



101 North Hawkey, Grimes, Iowa 50111 515.986.3036 Fax 515.986.3846

CITY COUNCIL MEETING

Tuesday, April 14, 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, April 14, 2009 at 5:30 P.M. at the Grimes City Hall.

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

GENERAL AGENDA ITEMS.

APPROVAL OF THE AGENDA

Moved by Long, Seconded by Patterson ; the Agenda shall be approved with the moving of Public Agenda Items H: Award bid for concession and restroom facility at Grimes Sports Park Complex, and K. Task Order No. 38 for NW 54th Avenue to New Business.

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

APPROVAL OF CONSENT AGENDA

Minutes from the March 24, 2009 Council Meeting, Operations and Maintenance Agreement between the City of Grimes, Iowa and PeopleService, Inc., purchase of planters from Petersen Manufacturing in the amount of \$3,720, purchase of rake for tractor from Van Wall Equipment in the amount of \$880. (2010 Budget), purchase of John Deere mower from Van-Wall Equipment in the amount \$33,555 (2010 Budget) Storm Sewer Easement for Interstate Gateway Business Park, Surface Water Flowage Easement for Interstate Gateway Business Park, Urban Environmental Partnership Program, Sanitary Sewer Easement with Collective Investment Management Ltd, Storm Sewer and Overland Flowage Easement with Collective Investment Management Ltd., Water Main Easement with Collective Investment Management Ltd., Overland Flowage and Detention Easement with Collective Investment Management Ltd., Plat of Survey for CIM Inc., MidAmerican Energy Company Underground Electric Line and Gas Pipeline Easement, purchase of minivan from Bob Brown Chevrolet in the amount of \$12,182.99 for Grimes Park and Recreation (2010 Budget), Notice of Hearing and Invitation to Bid for 2009 HMA Overlay South James Street, order acknowledgement/settlement from Krueger BP #4 for tobacco violation, write-offs for utility bills and EMS, Request for approval from Funtastic Days Committee, Task Order No. 39 for S. James Paving Improvements Finance Report for March, Claims Report dated April 14, 2009 in the amount of \$271,804.06.

Moved by Long, Seconded by Patterson; the consent agenda shall be approved. Council Member Grove did want to add that he approved the consent agenda but was not in favor of the S. James Paving Improvements Project.

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

FIRE CHIEF REPORT

Fire Chief Krohse was present to give a summary on EMS calls for March.

PATROL REPORT

Ltd. Brian Johns of the Polk County Sheriff Department was present along with the new liaison officer for Grimes Ltd. Dave Knight. They addressed some concerns from the Council regarding some recent burglaries in Grimes. The officers urged residents who have concerns to call Polk County Sheriff Department dispatch. The non-emergency number is 286-3333.



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PUBLIC AGENDA ITEMS AND COUNCIL ACTIONS

A. Request for extension of time for work at 308 S. Main Street

Joyce Kern co-owner of the property at 308 S. Main Street was present to ask the Council for an extension of time to rehabilitate this property. The Council had held a Public Hearing on this property as nuisance abatement at the March 10, 2009 meeting. Along with Kern was Brenda O'Keefe of 903 S. James Street representing Steward Home Solutions who was assisting Kern with the rehabilitation of the property. O'Keefe advised that her company was working with the Kern on the property and that an extension of time was needed to rehabilitate the home. Mayor Armstrong asked O'Keefe if they were confident that the deficiencies would be able to be addressed and O'Keefe advised that she was confident that they could complete the project. O'Keefe asked the Council for an extension of 90 days but felt that they could finish the project sooner. O'Keefe advised that they were also working with Kern at another property she owned at 313 Jacob Street. Council Member Grove asked O'Keefe if she had a signed contract with Kern on the project and she advised that she had. Council Member Long asked O'Keefe the name of her organization and she said that she was BOK Enterprises and that some of the people who work with her are Steward Home Solutions. O'Keefe advised that they had rehabbed a house at 1655 Dean Avenue if the Council wished to see a property they had worked on. Mayor Armstrong advised that if the additional 90 days were granted that would take it to the end of July.

