

CITY COUNCIL MEETING
Tuesday, September 10, 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, September 10, 2013 at 5:38 P.M. at the Grimes City Hall. Pledge of Allegiance was led by Mayor Armstrong

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

GENERAL AGENDA ITEMS.
APPROVAL OF THE AGENDA

Moved by Patterson, Seconded by Tapper; the agenda with the changes as requested by Mayor Armstrong shall be approved.

Roll Call: Ayes: All. Nays: None. Motion passes: 3 to 0.

Approval of the Consent Agenda

A. Minutes from the Meetings B. Ziegler Cat 5 Year Customer Support Agreement – Annually \$3,839.56
C. Pay Request #4 to Northern Escrow/Synergy Contracting LLC for the 2012 Grimes Water Program - \$86,311.67
E. Resolution 09-0113 Releasing Trail Easement (*Lots 8, 9 and Outlots 'E' and 'F' Chevalia Valley Plat 1, trail access is no longer needed*)
F. Change Order #2 for Absolute Concrete Inc. for the SE Main Street Improvement Project Increasing contract - \$3,167.40
G. Pay Request #4 to Absolute Concrete Construction for the SE Main Street Improvements in the Amount of \$165,096.15
H. Task Order No. 3364-13C Water Treatment Plant Expansion – Preliminary Design by Fox Engineering
I. Municipal Supply Inc. for Water Meters - \$5,465 (*approval needed for over \$2,500*)
J. Melvin Marsh – Lime Sludge Removal - \$44,990 (*approval needed for over \$2,500*)
K. Trail Easement through Bauman property
L. AECOM Technical Services, Inc. for the Northwest Transportation Corridor Feasibility Study \$15,324.91
M. Claims – dated September 10, 2013 in the amount of \$543,798.25

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

Roll Call: Ayes: All. Nays: None. Motion passes: 3 to 0.

5. Grimes Well Update

Steve Van Dyke, the Project Manager for Fox Engineering on the Jordan Well Project, was present to give an update on the drilling. He stated that Layne Christensen Well Company starting drilling on June 7th and up until July 12th things had gone along smoothly. Van Dyke stated that at that point they had the drill 1864 feet below ground level when one of the joints in the drill shaft broke and left it at the bottom of the hole. He added that the 150' of drill shaft weighed about 35 to 40 thousand pounds. Van Dyke stated that Layne Christensen has a lot of experience with these types of issues but have had difficulty with trying to remove the drill shaft. He stated that so far Layne has spent around \$700,000 of their money trying to get this drill shaft out with no success. Van Dyke advised that they were working on several other methods that have past proven effectiveness in trying to get the drill shaft out. He stated that once they are running again it would be 3 to 5 weeks to complete the drilling and to start to send water to the plant. Mayor Armstrong asked Van Dyke to review the methods that have been used to remove the

drill shaft. Van Dyke advised they have tried 305,500 lbs. of pull with no avail along with several other successful methods that have been used in the past. Mayor Armstrong asked how long will they try to remove the drill shaft before they abandon this site and start a new drill. Scott Bradenberg of Layne Christensen ran through what methods they were doing at this time which they were having some good luck with. Scott advised that prior to the drilling all the equipment had been tested by a specialist in the field who x-rayed all the equipment to make sure there are no cracks or loose joints in the equipment. Council Member Tapper asked if this new method didn't work would they start a second hole. He went on to ask if a new hole had been started on July 12th would they have been close to completion now. Bradenberg stated that each time they felt they were gaining. He added that they were running out of room on the current location and would have to plug the existing hole in order to drill a second hole. Bradenberg stated that he believed they would get it and they have had a good track record. Council Member Patterson thanked Bradenberg for the update. He stated there have been quite a few inquiries about the drilling. Council Member Patterson went on to state that it has been said that this all must have caught the City by surprise. He stated that the Council had been proactive by drilling the new well and it is just frustrating that there have been problems. Steve Troyer with Fox Engineering who is working on the ASR well (aquifer storage recovery) stated that the ASR has moved along well, but has been delayed by the drought and not wanting to use water to test the aquifer. Troyer stated that they are planning to have the ASR ready for the summer of 2015. Mayor Armstrong thanked all of them and asked to just keep them informed.

