

CITY COUNCIL MEETING
 Tuesday, November 13, 2012
 Grimes City Hall 5:30 P.M.

The regular meeting of the Grimes City Council was called to order by Mayor Armstrong on Tuesday, November 13, 2012 at 5:30 P.M. at the Grimes City Hall.

Pledge of Allegiance was lead by Mayor Armstrong

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

GENERAL AGENDA ITEMS.

APPROVAL OF THE AGENDA

Mayor Armstrong asked that Item B under Public Agenda be addressed after the patrol report due to Council Member Evans attending the meeting by conference call.

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

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

Approval of the Consent Agenda

A.Minutes from the October 23, 2012 Meetings B.Municipal Supply Inc for MXU's Single Port Touch - \$8,788.50 C.Municipal Supply Inc. Meters and Meter Spuds - \$6,003.18 D.Alcohol License Renewal for Rehab Bar and Grill Class C Liquor License with Sunday sales E-Billing for Utility Billing - \$5,000 initial and then \$880 annually F.Pay Application #1 to Herberger Construction Co for Chevalia Valley Subdivision Pedestrian Bridge in t he amount of \$104,363.20 G. Amendment to Intergovernmental Agreement for the Promotion of Tourism and Convention Activities in the Greater Des Moines Area (adding the City of Indianola) H. Changer Order #13 to Reilly Construction for IA44 increasing contract \$428.50 I. Pay Request #37 to Reilly Construction for the IA 44 Improvements – 57,027.96 J. Change Order #1 from Grimes Asphalt and Paving for the 2012 Paving Improvements increasing contract \$21,837.20 K. Grimes Distribution Center Phase 2 Storm Water Post Construction Easement L. Payroll Liabilities November 2012 M. Resolution 11-0122 adopting and approving Tax Compliance Procedures Relating to Tax- Exempt Bonds N. Century Link QC Easement at Autumn Park O. Replacement of pump and motor from Iowa Pump Works - \$2,536.90 P. Replacement of two meters for well field from Miller Mechanical - \$10,406 Q. Grimes Community Complex Facility Information R. Finance Report for October 2012 S. Claims – dated November 13, 2012 in the amount of \$620,211.65.

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

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

Oct-12

	Beg Balance	Receipts	Expenses	Ending Balance
General Fund	3,118,708.98	1,519,525.15	308,189.47	4,330,069.66
Spec Rev Fund	787,060.67	710,612.69	19,423.09	1,478,250.27
Debt Service	1,880,784.71	719,005.82	0.00	2,599,790.53
Capital Improv	-492,155.43	3,905.00	79,842.11	-568,092.54
Enterprise Fund	3,720,927.25	391,112.13	131,169.29	3,980,870.09
Total	9,015,326.18	3,344,160.79	538,623.96	11,820,888.01

Sep-12

Beg Balance	Receipts	Expenses	Ending
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				Balance
General Fund	3,362,735.02	93,141.04	337,192.08	3,118,708.98
Spec Rev	746,109.53	87,895.45	46,944.31	787,060.67
Debt Svc	1,868,637.87	12,146.84	0.00	1,880,784.71
Cap Improv	-495,346.11	118,369.20	115,178.52	-492,155.43
Enterprise	3,427,748.88	434,428.57	141,250.20	3,720,927.25
Total	8,909,885.19	745,981.10	640,565.11	9,015,326.18

Aug-12

	Beg Balance	Receipts	Expenses	Ending Balance
General	3,634,197.84	101,486.75	372,974.57	3,362,735.02
Spec Rev	770,314.62	87,478.42	111,683.51	746,109.53
Debt Svc	1,868,637.87	0.00	0.00	1,868,637.87
Cap Improv	-427,198.73	27,532.50	95,679.88	-495,346.11
Enterprise	3,253,033.83	379,551.82	204,836.77	3,427,748.88
Total	9,098,985.43	596,049.49	785,174.73	8,909,885.19

Jul-12

	Beg Balance	Receipts	Expenses	Ending Balance
General	3,849,743.87	114,567.56	330,138.59	3,634,197.84
Spec Rev	704,397.72	74,731.47	8,814.57	770,314.62
Debt	1,921,697.25	11,821.48	64,880.86	1,868,637.87
Cap Improv	-139,496.01	8,855.00	296,557.72	-427,198.73
Enterprise	3,032,042.43	363,936.03	142,944.63	3,253,033.83
Total	9,368,385.26	573,911.54	843,336.37	9,098,985.43

Fire Chief Report

Chief Krohse advised that the month of October closed out with 66 calls giving them an YTD calls of 625 which put them over calls for the entire 2011 year. He added that 63% of these calls are EMS. Chief Krohse provided information to the Council on an item that was discussed at the Public Health and Safety Board meeting, concern regarding some recent structure fires from lighting strikes in newer homes where corrugated stainless steel tubing is used for the gas lines. He stated that since 2009 it is now a requirement for this tubing to be bonded and grounded. He stated that homeowners for homes built before 2009 residents should check out their gas line.

