

**CITY COUNCIL MEETING**  
Tuesday, February 12, 2013  
**Grimes City Hall 5:30 P.M.**

The regular meeting of the Grimes City Council was called to order by Mayor Armstrong on Tuesday, February 12, 2013 at 5:30 P.M. at the Grimes City Hall.

Pledge of Allegiance was led by Alex Schilling of Troop 92.

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

**GENERAL AGENDA ITEMS.**  
**APPROVAL OF THE AGENDA**

Mayor Armstrong asked at the request of Council person Altringer that Item J. Agreement between the City of Grimes and BRAVO Greater Des Moines, Inc. be moved to Council Actions.

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

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

**Approval of the Consent Agenda**

A. Minutes from the January 22, 2013 Meetings (*minutes from regular and workshop meeting*) B. Halvorson-Trane for \$4,420.61 (*servicing #3 grit building and #5 digester make-up air units at the digester building*) C. Russelectric for \$3,006.96 (*well field generator transfer switch repairs as would not work during loss of power or holding programming*) D. Operations and Maintenance Agreement Renewal between the City of Grimes and PeopleService, Inc. (*this is an agreement for a monthly compensation for operations and maintenance of our water and wastewater*) E. State of Iowa Cigarette and Tobacco Permit for Dollar General #7305 from 2/12/13 – 6/30/13 (*business must apply for a cigarette and tobacco permit from the City, these licenses run from July 1 – June 30<sup>th</sup> and must be renewed annually*) F. Municipal Supply Inc.- compound water meters 2” for Hubbell Apt. - \$4,095(*water meters for Hubbell Apt. on S.E. 11<sup>th</sup> Street*) G. Food Depot Bar & Grill Alcohol License, 3000 SE Grimes Blvd Ste 200- Class C Liquor License with Sunday Sales with Class B Wine Permit (*carryout wine*) (*a business must have approval from the City where the business is located in order to obtain a liquor license. This license will cover both the Food Depot and the Food Depot Bar and Grill*) H. Resolution 02-0113 Certification for Collection of Unpaid Water Service Fees to the Polk County Treasurer (*customer asked to have this lien placed on the property and collected in the same manner as taxes over a 10 year time frame for repairs to stopbox and water line*) I. Resolution 02-0313 to Appoint a Representative and Alternate Representative to the Polk County Emergency Management Commission (*representatives from the City who are appointed annually by Council – 2013 primary – Chief Krohse, alternate – Deputy Chief – Schipper*) J. (moved to Council Actions K. Claims - TABLE (*these are vendors who have billed the City for goods and services along with payroll and refunds that must be approved by Council*) dated February 12, 2013 in the amount of \$266,737.32

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

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

### **FIRE CHIEF REPORT**

Chief Krohse stated he had nothing new to report but had provided information to the Council on the new hires.

### **PATROL REPORT**

Deputy Ballinger advised that he would make a monthly report available for the Council. He advised that he was monitoring the intersection of SE 37<sup>th</sup> and South James Street and would continue monitoring this area.

### **PUBLIC AGENDA ITEMS Council may consider and potentially act on the following Public Agenda Items.**

A. Public Hearing and Award of Contract for the Grimes SE Main Street Sanitary Sewer CIPP Lining. Mayor Armstrong opened the Public Hearing at 5:37 pm. There being no written or oral comments the hearing was closed at 5:37 pm.

City Engineer Gade stated that they took bids for the sanitary sewer CIPP Lining for SE Main Street. He advised that this is a cured in place pipe that is a trenchless technology that is used to line the old clay 8-inch sanitary sewer pipes in this area. Gade advised that five bids were received on the project with a low bid of \$89,962.50 from Spray Com Utilities, Inc. of Knob Knoster, Missouri. He advised that Fox has worked with this company before and hoped for completion of this part of the project by the end of April. Gade added that if there is additional money available the Council may want to consider adding SE 4<sup>th</sup> and 5<sup>th</sup> Street to this project which would increase this bid by around \$18,000.