6. Fire Chief Report

Chief Krohse was unable to attend the meeting due to an EMS call.

7. Patrol Report

Polk County Deputy Miller was present. City Administrator Brown advised that a monthly report would be coming from the Polk County Sheriff's office.

Mike Grove of 606 SE Dolan Drive, Grimes, Chairperson of the Public Health and Safety Board was present to address the Council. He advised that the Board was interested in seeing if they could use the City of Johnston's mobile speed indicator. Grove clarified that this just shows vehicles how fast they are going on a street and is not enforcement. The other issue Grove stated that the Board had addressed was an issue brought forth by a resident who had a Japanese lantern land in their yard on the 4th of July. Grove advised that they are very concerned about these lanterns. He advised that Chief Krohse had conversations with the State Fire Marshall concerning these and encouraged the Council to have conversations with representatives to look at having this put into a bill for consideration that would outlaw them.

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

No items to address

PUBLIC FORUM

No one was present to address the Council

COUNCIL ACTIONS

A. Public Hearing on the Request from Kennybrook Townhomes for a Rezone from R-3 High Multiple Family District to R-4 Planned Residential Development District

Mayor Armstrong opened the Public Hearing at 6:00 pm. Bob Gibson of Civil Design Advantage, 3405 SE Crossroads Drive, Suite G, Grimes, Iowa addressed the Council on behalf of Hubbell Homes. He advised that this is located southeast of Kennybrooke Village and consists of 10.91 acres currently zoned R-3. Gibson stated that due to market demand Hubbell is requesting to have the areas rezoned to R-4

Planned Residential Development District in order to allow for detached single family townhomes to be built.

Alan Anderson of 311 SW Creekside Court, Grimes, IA stated that he felt this was a much better plan than the original; however, he is concerned about the lack of off-street parking. He added that when they purchased their house a plan was in place for further development. Anderson stated with the change in parking, he objected to the plan.

There being no further written or oral comments Mayor Armstrong closed the hearing at 6:08 pm.

B. First Reading of Ordinance #619 Amending the Grimes Official Zoning Map, Pursuant to the Code of Ordinances Section 165.05 By Changing The Zoning Property Known As Kennybrook Estates Townhomes Consisting of 10.91 Acres Currently Zoned R-3 High Multiple Family Districts Requesting To Be Rezoned R-4 Planned Residential Development District To Single Family Townhomes

Mitch Holtz of Fox Engineering stated that the next step will be the PUD. Gibson stated that the only further work out there would be the abandonment of seven sets of services due to the change.

Joe Pietruszynski of Hubbell Homes addressed the Council. He stated that this plan was reducing the overall density of the area and adding parking was not that easy in a development. Pietruszynski stated that they were not the original developer in this instance but had bought the lots from the bank. He stated that he respected the comments made but felt that the parking is adequate. Pietruszynski went on to state that he understands that everyone wants more parking and he respects that. Council Member Altringer stated that if the rezone wasn't done the parking would not change. She asked about on-street parking. Gibson stated that they were 24 ft wide streets and private streets so on-street parking could be allowed but could be an issue for emergency vehicles. Council Member Patterson asked that if there was a way to work through the parking issue he would appreciate it as this development moves forward.

Moved by Patterson, Seconded by Tapper; the First Reading of Ordinance #169 amending the Grimes official zoning map, pursuant to the Code of Ordinances section 165.05 by changing the zoning property known as Kennybrook Estates Townhomes consisting of 10.91 acres currently zoned R-3 High Multiple Family Districts requesting to be rezoned R-4 Planned Residential Development District to Single Family Townhomes shall be approved.

Roll Call: Ayes: All. Nays: None. Motion passes: 3 to 0.

