

**CITY COUNCIL MEETING**  
**Tuesday, June 28, 2022**

\*Please note the regular City Council Meeting was held as an electronic and in person meeting. The meeting was called to order by Mayor Mikkelsen Tuesday June 28, 2022 at 5:33 p.m. at the Grimes Community Complex, 410 SE Main Street, Grimes, Iowa. The Pledge of Allegiance was led by Mayor Mikkelsen.

**ROLL CALL**

Present: Mayor Scott Mikkelsen, Council Members: Eric Johansen, David Gisch, Andrew Borcharding, Ryan Burger, Laurie DePhillips

**AGENDA ITEMS**

**APPROVAL OF THE AGENDA**

Mayor Mikkelsen asked for approval of the agenda.

Moved by Borcharding, Second by Gisch, to approve the agenda.

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

**CONSENT AGENDA**

A. Minutes from previous meeting B. ABD Renewals & New License: 1. Hy-Vee Fast & Fresh #1: Renewal: 1401 W. 1<sup>st</sup> Street, Class E. Liquor, Class B Wine, Class C. Beer, & Sunday Sales 2. Hy-Vee Grocery: Renewal: 351 NE Gateway Dr, Class E. Liquor, Class C. Beer, Class B Wine & Sunday Sales. Hy-Vee Market Grille: Renewal:351 NE Gateway Dr, Class E Liquor, Class C Beer, Class B Wine & Sunday Sales 4. NEW: 1<sup>st</sup> Street Tavern: 1101 1<sup>st</sup> Street #112, Class C Liquor, Outdoor Service & Sunday Sales. C. Resolution 06-2222 Approving Quotes & Bills Over \$10,000. D. Request for Street Closure for Block Party on Cypress Circle E. Pay Requests: 1. Pay Request #4 The Weitz Company, LLC for the New Grimes Public Library \$6,755.63 2. Pay Request #3 Ideal Floors, Inc for the New Grimes Public Library \$36,352.35 F. Resolution 06-2322 Establishing the City of Grimes, Iowa GrimesPlex Recreational Facility City Enterprise and Authorizing Internal Transfer of Funds G. Resolution 06-2422 Approving Notice of Use Restrictions – Grimes Greenway Phase 1, 2020 REAP H. Resolution 06-2522 Setting a Public Hearing Koethe-Willow Hills North Annexation I. Resolution 06-2622 Approving Offer to Purchase and Agreement – Jacob Reconstruction and Storm Sewer Project – White Property J. Resolution 06-2722 Approving Offer to Purchase and Agreement – Jacob Reconstruction and Storm Sewer Project Ubben Property K. Resolution 06-2822 Approving Offer to Purchase and Agreement – Jacob Reconstruction and Storm Sewer Project Knorr Property L. Resolution 06-2922 Approving Offer to Purchase and Agreement – Jacob Reconstruction and Storm Sewer Project Kluss Property M. Resolution 06-3022 Correcting Typo in Resolution 06-2122 Services Contract with Blue Sky cleaning and Demolition Services, LLC N. Resolution 06-3222 Approving Personnel Transactions O. Resolution 06-3322 Employee Adjustment Compensation P. Professional Services Payments: 1. Pay Request #29 McClure Engineering Company for Reverse Osmosis Water Treatment Plant – Phase 1 \$6,770.00 2. Pay Request #8 ISG for Water Works Park Splash Pad \$2,800.00 3. Pay Request #14 to Civil Design Advantage for Concept Planning -WRA Sanitary Sewer Connection \$1,173.50 4. Pay Request #15 to Civil Design Advantage for Concept Planning -WRA Sanitary Sewer Connection \$924.00 5. Pay Request #2 to Civil Design Advantage for GrimesPlex \$26,623.03 Q. Pay Requests: 1. Pay Request #7 Synergy Contracting, LLC for SE Jacob Street Water Main – retainage to be paid in 30 days \$13,146.85 2. Pay Request #3 S.J. Louis Construction, Inc for WRA Grimes Connector – Contract 1 \$319,396.14 3. Pay Request #1 General Traffic Controls for Highway 44 and County Line Road Permanent Traffic Signals \$9,606.00 R. Change Orders:1. Change Order #3 Redbud Landscaping, LLC for Native Vegetation Enhancements in Storm Water Treatment Facilities increasing contract \$9,668.50 S. Mid-American Energy Company – Temporary Electric Service Relocation \$54,424.80 T. Resolution 06-3522 Agreement for Professional Consulting Services for the North Jordan Well Repairs U. Resolution 06-3822 To Enter into Contract for Professional Services with Foth Infrastructure and Environment V. Resolution 06-3122 Authorizing Rental Agreement for Temporary Power at the North Jordan Well W. Resolution 06-3922 to Purchase Real Estate-309 East 1<sup>st</sup> Street. X. Filing of Reports and Correspondence Y. Finance Report for May 2022 Z. Claims \$1,744,063.66