Mayor asks for a motion to table Item 7 at this time.

Moved by Altringer, Seconded by Patterson; Item 7 shall be tabled.

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

(moved on to Public Agenda item B)

PUBLIC AGENDA ITEMS Council may consider and potentially act on the following

Public Agenda Items.

B. Public Hearing and First Reading of Ordinance #611 for the Stormwater Management Utility Ordinance

Mayor Armstrong opened the Public Hearing at 5:44pm. Lloyd Lull of 215 NW Calista Court, Bruce Schmiedlin of 522 NW 6th Street, Jolene Nolte, 501 NW 13th Street, Richard Odgaard of 417 SE 2nd Street all spoke with questions regarding concerns over the ordinance. Odgaard added that a petition was being circulated in the community and would be turned in to the City. As far as written documentation; Brown read letters from Tom Wengert of Air Free Duct Cleaning opposing the ordinance and a letter from Shawn Kleckner of Right Stuff Inc with concerns regarding the ordinance.

Mayor Armstrong closed the Public Hearing at 6:04 pm.

Moved by Shatava, Seconded by Patterson; that the First Reading of Ordinance #611 for the Stormwater Management Utility Ordinance shall be approved. Council Member Shatava added that a lot of time has been spent on this ordinance and it has been well thought out. Council Member Patterson thanked everyone for their input on this issue. He stated that it has been a long well thought out process that was well communicated which is evident by the turn out for the hearing. Council Member Patterson stated that this was not taken lightly. He stated that he is sensitive to concerns but also remembers how many people were affected by the recent flooding last year and had asked the City to do something. He stated that the City is not doing what they need to be doing with stormwater and water ways that need to be addressed along with many other needs of the City. Council Member Patterson stated that they looked at possible cuts but that the City of Grimes runs very lean with staff. He added that even with all the additions of a few thousand residents the staff has stayed the same. Council Member Patterson stated that there are many items to be addressed on the Capital Improvement Plan by the Council. He added that they appreciated all the comments.

Roll Call: Ayes: Shatava, Patterson, Evans, Altringer Nays: Tapper. Motion passes: 4 to 1

Mayor Armstrong thanked everyone for their public comments and some of the concerns have been incorporated into the ordinance. Council Member Altringer thanked everyone with their time and concerns on this issue and added that the City Council gets the opportunity to take many fun votes over the course of their tenure, but this was a tough one that needed to be taken for the overall good of the City.

Council Member Evans leaves the teleconference at 6:05 pm.

Mayor Armstrong asks for a motion to pick Item 7 back up.

Moved by Patterson, Seconded by Tapper; to pick back up Item 7 from the table.

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

(return to Patrol Report)

PATROL REPORT

Deputy Ballinger from the Polk County Sheriff Department addressed the Council. He advised from the period of October 10th through today there were 404 calls with 176 traffic stops and out of those 102, cases were created. Deputy Ballinger advised that there had been several school bus violations written lately to motorist not responding to school buses when the warning lights are illuminated. The Council asked several questions as to the time of day and types of violation that were occurring.

(return to Public Agenda Items)

A. Resolution authorizing the issuance of \$6,000,000 General Obligation Corporate Purpose Bonds, Series 2012, and providing for the levy of taxes to pay the same.

Moved by Patterson, Seconded by Shatava; Resolution 11-0212 authorizing the issuance of \$6,000,000 General Obligation Corporate Purpose Bonds, Series 2012, and providing for the levy of taxes to pay the same shall be approved.

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

C. Public Hearing for the issuance of TIF and approval of a Development Agreement Between the City of Grimes and IOOF Odd Fellows Building Renovation.

Mayor Armstrong opened the Public Hearing at 6:10 pm. There being no oral nor written communication; the Public Hearing was closed at 610 pm.

City Administrator Brown reviewed the main points in the Development Agreement that were still being worked. The timing for the approval is crucial to the developer being able to proceed with the bank loan portion of their financing. It was pointed out; however, that the bank portion will be reviewed by City legal counsel once that documentation has been secured. Brown reviewed some the safeguards and details of the agreement with the Council. She stated that the final agreement could be approved at the next Council meeting but this would help move the process along.

Moved by Shatava, Seconded Patterson; Resolution for the issuance of TIF and approval of a Development Agreement Between the City of Grimes and IOOF Odd Fellows Building Renovation shall be approved in concept with the final details to be worked out at a later meeting.