C. Burger King – Site Plan

Gen Hunter of HLW Engineering, 203 West Broad Street, Story City, Iowa was present to address the Council on behalf of Mien Inc., the developer. He stated that this was a restaurant that would be built in front of Walmart. Hunter stated that the building would be 2700 square feet and would seat 60-62 and employ around 44 people. He provided a drawing of the exterior of the building and stated that this is the new design that Burger King went to in 2011 and they call it their Rock 60 building. Mitch Holtz of Fox Engineering reviewed the site plan of the building. Hunter stated that 14% of building would be brick, 9.7% glass, 22% Hardy Plant and 53 ½ % EFIS (exterior insulation finishing system). Holtz advised that during the Planning and Zoning meeting John Gade of Fox Engineering brought up that the EFIS material was higher than Zone 1 allowed along Hwy 44 and Hwy 141. After considerable discussion Council Member Patterson stated that he was very excited about Burger King coming to Grimes but would like to adhere to the Zone 1 requirements. He added that there were three more lots in this area so he wanted to stay with the zoning requirements. Mayor Armstrong stated that he too was very excited about Burger Kings coming to Grimes but wished to keep the integrity of the zones in place. Mayor Armstrong advised that this would need to go back to Planning and Zoning with a revised building materials plan appearance. Moved by Tapper, Seconded by Patterson; the Burger King site plan shall be referred back to the Planning and Zoning Commission to specifically to address the percentage and brick concerns that were discussed. Council Member Patterson again conveyed that he was excited about this project.

Roll Call: Ayes: All. Nays: None. Motion passes: 3 to 0.

D. Canoyer Greenhouse – Site Plan

Shane Devick of Civil Engineering Consultants at 2400 86th Street #12, Urbandale, Iowa along with one of the owners; Kyle Canoyer, were present to address the Council. Devick advised that the site was located on the west side of Hwy 141 in the Interstate Business Park by Composite One. Canoyer reviewed the architecture of the building. He stated that this is a European design and that all plant materials will be inside the building giving it a clean look. Canoyer advised that there would be large gift shop within the building. He stated that this is a family business and this would be their third location. He added this would be a state of the art building and would be very similar to their facility which is located in Papillion, Nebraska. Canoyer reviewed the building materials. He stated they anticipate having 25-30 employees.

Moved by Altringer, Seconded by Tapper; the Canoyer Greenhouse Site Plan shall be approved subject to the conditions noted in the Fox Engineering letter dated August 28, 2013.

Roll Call: Ayes: All. Nays: None. Motion passes: 3 to 0.

E. Prairie Business Park Site Plan

Greg Cabalka of Kirkham Michael, 11021 Aurora Avenue, Des Moines, Iowa 50322, addressed the Council on behalf of R& R Realty. Steve Gaer of R&R Realty was also present. Cabalka advised that this site plat was phase 1 and consisted of a 120,000 square foot warehouse which would be a 40 acre site located at the SE corner of S James and SE 37th Street in Grimes. He advised that this warehouse would have the same style and appearance as a recent warehouse project they competed at 114th and Meredith in Urbandale and reviewed the building materials. Cabalka addressed their use of trees for screening of the back part of the building where the dumpsters are located. Mitch Holtz addressed the screening and advised that it would be Council decision to allow the trees for screening. Council Member Tapper reviewed where phase 2, 3, 4 buildings would be located and how the screening would be affected. Council Member Patterson wanted to remind the owners that at some point South James Street would have two lanes added to it and that some of this cost would be assessed to the property owners and he wanted to be sure they were aware this would be coming at some point. Cabalka advised that the owners were aware.

Council Member Tapper addressed that he was still concerned over the screening for future buildings. Cabalka advised that R& R would address those concerns when they were in the next phase if they are needed. Gaer stated that they would be happy to have the conversation about the screening when the next phases are built. Council Member Tapper said that he did like the trees for screening but did have a concern of the one of the views. Gaer stated that R& R Realty is very concerned with the look of their buildings or they are unable to rent them

Moved by Tapper, Seconded by Patterson; the Prairie Business Park Site Plan shall be approved subject to the conditions noted in the Fox Engineering letter dated August 28, 2013.

F. Autumn Park Final Plat 3

Erin Ollendike, Civil Design Advantage, 3405 SE Crossroads Drive, Suite G, Grimes addressed the Council on behalf of Grimes Lots LLC. Ollendike stated that Plat 3 consists of approximately 28 acres and will have 57 single family lots. Mitch Holtz advised there had been no further changes to the plat since the preliminary.