Moved by Long, Seconded by Evans; the owners of the property at 308 S. Main Street be given an extension of 90 days to bring the house up to code. Council Member Grove stated that he applauded the effort but that the original 90 days is up in 16 days and nothing had been done on the house until last week. Council Member Grove stated that he would be more in favor of extending it 30 days and having the owners report back on their progress. Council Member Grove went on to state that he felt the house was a hazard. Council Member Long felt that the City owns a building that also needs attention. Council Member Evans stated that she felt an attempt was being made. Mayor Armstrong asked City Attorney Fisk if the extension is granted would this effect the nuisance abatement timeframe. City Attorney Fisk advised that according to the City municipal ordinance the Council could make special provisions and they would not effect the nuisance abatement.

Roll Call: Ayes: Long, Evans, Patterson. Nays: Grove. Motion passes 3-1.

B. Approve Temporary Site Plan for Iowa Ready Mix

Jerry Oliver of Civil Engineering was present to represent a temporary site plan for Iowa Ready Mix. Tim Mallicoat and Marlo Gillette of Iowa Ready Mix were also present. Oliver stated that they had appeared before Planning and Zoning with the temporary site plan for improvements to the Iowa Ready Mix site. The plan improvements include landscaping and dust control. Oliver stated that this request is for a two year temporary site plan which includes the dedication of a 15 foot wide strip for right of way along 54th Avenue. This would accommodate the ultimate expansion of 54th Avenue. Oliver advised that the landscaping and dust control have been addressed and the Planning and Zoning have unanimously approved the site plan. City Engineer Gade stated that he had no issues with the plan. Council Member Long asked if the dust control would affect the adjacent car dealership. Oliver stated that he felt that issue had been addressed by the City and would be enforceable.

Moved by Patterson, Seconded by Long; the temporary site plan for Iowa Ready Mix shall be approved.

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

C. Public Hearing on Ordinance #575 Amending the Grimes Code of Ordinances Chapter 165.38 Site Plan to Amend the Expiration of Approval of Plans

Mayor Armstrong opened the Public Hearing at 5:55 p.m. There being no one present to address council, nor any written communication, Mayor Armstrong closed the Public Hearing at 5:55 p.m.



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D. First Reading of Ordinance #575 Amending the Grimes Code of Ordinances Chapter 165.38 Site Plan to Amend the Expiration of Approval of Plans

Moved by Evans, Seconded by Grove; the First Reading of Ordinance #575 amending the Grimes Code of Ordinance Chapter 165.38 site plan to amend the expiration of approval of plans shall be approved.

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

E. Public Hearing on Ordinance #574 Amending the Grimes Code of Ordinances Chapter 156.02 Building Code to Amend the Fence Regulations

Mayor Armstrong opened the Public Hearing at 5:58 p.m. There being no one present to address council, nor any written communication, Mayor Armstrong closed the Public Hearing at 5:58 p.m.

F. First Reading of Ordinance #574 Amending the Grimes Code of Ordinances Chapter 156.02 Building Code to Amend the Fence Regulations.

Moved by Patterson, Seconded by Evans; the First reading of Ordinance #574 amending the Grimes Code of Ordinances Chapter 156.02 building code to amend the fence regulations shall be approved.

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

Moved by Patterson, Seconded by Evans; the Second and Third readings shall be waived.

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

Moved by Patterson, Seconded by Evans; Ordinance #574 shall now pass.

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

G. Approve Out Door Alcohol License for Fat Boyz Saloon, 200 Gateway, Grimes, Iowa

Moved by Patterson, Seconded by Evans; the outdoor alcohol license for Fat Boyz Saloon at 200 Gateway Drive, Grimes, Iowa shall be approved,

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

I. Resolution 03-0509 Set a Date for the Public Hearing on the Development Agreement and Incremental Property Tax Payments with SLC Development Company, LLC for April 28, 2009.

Moved by Grove, seconded by Patterson; Resolution 03-0509 to set a date for the Public Hearing on the Development Agreement and Incremental Property Tax Payments with SLC Development Company, LLC for April 28, 2009, shall be approved.

