

**CITY OF ALTOONA COUNCIL MEETING
MONDAY, JULY 20, 2015, 6:30 P.M.
AT THE ALTOONA CITY HALL**

1. CALL TO ORDER

Roll Call at 6:30 pm

Mayor Conkling – absent Boka – present Harmeyer – present
Mertz- present O’Connor – absent Sloan- present

City Officials Present: Jeff Mark, Randy Pierce, Jody Matherly, Jerry Whetstone, Jon Hanson, Scott Atzen, Amy Hill, City Attorney Bob Laden

Audience Present: Pat Trotter, Chad Alshouse, Bob Hall, Eric Borseth, Patty Whetstone, John McClain, Kelly McIvor, Connie McClintock, Keith Weggens, Scott Almeida, Wally Pelds

2. Perfecting and approval of the agenda

Mayor Pro-Tem Kyle Mertz requested to approve the agenda as presented.

Roll Call Vote:

1 Boka Y Harmeyer Y Mertz A O’Connor 2 Sloan (4-0)

3. Approval of July 6, 2015, Council Minutes

Roll Call Vote:

2 Boka Y Harmeyer Y Mertz A O’Connor 1 Sloan (4-0)

4. Citizens request to address council

No one came forward to speak.

5. Public hearing to consider a 100% voluntary annexation petition from Marazco Holding Company, LLC for property on NE 41st Avenue

Mayor Pro-Tem Mertz explained Marazco does business as Summit Products from the old Townsend Industries property on NE 41st Avenue. The property is 9.22 acres in size and is 100% voluntary within an urbanized area.

Open hearing at 6:32pm

Public comment: Eric Borseth, Borseth Law Office, 111 2nd St. SE, Altoona, representing the owner of Marazco Holding Company, LCC, expressed they were available to answer any questions the council had regarding the petition and they are excited to be part of Altoona.

Closed hearing at 6:33pm

6. Resolution to consider a 100% voluntary annexation petition from Marazco Holding Company, LLC for property on NE 41st Avenue

Council Member Jeremy Boka motioned to table the resolution until the August 3, 2015, council meeting.

Roll Call Vote:

1 Boka Y Harmeyer Y Mertz A O’Connor 2 Sloan (4-0)

7. Consider approval of an annexation agreement with Marazco Holding Company, LLC

Council Member Boka motioned to table the resolution until the August 3, 2015, council meeting.

Roll Call Vote:

1 Boka Y Harmeyer Y Mertz A O’Connor 2 Sloan (4-0)

- 8. Public hearing to consider an ordinance amendment to Chapter 159 – Sign Code to allow trailblazer signs**
Mayor Pro-Tem Mertz explained this is a request from Perkins so the IDOT will allow them to advertise on the blue sign located at the 143 exit (1st Avenue). Businesses on Adventureland Drive have taken up the remainder spots at the 8th Street exit on the 65 Beltway.
Open hearing at 6:36pm
Public comment: No one came forward to comment.
Closed hearing at 6:37pm
- 9. Ordinance No. 7-20-2015 #01 (411) AMENDING 2004 CITY OF ALTOONA CODE OF ORDINANCES CHAPTER 159, SIGN CODE TO ALLOW TRAILBLAZER SIGNS (1st Reading)**
Council Members Boka, Mertz, Michelle Sloan and Mike Harmeyer discussed the needs for the signs and adding the potential signs in easements that could potentially be in front of other commercial business providing the same services.
Roll Call Vote (1st Reading):
1 Boka 2 Harmeyer N Mertz A O'Connor Y Sloan (3-1)
- 10. Public hearing to consider an ordinance amendment to Chapter 120.05 (11) – Liquor License**
Mayor Pro-Tem Mertz this change is proposed by Cinemark so that they can sell alcohol in the new movie theater.
Open hearing at 6:41pm
Public comment: No one came forward to comment.
Closed hearing at 6:42pm
- 11. Ordinance No. 7-20-2015 #02 (412) AMENDING 2004 CITY OF ALTOONA CODE OF ORDINANCES CHAPTER 120.05 (11), LIQUOR LICENSE (1st Reading)**
Chief Matherly spoke about the research he had conducted on similar cities providing this ordinance for establishments like Cinemark. Mayor Pro-Tem Mertz explained his understanding is that Cinemark will require patrons are legal drinking age who would like to consume an alcoholic beverage to be identified with a wrist band, a special colored cup and allowed only to consume a maximum of three (3) cups. Council Member Sloan asked if police presence was increased in the communities providing similar services. Chief Matherly stated initially yes in large communities but then was stepped back because the extra presence was not required. Connie McClintock, 920 9th Ave. NW, Altoona, shared that she would not attend a movie at Cinemark in Altoona if they serve alcohol.
Roll Call Vote (1st Reading):
1 Boka 2 Harmeyer Y Mertz A O'Connor Y Sloan (4-0)
- 12. Public hearing to consider vacating a Public Utility Easement in Adventure Village Plat 4**
Mayor Pro-Tem Mertz explained this easement is no longer needed as the ground has been re-platted and a new easement included. The easement was present with the original plat. Utility companies have been notified.
Open hearing at 6:47pm
Public comment: No one came forward to comment.
Closed hearing at 6:48pm
- 13. Ordinance No. 7-20-2015 #03 (413) VACATING A PUBLIC UTILITY EASEMENT IN ADVENTURE VILLAGE PLAT 4 (1st Reading)**
Roll Call Vote (1st Reading):
2 Boka Y Harmeyer 1 Mertz A O'Connor Y Sloan (4-0)
Roll Call Vote (To Waive 2nd and 3rd Reading):
1 Boka Y Harmeyer Y Mertz A O'Connor 2 Sloan (4-0)