Motion by Borcharding, Second by Gisch, to approve the Consent Agenda.

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

**PUBLIC FORUM - None**

**PUBLIC AND COUNCIL AGENDA ITEMS**

**1. Presentation to Jay Brewer for Service with the Grimes Volunteer Support Services.**

In recognition of his many years of service with the Grimes Volunteer Support Services, Mayor Mikkelsen presented Jay Brewer with a plaque from the City, and a Certificate of Appreciation from Governor Reynolds office. Mayor Mikkelsen stated that Brewer was one of the original founders of the program and his efforts and contributions to the community are another part of what makes Grimes such a great place to be.

**2. Third Reading of Ordinance 766 Deleting Property from A Tax Increment Financing District for the Grimes Urban Renewal Area of the City of Grimes, Iowa, Pursuant to Section 403.19 of the Code of Iowa.**

Development Services Director Alex Pfaltzgraff stated that this Ordinance is to allow for a medical campus project to be re-incorporated into the tax increment financing district. He added this ordinance is necessary to reset the clock for incentives to be offered.

Motion by Johansen, Second by Gisch, to approve the Third Reading of Ordinance 766 Deleting Property from A Tax Increment Financing District for the Grimes Urban Renewal Area of the City of Grimes, Iowa, Pursuant to Section 403.19 of the Code of Iowa.

Roll Call: Ayes: All; Nays: None Motion passes 5 – 0

Motion by Johansen, Second by Gisch, to approve Final Passage of Ordinance 766 Deleting Property from A Tax Increment Financing District for the Grimes Urban Renewal Area of the City of Grimes, Iowa, Pursuant to Section 403.19 of the Code of Iowa.

Roll Call: Ayes: All; Nays: None Motion passes 5 – 0

**3. Public Hearing on Proposed Amendment to the Grimes Urban Renewal Area.**

Development Services Director Alex Pfaltzgraff addressed Council stating that this item, as well as the following resolutions, are required as part of the re-incorporation of the medical campus to be allowed into the tax financing district. Pfaltzgraff said will identify the Rock Creek Medical Campus as an Economic Development project in addition to other capital Improvement projects coming up in the future. Pfaltzgraff identified the 100<sup>th</sup> Street Improvement Project, and a 37<sup>th</sup> Street project that will be part of this amendment.

Mayor Mikkelsen opens the Public Hearing at 5:43 pm, being no written or oral comments, Mayor Mikkelsen closes the Public Hearing at 5:43 pm.

**4. Resolution 06-3722 to Declare Necessity and Establish an Urban Renewal Area, Pursuant to Section 403.4 of the Code of Iowa and Approve Urban Renewal Plan Amendment for the Grimes Urban Renewal Area.**

Motion by Gisch, Second by DePhillips, to Approve Resolution 06-3722 to Declare Necessity and Establish an Urban Renewal Area, Pursuant to Section 403.4 of the Code of Iowa and Approve Urban Renewal Plan Amendment for the Grimes Urban Renewal Area.