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

J. Revised Preliminary Design for NW 54th Avenue

City Engineer John Gade advised that the Council had before them the 3 lane option for 54th Avenue, widening it from Hwy 141 to Gateway Drive. The Council had discussed at an earlier meeting what the cost would be to widen this area to 5 lanes. Gade state that the City had originally allotted 2.2 million for this project. The engineer's estimate for the 3 lane project would be 2.24 million and 5 lanes estimate would be 2.5 million. Dan Manning, with the Connolly Law Firm who was representing Grimes Asphalt Company was present. Manning asked if this project would ever be looked at to use HMA pavement and not just PCC. The Council stated that they would take this under advisement. The Council asked Gade about the possibility of bidding both the 3 lane and 5 lane options and various option of this. Council Member Grove stated that he did not see a benefit for a 5 lane road at this time. Council Member Patterson asked if it would be cost effective to put in the 5 lane at this time if the bid comes in low. Council Member Long stated that we needed to work within the CIP and that going with the 3 lane option would meet the needs at this time. Discussion was held regarding bidding the project as a 3 lane with the possible



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add on as a 5 lane or bidding as a 5 lane and then scaling back to 3 lanes. City Attorney Fisk was asked if this was something the City could do. City Attorney Fisk stated that he would take this under advisement and render an opinion. Mayor Armstrong stated that further discussion on this project would be taken into workshop.

L. Comprehensive Plan Committee Recommendation

Brian Bueche of the Grimes Chamber and Economic Development advised the Council that the Grimes Comprehensive Land-Use Plan Recommendation Committee had established a request for proposal to update the City's Comprehensive Plan. Ten proposals were received for review. After multiple meetings, the Committee narrowed the list down to three firms who were invited to interview. Bueche advised that after interviewing, the committee unanimously agreed to recommend RDG Planning and Design to update the City's Comprehensive Plan. Moved by Grove, Seconded by Patterson; City staff shall enter into negotiations to enter into a contract with RDG. Roll Call: Ayes: All Nays: None Motion passes 4-0.

G. PUBLIC FORUM

John Lanurini, 717 S. 3rd Street addressed the Council regarding erosion issues by his property. He also addressed parking issues along 5th Street. Mayor Armstrong advised that City staff would look at these issues.

Quintin Fideler of 613 S. Ewing Street advised the Council that he lives near the basketball courts and have had issues with the courts being used late in the evenings and that the light have been left on. The Council advised that the park closes at 10:00 p.m. and if there are people still in the park Fideler should call the Polk County Sheriff's department. Other options to monitor or control the lighting will be reviewed.

COUNCIL DISCUSSIONS.

1. Mayor's Report

Mayor Armstrong advised that he had attended an Emergency Management meeting earlier in the day.

2. City Attorney's Report

City Attorney Fisk had nothing new to report

3. City Engineer's Report

City Engineer Gade stated that the Department of Transportation has received the paperwork for the South James Street Project. He stated that several easements will need to be obtained.

4. City Staff Report

City Administrator, Kelley Brown had nothing new to report.

5. Old Business

Council Member Grove asked about some landscaping being done on South 19th and need for some possible signage.



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Mayor Armstrong advised that the Council would take a recess at this time 6:40 p.m. and then went into workshop.

Altringer arrives at 6:55 p.m.

Reconvene Open Session after Council workshop.

6. New Business

H. Award of Bid for Concession and Restroom facility at Grimes Sports Park Complex.

Moved by Grove, Seconded by Long; all bids shall be rejected for the concession and restroom facility at Grimes Sports Park Complex and other options may be considered.

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

K. Task Order No. 38 for NW 54 Avenue Improvements

Moved by Grove, Seconded by Patterson; Task Order No. 38 with the improvement 5 lanes for the first 800 ft beginning at Hwy 141 and then 3 lanes for the first half mile shall be approved. Evans stated that she and Patterson understood the financial situation of the City but still felt strongly about the 5 lines.

Council consensus to add an alternate bid for HMA paving.

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

ADJOURNMENT

Moved by Long, Seconded by Altringer; there being no further business, this meeting shall be adjourned at 8:30 p.m.

ATTEST:

Rochelle Williams, City Clerk

Tom Armstrong, Mayor