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

D. Third Reading of Ordinance #609 to Amend the Grimes Code of Ordinances Chapter 91 Water Meters to Clarify the Cost of Hydrant Meters

Moved by Patterson, Seconded by Tapper; the Third Reading of Ordinance #609 to amend the Grimes Code of Ordinances Chapter 91 Water Meters to clarify the cost of hydrant meters shall be approved.

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

Moved by Patterson, Seconded by Tapper; Ordinance #609 to amend the Grimes Code of Ordinances Chapter 91 Water Meters to clarify the cost of hydrant meters shall now pass.

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

E. Third Reading of Ordinance #610 to amend the Grimes Code of Ordinances Chapter 92.02 (2) to clarify the language that is in conflict with Chapter 91.06 construction water permit

Moved by Patterson Seconded by Tapper; the Third Reading of Ordinance #610 to amend the Grimes Code of Ordinances Chapter 92.02 (2) to clarify the language that is in conflict with Chapter 91.06 construction water permit shall be approved.

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

Moved by Patterson, Seconded by Tapper; Ordinance #610 to amend the Grimes Code of Ordinance Chapter 92.02 (2) to clarify the language that is in conflict with Chapter 91.06 construction water permit shall now pass.

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

F. Traffic Concerns at High School – Kent Sayles

Kent Sayles of 813 SE 13th Street, Grimes addressed the Council regarding his concerns for safety at the Dallas Center Grimes High School when students and adults are leaving the school and pulling onto Hwy 44. Sayles advised that one of his children had been involved in two car accidents at the high school. Sayles asked that the Council do a traffic study at this location to see about having traffic light installed. He also advised that he had discussed this location with the IDOT and they had advised him of some possible grants for traffic control lights for this area. The Council advised Sayles that they would look further into this location and thanked him for coming.

PUBLIC FORUM

Joyce Harris; of 1100 SE 10th Court, addressed the Council with her concerns with Hubbell Realty and construction noise early in the morning until late in the evening. Harris stated that it was her understanding that Hubbell had been told by the City that construction could only be done between the hours of 7 am and 9 pm and this was not happening. Mayor Armstrong instructed City staff to contact Hubbell again regarding this issue.

Council Member Tapper leaves the meeting at 6:35 pm.

COUNCIL ACTIONS

A. Central Iowa Ready Mix – Site Plan

Bart Turk of Civil Engineering Consultants, Inc. 2400 86th Street #12, Des Moines, addressed the Council on behalf of Central Iowa Ready Mix. Turk stated that the owners wish to make the temporary site at 1301 SE 37th a permanent location for operating a ready mix plant and recycling center. Turk advised that the plant would include a shop and office location. He stated that in addition to a staff parking area there would be space for up to 30 trucks. Turk advised that the building would not exceed 85 feet in height and that there would be landscaping added to the site for additional screening. City Engineer Gade advised that all requirements have been met regarding this site plan and that Planning and Zoning had approved this site.

Moved by Patterson, Seconded by Altringer; that the Central Iowa Ready Mix Site Plan subject to Fox Engineering letter dated November 1, 2012 shall be approved.

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

B. Storm Water Management Facility Maintenance Covenant and Permanent Easement Agreement for Central Iowa Ready Mix.

Moved by Patterson, Seconded by Altringer; the storm water management facility maintenance covenant and permanent easement agreement for Central Iowa Ready Mix shall be approved.

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

C. Maintenance of the point in Beaverbrook West Plat 8

David Bentz of Bishop Engineer, 3501 104th Street, Urbandale was present to discuss maintenance of the pond on Beaverbrook West Plat 8. Bentz had addressed the Council previously regarding the maintenance of pond once construction is finished. The Council had asked him at a previous council meeting to look into a walking trail that would go around the pond. Bentz stated many hours had been spent looking at a way to put a walking train around this pond that would need to meet ADA requirements. Due to elevations of this pond Bentz advised that a trail could not be placed around the pond. John Gade clarified that what he was hearing was that if it was not possible to get a walk around the pond it would need to be a private pond. He added that if a walk was able to be added the City would then be interested in taking the maintenance of the pond over along with the fountain feature.

1. Mayor's Report

Mayor Armstrong had nothing new to report.

2. City Attorney's Report

City Attorney Fisk had nothing new to report.

3. City Engineer's Report

John Gade of Fox Engineering had no report.

4. City Staff Report

None.

5. Old Business

None

6. New Business

None

Adjournment

Moved by Altringer, Seconded by Shatava; there being no further business, this meeting shall be adjourned at 7:16 p.m.

ATTEST:

Rochelle Williams, City Clerk

Thomas M. Armstrong, Mayor

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