Moved by Patterson, Seconded by Shatava; the low bid of \$89,962.50 to Spray Com Utilities, Inc. for the Grimes SE Main Street Sanitary Sewer CIPP Lining shall be approved.

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

### **B. Public Hearing and Award of Contract for the 2012 Watermain Improvements**

Mayor Armstrong opened the Public Hearing at 5:40 pm. There being no written or oral comments the Public Hearing was closed at 5:40 pm.

City Engineer Gade advised that this project has been on the City's Capital Improvement Project list for some time. He stated that this contract consists of installing new 6' and 8" water mains to replace 4" or 6" water mains that have been identified that need to be replaced. Gade stated that the bid was broke out into three divisions for different areas of town. He stated that he recommended award of the base bid and two alternate bids to Synergy Contracting in the total amount of \$576,112.36.

Moved by Patterson, Seconded by Evans; all three bids to Synergy Contracting in the amount of \$576,112.36 shall be approved.

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

### **C. Silkwood Meadows Preliminary Plat 1**

Chad Billings of Engineering Resource Group, 2413 Grand Avenue, Des Moines addressed the Council. He stated that this plat consists of 30 single family lots located between Jase Landing Plat 1 to the south and North Point Plat 2 to the north. City Engineer Gade added that the park land dedication had already been handled in the original North Pointe Development. He added there would also be a sidewalk extension on Lot 27 on south side so when development starts to the west this will help with pedestrians. Gade stated that Planning and Zoning did approve this plat.

Moved by Evans, Seconded by Patterson; the Silkwood Meadows Preliminary Plat 1 subject to Fox Engineering letter shall be approved.

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

#### D. Autumn Park Preliminary Plat 2

Dean Roghair of Civil Design Advantage, 3405 SE Crossroads Drive Suite G, Grimes addressed the Council on behalf of the applicant, Grimes Lots, LLC. He stated this plat consists of 12.2 acres with 39 single family lots and that the site has been prepared in accordance with the original preliminary plan. Roghair stated that two construction turnarounds are on this plat until the road is extended in the future. He added that the outlet area would be deeded to the City for a park. City Engineer Gade stated that the developer is meeting all the stormwater requirements and the Planning and Zoning Board recommended approval of this plat. Gade did advised that in the past the bike trail in this area was 8 ft wide but that urban designs now have 10 ft wide trails. The Council agreed to the developer placing 8 ft wide and the City paying for the overage to 10 feet wide

Moved by Patterson, Seconded by Evans; the Autumn Park Preliminary Plat 2 subject to Fox Engineering letter dated January 31, 2013 shall be approved.

Roll Call: Ayes: Patterson, Evans, Altringer, Shatava. Nays: None. Abstained: Tapper. Motion passes: 4 to 0.

### **PUBLIC FORUM**

No one was present to address the Council.

### **COUNCIL ACTIONS**

(Moved from consent agenda)

#### **J. Agreement Between The City of Grimes and BRAVO Greater Des Moines, Inc.**

Council Member Altringer stated that she liked to see community agreements not placed on the consent agenda so had asked to have it moved to Council actions. Mayor Armstrong stated that BRAVO brings betterment and fine art grants to the metro area. He added that to become a member we would use 2/7 of our hotel/motel tax money.

Mayor Armstrong stated that currently we have 2/7 of our hotel/motel money to the Convention and Visitors Bureau and at the end of this agreement we would have an additional 2/7 going to BRAVO. He added that we would buy in over a 4 year time frame with this year we would pay in \$2,500 to become immediate members and then additional years would add to that. Mayor Armstrong stated that we could apply for grants once we make the initial payments. He added that we would have one board member on BRAVO.

Moved by Tapper, Seconded by Patterson to postpone the decision until the budget is finalized.