Roll Call: Ayes: All; Nays: None Motion passes 5 – 0

**5. Ordinance 767 Providing for the Division of Taxes Levied on Taxable Property in the June, 2022 Addition to the Grimes Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa**

Motion by Gisch, Second by DePhillips, to Approve the First Reading of Ordinance 767 Providing for the Division of Taxes Levied on Taxable Property in the June, 2022 Addition to the Grimes Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa

Roll Call: Ayes: All; Nays: None Motion passes 5– 0

Motion by Johansen, Second by Gisch, to Waive the Second and Third Readings of Ordinance 767 Providing for the Division of Taxes Levied on Taxable Property in the June, 2022 Addition to the Grimes Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa

Roll Call: Ayes: All; Nays: None Motion passes 5 – 0

Motion by Johansen, Second by Gisch, to Approve Final Passage of Ordinance 767 Providing for the Division of Taxes Levied on Taxable Property in the June, 2022 Addition to the Grimes Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa

Roll Call: Ayes: All; Nays: None Motion passes 5 – 0

**6. Resolution 06-3622 Setting a Date of Meeting at Which it is Proposed to Approve a development Agreement with Rock Creek Investments, LLC Including Annual Appropriation Tax Increment Payments**

Development Services Director Pfaltzgraff stated that this resolution is the final step by setting a date of July 12<sup>th</sup> for consideration of the development agreement with Rock Creek Investments. He said this development agreement will outline the building of a proposed 90,000 square foot office space and medical facility on a 30-acre parcel located on the corner of SE 37<sup>th</sup> and 100<sup>th</sup> Street.

Motion by Johansen, Second by Borcharding, to approve Resolution 06-3622 Setting a Date of Meeting for July 12, 2022, at Which it is Proposed to Approve a Development Agreement with Rock Creek Investments, LLC Including Annual Appropriation Tax Increment Payments.

Roll Call: Ayes: All; Nays: None Motion passes 5 – 0

**7. Third Reading of Ordinance 763 Rezoning of Property Generally Located East of Highway 141 and South of NE Beaverbrook Blvd from A-1 Agricultural District to R-4 Planned Residential Development District and R-3 Medium Density Two or More Family Dwelling District – Fagen Property**

Development Services Director Pfaltzgraff advised that this is a rezone from A-1 to R-4 and R-3 Medium for approximately 31.64 acres generally located east of Highway 141, and south of NE Beaverbrooke Blvd. Pfaltzgraff said the R-4 Zoning will allow for commercial and high density residential, and the R-3 Medium will allow for medium density residential. Pfaltzgraff noted there had not been any changes from the first and second readings.

Motion by Gisch, Second by DePhillips to approve the Third Reading of Ordinance 763 Rezoning of Property Generally Located East of Highway 141 and South of NE Beaverbrook Blvd from A-1 Agricultural District to R-4 Planned Residential Development District and R-3 Medium Density Two or More Family Dwelling District – Fagen Property

Roll Call: Ayes: All; Nays: None Motion passes 5 – 0

Motion by Gisch, Second by DePhillips, to Approve Final Passage of Ordinance 763 Rezoning of Property Generally Located East of Highway 141 and South of NE Beaverbrook Blvd from A-1 Agricultural District to R-4 Planned Residential Development District and R-3 Medium Density Two or More Family Dwelling District – Fagen Property

Roll Call: Ayes: All; Nays: None Motion passes 5 – 0

**8. Third Reading of Ordinance 764 Rezoning of Property Generally Located at the Northwest Corner of SE 37<sup>th</sup> Street and South James Street from A-1 Agricultural District to M-1A Commercial and Limited Light Industrial District – Herndon Property**

Development Services Director Pfaltzgraff stated there had not been any changes from the first two readings for this rezone from A-1 to M-1A for approximately 77.52 acres located northwest of the corner of SE 37<sup>th</sup> Street and South James Street. He added this rezone will allow for commercial and light industrial uses and is consistent with the Business Park Land Use designation in the Future Land Use Plan. Pfaltzgraff advised the buildings would be similar in look to the Legacy Development and added that the Planning and Zoning Board, along with staff, recommended approval for the rezone.

