Appendix L

Storm Water Utility Fee Ordinance amendment

Contents:

a) 2013 03 13 Council meeting minutes showing the amendment passed the second reading (6 pages).

b)

Appendix L

CITY COUNCIL MEETING
Tuesday, March 13, 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, March 13, 2013 at 5:30 P.M. at the Grimes City Hall.

Pledge of Allegiance was led by Mayor Armstrong

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

GENERAL AGENDA ITEMS.
APPROVAL OF THE AGENDA

Moved by Evans, Seconded by Altringer; 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 Meetings *(the Council is required to approve minutes from the previous meeting)*
B.Kickback Café, LLC, 213 SE Main Street – New Class C Liquor License –Sunday sales *(City Council must approve all liquor licenses prior to the state issuing a license)*
C. Resolution #03-0113 Amending Final Schedule of Assessment for the 2006 South 19th Street Paving Project (*this property was ag-deferred at the time of the assessment and developer Hubbell is asking to have the assessment removed and paid through a developers agreement*)
D. Amending date for hearing from McClure Engineering on behalf of owner, Prairie Development & Building LLC for Rezone of Outlot "Y" North Pointe Plat 1 to refer to Planning and Zoning on April 2, 2013 and City Council on April 9, 2013 (*this is a zoning request which must be approved by Council to forward on to Planning and Zoning for review, a date change was needed)*
*E.*Approval of Plans and Specifications and Set a Bid Date of April 3, 2013 and Public Hearing and Award of Contract for April 9, 2013 for the SE Main Street Improvements
F. AmericInn of Grimes – Renewal of Special Class C Liquor License with Sunday Sales *(City Council must approve all liquor licenses prior to the state issuing a license)*
G. Claims date 3/12/2013 in the amount of $346,810.35 – (these *are vendors who have billed the City for goods and services along with payroll and refunds that must be approved by Council)*

Moved by Shatava, Seconded by Evans; the consent agenda shall be approved.
Roll Call: Ayes: All. Nays: None. Motion passes: 4 to 0.

Feb-13

	Beg Balance	Receipts	Expenses	Ending Balance
General Fund	3,890,187.66	100,628.70	287,756.16	3,703,110.20
Special Revenue Fund	1,477,273.49	70,021.59	3,088.16	1,544,206.92
Debt Service	2,337,276.03	0.03	0.00	2,337,276.06
Capital Improvements	5,128,689.73	2,507.00	100,492.19	5,030,704.54
Enterprise Fund	4,072,756.35	332,358.78	142,180.44	4,262,934.69
Total	16,906,183.26	505,516.10	533,516.95	16,878,232.41

PATROL REPORT

Deputy Ballinger from the Polk County Sheriff's Department was present to update the Council. He stated that our new Chief of Patrol officer for Grimes was Chief Rick Snyder. Deputy Ballinger stated that for the time frame of Feb. 13 through today they had received 238 calls, 156 traffic stops for a total of 395 contacts and from those there were 62 cases made.

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

A. Approve Route for 5K Run on April 5, 2013 and City participation for barricades and cones ***(5K run to raise money for Above and Beyond Cancer)***

Dorothy Meltesen, 11650 NW Timberridge Lane, Grime Iowa addressed the Council regarding a request to have 5K charity run for Above and Beyond Cancer that will take place on April 6, 2013 from 9 am to noon. She added that they were requesting a street closure from 28th Street and Gateway Drive to 37th Street along with some barricades and cones. City Administrator Brown stated that they had received word from one trucking business in the area that moved trucks in this area 7 days a week. Tom Meltesen of 11650 NW Timberridge Lane, Grimes Iowa addresses the Council and advised that he had spoken to businesses in the area and they would allow trucks through during the run. Council Member Shatava asked if a volunteer could watch the barricaded area and allow trucks through as needed safely. Meltesen said that they would have a volunteer to watch the barricaded area.

Moved by Evans, Seconded by Shatava; the charity 5K Run for Above and Beyond Cancer on April 6, 2013 shall be approved.

