.m.

ATTEST:

\_\_\_\_\_  
Rochelle Williams, City Clerk

\_\_\_\_\_  
Tom Armstrong, Mayor