Motion by Gisch, Second by Johansen, to approve the Third Reading of Ordinance 764 Rezoning of Property Generally Located at the Northwest Corner of SE 37<sup>th</sup> Street and South James Street from A-1 Agricultural District to M-1A Commercial and Limited Light Industrial District – Herndon Property

Roll Call: Ayes: All; Nays: None Motion passes 5 – 0

Motion by Gisch, Second by Johansen, to Approve the Final Passage of Ordinance 764 Rezoning of Property Generally Located at the Northwest Corner of SE 37<sup>th</sup> Street and South James Street from A-1 Agricultural District to M-1A Commercial and Limited Light Industrial District – Herndon Property

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

**9. Third Reading of Ordinance 765 Amending Grimes Code of Ordinance Title 9 With Regard to Regulation of Wastewater Sewer Usage by Deleting Current Section 9-1 In Its Entirety, and Adopting New Uniform Wastewater Sewer Regulations Consistent with Grimes WRA Agreement**

Public Works Director Kevin Hensley stated this Ordinance is related to discharge requirements and limits for pollutants, pre-treatment standards, and the regulations of fat, oil and greases also known as “FOG”. Hensley said that staff will develop a grant program framework to assist existing non-compliant businesses with defraying costs associated with compliance with FOG. Hensley stated all of these updates are obligations the city needs to meet as part of joining the WRA.

Motion by Johansen, Second by Borcharding, to approve the Third Reading of Ordinance 765 Amending Grimes Code of Ordinance Title 9 With Regard to Regulation of Wastewater Sewer Usage by Deleting Current Section 9-1 In Its Entirety, and Adopting New Uniform Wastewater Sewer Regulations Consistent with Grimes WRA Agreement.

Roll Call: Ayes: All; Nays: None Motion passes 5 – 0

Motion by Johansen, Second by Borcharding, to approve Final Passage of Ordinance 765 Amending Grimes Code of Ordinance Title 9 With Regard to Regulation of Wastewater Sewer Usage by Deleting Current Section 9-1 In Its Entirety, and Adopting New Uniform Wastewater Sewer Regulations Consistent with the Grimes WRA Agreement.

Roll Call: Ayes: All; Nays: None Motion passes 5 – 0

**10. SE Jacob Street Water Main Project**

Development Services Director Pfaltzgraff advised Council during previous Strategic Planning meetings, this project was one of the priorities to work on road construction and infrastructure in the older parts of town. Pfaltzgraff said SE Jacob Street is one of the older roads marked for resurfacing, however, that area is also the location of an aging water main. Pfaltzgraff said with this capital improvement project, it was decided to address the water line issue from SE 6<sup>th</sup> Street to Jacob, and then connect to the main. Pfaltzgraff said that now that the water main phase is complete, resurfacing will be able to move forward.

**1. Resolution 06-3422 Accepting the SE Jacob Street Water Main Project**

Motion by Gisch, Second by DePhillips to approve Resolution 06-3422 Accepting the SE Jacob Street Water Main Project

Roll Call: Ayes: All; Nays: None Motion passes 5 – 0

**12. James Pointe Site Plan**

Development Services Director Pfaltzgraff stated this property was recently rezoned from C-1 and R-3 Medium density, to all R-3 to allow for medium density townhomes across the entire property. Pfaltzgraff said the applicant is now requesting approval of a site plan for 26 attached townhome units and the associated private street, utilities and visitor parking. Pfaltzgraff said Planning and Zoning Board recommended approval at their June 7<sup>th</sup> meeting.

Motion by Johansen, Second by Borcharding, to approve the James Pointe Site Plan

Roll Call: Ayes: All; Nays: None Motion passes 5 – 0

**ADJOURN**

Motion by Johansen, Second by Gisch, to adjourn the meeting at p.m.

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

**ATTEST:**

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Rochelle Williams, City Clerk

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Scott Mikkelsen, Mayor