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

B. Public Hearing for $1,100,000 General Obligation Refunding Bonds, Series 2013

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

Council Member Patterson arrives at 5:41 pm.

C. Resolution 03-0213 Taking Additional Action To Enter Into A Loan Agreement and Approve Bond Purchase Agreement

Travis Squires of Piper Jaffray was present regarding the loan agreement and bond purchase. He reviewed the bonds along with who the investors were for the bond.

Moved by Tapper, Seconded by Evans; Resolution 03-0213 taking additional action to enter into a loan agreement and approve the bond purchase agreement shall be approved.

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

D Public Hearing and Action on Amendment of Current City Budget *(a Public Hearing and action by Council is required for an amendment to the current budget)*
Mayor Armstrong opened the Public Hearing on the amendment of the current City budget at 5:45 pm. There being no oral or written comment the Hearing was closed at 5:45 pm.
City Administrator Brown stated that the major increases in debt service or financing resources account for the refinancing of the 2003 bond issue to a lower interest rate. She stated that other increase in revenue is due to the increase in housing thus the increase in building permit fees and development revenue. Brown added that general government increases are due to increase in legal fees and special projects. Brown added that this does not change the tax rate.
Moved by Patterson, Seconded by Shatava; the amendment of the current city budget shall be approved.
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

E. Public Hearing and Action on Budget Estimate for Fiscal Year July 1, 2013-June 30, 2014 *(Public Hearing and Action by Council is required for new fiscal year budget estimate)*
Mayor Armstrong opened the Public Hearing at 5:46 pm. Mayor Armstrong stated that the tax rate would stay at $12.91. City Administrator Brown stated that we are running a balanced budget with an 81% ending fund balance to revenue so the Council is using around $100,000 of that balance to increase services.
Moved by Patterson, Seconded by Tapper; the budget estimate for fiscal year July 1, 2013-June 30, 2014 shall be approved. Council Member Patterson stated that he felt the Council had done a good job of working together and a good job of meeting the needs of a growing community while holding the line, so he supported the new budget.
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

F Public Hearing and First Reading on Ordinance # 612 Adding Chapter 89 Water Source Protection to the Code of Ordinance of the City of Grimes, Iowa, 2013, by setting provisions pertaining to separation distances from wells. (*the City is drilling a new well and this will provide for separation distances from wells as contained in Iowa Administrative Code Section 567 Chapter 43 Table A. shall apply to existing city water supply wells and new water supply wells) (request to move Ordinance along)*
Mayor Armstrong opened up the Public Hearing at 5:50 pm. There being no oral or written communication, the Public Hearing was closed at 5:50 pm.
Moved by Patterson, Seconded by Evans; the First Reading of Ordinance #612 Adding Chapter 89 Water Source Protection to the Code of Ordinance of the City of Grimes, Iowa 2013 by setting provisions pertaining to separation distances from wells shall be approved.
Mayor Armstrong asked that since this is such an important issue and things needed to continue to move along with the well, he asked that they consider waiving the 2nd and 3rd readings and moving it on for passage.
Moved by Shatava, Seconded by Tapper; the 2nd and 3rd Reading shall be waived on Ordinance #612.
Roll Call: Ayes: All Nays: None. Motion passes: 5-0
Moved by Patterson, Seconded by Evans; Ordinance #612 shall now receive Final Passage.
Roll Call: Ayes: All Nays: None Motion passes: 5-0
Council Member Patterson added that he wanted the residents to know that normally they would not move an ordinance through this quickly but it was important with the water issues that are being faced.