Moved by Patterson, Seconded by Altringer; Autumn Park Final Plat 3 shall be approved subject to the conditions noted in the FOX Engineering letter dated August 28, 2013.

Roll Call: Ayes: All. Nays: None. Motion passes: 3 to 0.

G. Agreement with Waste Connections

Mayor Armstrong advised that at the last Council meeting this agreement had been reviewed but not approved due to some concerns. He stated that the agreement has now been reviewed. Council Patterson stated that his main goal has always been to have unlimited garbage and in order to continue that he

understood that the workers comp issues were dictating that most companies offer trash containers that would be provided to residents by Waste Connections. It was an added value that Waste Connections would continue to allow unlimited garbage after the original 96 gallon container is full. Council Member Altringer thanked the other Council Members for their willingness to work with her through a conference call last week. She appreciated the chance to take another look at the agreement to be sure that there continued to be unlimited service. Council Member Altringer also appreciated Waste Connections willingness to work with them.

Moved by Altringer, Seconded by Patterson; the agreement with Waste Connections shall be approved. Council Member Patterson wanted to make sure that we get the word out to the residents and explain the agreement. Mayor Armstrong wanted to be sure that residents knew that the trash containers would be coming soon so they were not purchasing new containers

Roll Call: Ayes: All. Nays: None. Motion passes: 3 to 0.

H. Brooke Ridge LLC Development Agreement

City Administrator Brown stated that this agreement was on the last agenda but had been pulled to make some clarifications in the agreement. She advised that the conditions in this agreement had already been approved in principal by the Council and was now up for official approval.

Moved by Patterson, Seconded by Tapper; the Brook Ridge LLC Development Agreement shall be approved.

Roll Call: Ayes: All. Nays: None. Motion passes: 3 to 0.

I. Xenia Rural Water Agreement

Mayor Armstrong stated that this agreement is for a water connection with Xenia which has already been approved by the Xenia Board. He went on to state that this water connection should be able to be made in a week. City Administrator Brown advised that Xenia will be able to supply us with up to 400 gallons per minute per the agreement but could supply up to 1000 GPM. She added that Xenia has worked out an agreement with Des Moines Water Works that there will not be any surcharges or penalties if we go over this limit for one year, from this agreement. She added that Des Moines Water Works has also come out with a request to their users to stop all irrigation due to the hardship on all the water systems. Brown stated that they are all working together through this situation. She stated that one of the Grimes shallow wells may be at risk and Des Moines Water Works has stated that they will step up to insure that water is available for citizens. Brown stated that even though we have no way of knowing what will happen with the shallow well, which provides 400 gallons per minute, the Xenia connection will allow us to maintain what we currently have. She added that it also allows us to purchase more water if wanted. Brown stated that the cost of the connection would be \$64,000 but there could be some additional overtime costs in addition to this to allow it to be done in a short amount of time. She added that there is a potential that we don't need this water, but it will be there. Council Member Patterson stated that he liked this idea of just having the connection. Mayor Armstrong added that he too appreciated that Xenia Water was able to step up and help us.

Moved by Tapper, Seconded by Altringer; the Xenia Rural Water Agreement shall be approved.

Roll Call: Ayes: All. Nays: None. Motion passes: 3 to 0.

COUNCIL DISCUSSIONS

1. Mayor's Report

Nothing new to report

2. City Attorney's Report

City Administrator Brown reviewed how the residents of Grimes were informed that Stage 2 of the water restriction was in effect. Brown had received comments from residents that they feel that they had been targeted due to having green lawns with a letter left in doors from the City about Stage 2. She stated that

was not their intent, they were just trying to get the word out to all residents. City Attorney Henderson stated that this was just a way to get the word out to all residents and was not to target anyone, just making them aware. Henderson continued that this was a reasonable process and was not illegal.

3. City Engineer's Report

Mitch Holtz updated the Council on the work on SE Main Street.

4. City Staff Report

No Report

5. Old Business

6. New Business

ADJOURNMENT

Moved by Altringer, Seconded by Tapper; there being no further business, the meeting shall be adjourned at 7:25 pm.

Roll Call: Ayes: All. Nays: None. Motion passes: 3 to 0.

ATTEST:

Rochelle Williams, City Clerk

Thomas M. Armstrong, Mayor