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

### **1. Mayor's Report**

Mayor Armstrong read a statement to the Council regarding his feelings on renovation of the Governors District or SE Main Street. He stated that it has been a hard decision for him trying to decide what the right thing was to do. Mayor Armstrong advised that he felt that is was in the best interest of the residents of the City of Grimes to have property owners along the SE Main Street project should pay at least a minimum portion of this project. He went on to say this seemed reasonable to him that they pay for their new water and sewer services as well as replacement of the sidewalk adjacent to their property. Mayor

Armstrong stated that this would be consentient with any other property or event where services or sidewalk need to be replaced. He stated that the City Council earlier today approved placing an assessment on a property less than 100 feet from the end of this project for new water service in the amount of \$3,406.25. He added that he has spent the last several days discussing this with most of the affected business and property owners along SE Main Street and explained to them why he feels they should be responsible for this portion of the project. He added that almost everyone understood what he was saying even if they didn't want to have to pay their respective share and he said that some even said that free was always better, but they understood. Mayor Armstrong stated that he has received correspondence from some and verbal commitment from several of the directly affected business owners that they would be in agreement to be assessed for this project. He stated he questioned in the end how best to move forward. Mayor Armstrong stated that he was hoping there would be a change of heart and City Council would agree to assess for each property's new services at a minimum. He added that he understood that the situation is unique along SE Main Street and we do want to preserve what is of historical significance that may be remaining in this area. He added there have been nominal improvements by the City over the last 40 years and there are great plans for the revitalization of this area known as the Governors District. Mayor Armstrong stated that even so he believes that everyone should take some ownership in an investment in their future and the fairest way would be to ask for an assessment in the amount of approximately \$178,000. He stated this would be a nominal 6% amount given that this will be a 3.0 million dollar project. Mayor Armstrong stated that he had a few options at his disposal but at this point he did not want it said that he delayed progress or that because of his decision this project had to be extended into two construction seasons, or that he caused the demise of those businesses that are choosing to stay invested the future of the Governors District. Mayor Armstrong stated that since he believed that any further action on his part could delay the needed improvements he will not take any further action. He added that he hoped going forward that the City Council will continue to look at each situation on a case by case basis on the issue of assessment and use this valuable resource when it makes sense to do so. Mayor Armstrong stated that as the Mayor of Grimes it is his commitment to stay passionate about what he believes in and to serve the City to the best of his ability.

## **2. City Attorney's Report**

City Attorney Henderson had nothing new to report.

## **3. City Engineer's Report**

City Engineer Gade provided some lighting options for the Council to consider in the Governors District. The Council gave Gade some direction on lighting types they were interested in seeing bid by different distributors.

## **4. City Staff Report**

City Staff had nothing to report

## **5. Old Business**

## **6. New Business**

Council Member Patterson wanted the Council to know what a good job our House Representative Jake Highfill and Polk County Supervisor Bob Brownell are doing for Polk County as they represent us.

## **7. Recess Open Session**

Mayor Armstrong recessed open session at 6:50 pm.

## **8. Reconvene Open Session**

Mayor Armstrong reconvened open session at 6:57 pm.

**9. Resolution 02-0213 providing for Closed Session ref 21.5 1 c. Potential matters in litigation**

Moved by Tapper, Seconded by Evans to approve Resolution 02-0213 providing for closed session ref 21.5 1 c potential matters in litigation; shall be approved.

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

**10. Rise from Closed Session**

Moved by Tapper, Seconded by Evans, The City Council rises from closed session at 7:30 pm.

**11. Reconvene Open Session**

**12. Open Session – cont.**

**13. Resolution 02-0213 Settlement Resolution**

No action was needed.

**14. New Business – cont.**

Moved by Altringer, Seconded by Shatava; there being no further business, this meeting shall be adjourned at 7:30 p.m.

ATTEST:

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Rochelle Williams, City Clerk

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Thomas M. Armstrong, Mayor