G. Second Reading of the Amended Storm Water Ordinance # 611 (*this ordinance is being amended to delete the provision that provides that all government owned properties are exempt from Storm Water fees and further defines ag-properties as those that are in row crop or animal production and have less than 500 S.F. of impervious surface*)

Moved by Patterson Seconded by Evans; the Second Reading of the Amended Storm Water Ordinance #611shall be approved.
Roll Call: Ayes: Shatava, Evans, Patterson. Nays: Tapper. Abstained: Altringer

H. Crossroads Business Park Preliminary Plat 5 (*request for cul-de-sac approximately 1,000 ft long from Stone Brooke intersection on Miehe Drive)*
Emily Harding of Civil Design Advantage, 3405 SE Crossroads Drive Suite G, Grimes, Iowa addressed the Council on behalf of Premier Development LLC. Harding stated that this plat consists of 7 commercial lots, M-2 light industrial zoning with a total of 13.77 acres. She stated that this proposal has Miehe Drive ending in a cul-de-sac rather than continuing on north. City Engineer Gade added that he felt that having Miehe Drive ending in a cul-de-sac would not hinder development to the north. Gade added that Planning and Zoning did review this plat and did approve it. Mayor Armstrong asked about access to lots 3 and 4. Gade advised that they would have a common driveway and would be marketed to one large user. Council Member Altringer asked for more clarification on why not to have Miehe Drive be a through street. Gade stated that in the land use plan has Destination Road identified as a major collector, so the plan was always to make it a through street. He stated that due to the topography and the terrain the cul-de-sac was proposed and they do not desire a through street in this area. Gade added that these lots may be marketed differently, maybe more commercial than other lots which are marketed as industrial in this area. He stated this would make not having this street go through in this area make sense.
Moved by Patterson, Seconded by Evans; Crossroads Business Park Preliminary Plat 5 shall be approved subject to Fox Engineering letter dated February 28, 2013.
Roll Call: Ayes: All Nays: None. Motion passes: 5 to 0.

I. Toyota of Des Moines Site Plan (*expansion to Des Moines Import site*)
Gene Gabus, 4410 Merle Hay Road, Des Moines, Iowa President of Toyota of Des Moines and Des Moines Imports was present regarding a building expansion request to the current Des Moines Imports site. Gabus stated it is their goal to move Suzuki, Kia, Mitsubishi Motors and Saab products out of the Grimes location and make this location exclusive to Toyota and Scion only. He stated that Toyota Compay requires certain space requirement for their products and these requirements can be met by expansion of the existing Grimes location. Gabus stated it is his intent to make the service department twice as big as the existing building. David Bentz of Bishop Engineering, 3501 104th Street, Des Moines, Iowa addressed the board stating this addition would add approximately 18,000 square feet to the existing building as well as adding a minor body shop which will be a 7,000 square feet structure located at the south end of the project. He added that the body shop, although still part of the larger site, will be constructed 600 feet back from Hwy 141 as required in City Code 165A architectural requirements along Hwy 141 corridor. Dennis Hansen, Environmental Design Group, 6601 Westown Parkway Suite 2, West Des Moines, Iowa reviewed the construction materials on the project. Bentz stated that while trees and landscaping are usually required on a project like this they were asking for the requirement to be waived as trees with a car lot did not work well together. Council Member Patterson thanked Mr. Gabus for bringing this exciting project to Grimes.
Moved by Patterson, Seconded by Tapper; the Toyota of Des Moines Site Plan along with the waiver of landscape requirement shall be approved subject to Fox Engineering letter dated February 28, 2013.
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.
Mayor Armstrong thanked Mr. Gabus for bringing this project to Grimes. Mr. Gabus stated this was the largest Toyota dealership in 38 states.

PUBLIC FORUM

Polk County Supervisor for Grimes; Robert Brownell, was present to address the Council. Mr. Brownell stated that his policy was to come to a Council meeting once a quarter or more. He said that he learned a lot about a community by coming to Council meeting. He stated that he was a former Council member in Clive and former Mayor before being elected to the County Supervisors. Mr. Brownell congratulated Grimes on having the Toyota dealership come to Grimes. He stated that when he visits he will give us updates on what is going on in the county. Mr. Brownell added that they had opened the meal site in Grimes and that has gone very well. He stated that his point of contact will be City Administrator Brown and Mayor Armstrong but that if anyone had a concern to get ahold of him and he would try to get right back to them. Mr. Brownell stated they just finished their budget process and added .13 to property taxes as a result of the water and legacy bond, conservation bond that was up for election last November and passed. He added that on the median house in Polk County of $137,000 that would add $9 to their tax bill. He stated that they are watching the Governor's proposal on property taxes. Mr. Brownell stated that if any of the Council would like them to share information once they get numbers, on how it would affect cities and counties he would be happy to do so. He added that Polk County disperses many betterment grants between the five supervisors.

COUNCIL ACTIONS

A.Request from Brooke Ridge LLC to rezone 32.0 acres currently zoned A-1 Agricultural to R2-70 Singly Family and two family dwelling to refer on to Planning and Zoning on April 2, 2013 and City Council on April 9, 2013 *(rezone requests are required to be referred on to the Planning and Zoning Board and then their recommendation is given to Council for action)*
Doug Mandernach of Civil Design Advantage, LLC, 3405 SE Crossroads, Suite G, Grimes was present. He stated that this was a rezoning request for Brooke Ridge which is a site consisting of 32.0 acres that is currently zoned A-1 Agricultural and requesting to rezone all the property to R2-70 single and two family dwelling district.
Moved by Patterson, Seconded by Tapper; to refer the request on to Planning and Zoning Board for their April 2 meeting and then back to Council on April 9, 2013 for Public Hearings and action.
Roll Call: Ayes: All. Nays: None. Motion passes: 5 to 0.

COUNCIL DISCUSSIONS

1. Mayor's Report

a. Reappointment of Lynh Patterson to 6 year term on Library Board (*the Grimes Code of Ordinance states that the Mayor appoints representative to the library with the Council's approval*)
Mayor Armstrong stated that he was asking the Council to approve the reappointment of Lynh Patterson to a 6 year term on the Library Board.
Moved by Evans, Seconded by Tapper, Lynh Patterson shall be reappointed to a 6 year term on the Library Board.
Roll Call: Ayes: Altringer, Evans, Shatava, Tapper. Abstain: Patterson
Council Member Shatava asked if anyone had checked into the cable situation north of town. Mayor Armstrong stated he would check into the situation.

2. City Attorney's Report

City Attorney Fisk had nothing new to report.

3. City Engineer's Report

City Engineer Gade went through a cost estimate with the Council for the SE Main Street Improvement Project along with projected timelines. Gade stated that depending on how the bids comes in could affect the scope of the project.
Council Member Shatava asked if there had been any changes to the FEMA floodplain map in Grimes. He stated that he had heard from residents who receive a letter from FEMA telling them to look into insurance. Gade said the a few years ago FEMA came up with a new map that was to be adopted that showed the flood lines. He stated that for the most part it was not anything new, just complying with other map information. Gade said that since this came out FEMA has scrapped this map so the 1986 FEMA map with revisions is still in effect. He did state that since Grimes mapped all their streams we will be the first in Polk County to have what they call Risk Maps which will be developed. Gade stated that these could be adopted through FEMA and we would get revised maps so that there is more accurate information. Council Member Patterson asked if these new maps could affect any current property owners. Gade stated it just should provide better information as far as risk assessment.

4. **City Staff Report**
City Staff had nothing to report

5. Old Business
Council Member Altringer asked about how the recent precipitation has affected the wells. Steve Robinette of Grimes Water and Wastewater was present. He stated that they have really not seen any changes but are maintaining levels. He added that he will be getting some new well levels measurement. Council Member Altringer asked how long it took once we had moisture for it to show up in the wells. Robinette stated about a week but depended on the conditions. City Administrator Brown stated that she has a full page coming out in the Grimes Living Magazine explaining the action plan for the wells. Robinette wanted to remind people that they would do water audits if they call City Hall. He stated they can check homes for leaks.

6. New Business
Moved by Altringer, Seconded by Shatava; there being no further business, this meeting shall be adjourned at 6:45 p.m.

ATTEST:

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Rochelle Williams, City Clerk Thomas M. Armstrong, Mayor