Roll Call Vote (To Publish):

1 Boka Y Harmeyer Y Mertz A O'Connor 2 Sloan (4-0)

14. **Ordinance No. 5-18-2015 #1 (407) TO CONSIDER VACATING AND SELLING A PORTION OF PARK GROUND IN OUTLOT "Y", F&S ROSENBERGER PLAT 2 (REDWOOD LIVING PROJECT) (2nd Reading)**

Mayor Pro-Tem Mertz explained staff has been working with the Developer, Redwood Living, to develop a medium-density residential project. Redwood is proposing to acquire approximately 0.79 acres of park space that abuts I-80 north of Adventureland Drive. In exchange, the city will get a looped trail installed and paid for by Redwood that will create a more cohesive project and provides for a trail connection for the neighborhood with the rest of our trail system. Kelly McIvor, representing Redwood Living, Inc., 23775 Commerce Park, Suite 7, Beachwood, Ohio, shared that renderings are available.

Roll Call Vote (2nd Reading):

1 Boka Y Harmeyer 2 Mertz A O'Connor Y Sloan (4-0)

Roll Call Vote (To Waive 3rd Reading):

1 Boka 2 Harmeyer Y Mertz A O'Connor Y Sloan (4-0)

Roll Call Vote (To Publish):

1 Boka 2 Harmeyer Y Mertz A O'Connor Y Sloan (4-0)

15. **Resolution No. 7-20-2015 #01 TO CONSIDER APPROVAL OF A PLAT OF SURVEY FOR PARCEL 'A', A PART OF OUTLOT 'Y', F&S ROSENBERGER PLAT 2**

Mayor Pro-Tem Mertz explained this plat of survey is for the park ground that is proposed to be vacated and this makes a legal parcel.

Roll Call Vote:

1 Boka 2 Harmeyer Y Mertz A O'Connor Y Sloan (4-0)

16. **Ordinance No. 5-18-2015 #2 (408) TO CONSIDER A REZONING REQUEST FROM GRINNELL STATE BANK AND REDWOOD LIVING, INC. TO REZONE APPROXIMATELY 6.34 ACRES FROM C-5 (OFFICE PARK) TO R-5 (PLANNED UNIT DEVELOPMENT) (2nd Reading)**

Mayor Pro-Tem Mertz explained this is a public hearing to consider a request to rezone 6.34 of the above described property from C-5 (Office Park) to R-5 (Planned Unit Development). The balance of the property is zoned correctly for the proposed use.

Roll Call Vote (2nd Reading):

1 Boka Y Harmeyer Y Mertz A O'Connor 2 Sloan (4-0)

Roll Call Vote (To Waive 3rd Reading):

1 Boka Y Harmeyer Y Mertz A O'Connor 2 Sloan (4-0)

Roll Call Vote (To Publish):

1 Boka Y Harmeyer Y Mertz A O'Connor 2 Sloan (4-0)

17. **Resolution No. 7-20-2015 #02 TO APPROVE DEVELOPMENT AGREEMENT BETWEEN REDWOOD ACQUISITION, LLC AND THE CITY OF ALTOONA FOR DEVELOPMENT OF LINDEN OAKS PLAT 1**

Mayor Pro-Tem Mertz explained the City is vacating 0.79 acres and Redwood is installing the trail through Parcel 'A'. The City will receive roughly \$32,000 worth of improvements, or the equivalent of approximately \$40,000 per acre.

Roll Call Vote:

2 Boka Y Harmeyer Y Mertz A O'Connor 1 Sloan (4-0)

- 18. Resolution No. 7-20-2015 #03 TO CONSIDER A PRELIMINARY PLAT FOR LINDEN OAKS PLAT 1**
Mayor Pro-Tem Mertz explained the project includes 177 rental units on 28.75 acres. Keith Wiggins of CDA, 3405 SE Crossroads Dr., Grimes, explained the units are single-story buildings with 4, 5 and 6 units attached in a row. Council Member Sloan motioned approval subject to deficiencies being addressed.
Roll Call Vote:
1 Boka Y Harmeyer Y Mertz A O'Connor 2 Sloan (4-0)
- 19. Resolution No. 7-20-2015 #04 TO CONSIDER A FINAL PLAT FOR LINDEN OAKS PLAT 1**
Council Member Sloan motioned approval subject to deficiencies being addressed.
Roll Call Vote:
1 Boka Y Harmeyer Y Mertz A O'Connor 2 Sloan (4-0)
- 20. Resolution No. 7-20-2015 #05 TO CONSIDER A SITE PLAN LINDEN OAKS PLAT 1**
Council Member Sloan motioned approval subject to deficiencies being addressed.
Roll Call Vote:
2 Boka Y Harmeyer Y Mertz A O'Connor 1 Sloan (4-0)
- 21. Resolution No. 7-20-2015 #06 APPROVING A REVISED PRELIMINARY PLAT FOR BENNETT BAY**
Mayor Pro-Tem Mertz explained staff has been able to work with the developer and his engineer on a revised layout that provides a 50-foot ROW for Bennett's Bay, now proposed as a public street. Wally Pelds with A. Leo Pelds Engineering, 2323 Dixon St., Des Moines, explained this is a resubmittal with only the change in the street.
Roll Call Vote:
1 Boka 2 Harmeyer Y Mertz A O'Connor Y Sloan (4-0)
- 22. Consider request to waive red tag fee for 925 10th Ave. Pl. SE**
City Clerk Randy Pierce explained the resident at this address is requesting that the red tag fee of \$10.00 be waived because they state they never received their water bill due to being a victim of identity theft. Mayor Pro-Tem Mertz motioned to deny the request explaining that utility bills are always due on the 3rd of the month.
Roll Call Vote:
Y Boka Y Harmeyer 1 Mertz A O'Connor 2 Sloan (4-0)
- 23. Consent Agenda**
- a) Allow Bills
 - b) Capital Projects
 - B1) Pay App #3 – Adventureland Drive Standpipe Painting – Central Tank Coatings, Inc. - \$8,898.55
 - c) Resolution No. 7-20-2015 #07 APPROVING WRITING OFF OF RESCUE FEES FOR BAD DEBT ACCOUNTS – MEDICARE – MEDICAID - CMS COLLECTIONS FEES
 - d) Resolution No. 7-20-2015 #08 AUTHORIZING THE CITY ENGINEER TO SIGN A GRANT APPLICATION TO BE SUBMITTED TO THE IOWA STATE RECREATIONAL TRAILS PROGRAM FOR THE GAY LEA WILSON TRAIL EAST EXTENSION – ALTOONA TO BONDURANT
 - e) Resolution No. 7-20-2015 #09 ACCEPTING A PROPOSAL FROM CONCRETE PROFESSIONALS IN THE AMOUNT OF \$23,093 FOR THE CONSTRUCTION OF THE 1ST AVE. SOUTH SIDEWALK PROJECT – FIELDSTONE SEGMENT

- f) **Resolution No. 7-20-2015 #10 ACCEPTING A PROPOSAL FROM JAS CONCRETE IN THE AMOUNT OF \$31,591.50 FOR THE CONSTRUCTION OF THE 1ST AVE. SOUTH SIDEWALK PROJECT – PRAIRIE VISTA SEGMENT**
- g) **Resolution No. 7-20-2015 #11 AUTHORIZING THE MAYOR TO SIGN A DEVELOPMENT AGREEMENT WITH ALTOONA LOTS, LLC CONCERNING THE INSTALLATION OF SIDEWALK ALONG 1ST AVENUE SOUTH IN FRONT OF THE FIELDSTONE DEVELOPMENT IN THE CITY OF ALTOONA, IOWA**
- h) **Resolution No. 7-20-2015 #12 APPROVING REQUESTS FOR TAX ABATEMENT**
- i) **Consider professional services agreement with Kirkham Michael Associates for Adventureland Dr. NW widening**
- j) **Resolution No. 7-20-2015 #13 REASSIGNING ADDRESS FOR LOT 37 IN FIELDSTONE ESTATES PLAT 1**

Roll Call Vote:

2 Boka P Harmeyer Y Mertz A O'Connor 1 Sloan (3-1-0)

*Scott Almeida and Pat Trotter representing Kirkham Michael Associates, 11021 Aurora Ave., Urbandale, introduced themselves to the council.

24. Beer & Liquor Permits

- a) **Uncle Bucks FishBowl and Grill - Class C Liquor License (LC) (Commercial) & Sunday/Outdoor Sales**

Chief Matherly stated there were no violations at this establishment.

Roll Call Vote:

2 Boka Y Harmeyer Y Mertz A O'Connor 1 Sloan (4-0)

- b) **Applebee's Neighborhood Grill & Bar - Class C Liquor License**

Chief Matherly stated there were no violations at this establishment.

Roll Call Vote:

2 Boka Y Harmeyer Y Mertz A O'Connor 1 Sloan (4-0)

- c) **Casey's - #2870 (1419 1st Ave North) - Class C Beer Permit (BC), Class B Native Wine Permit**

Chief Matherly stated there were no violations at this establishment.

Roll Call Vote:

2 Boka Y Harmeyer Y Mertz A O'Connor 1 Sloan (4-0)

25. General Business Items/Reports and Updates

*Chief Matherly shared that council and staff were invited to Altoona Towers for a Safety social tomorrow at 5:30pm in celebration for Altoona Towers, Oakland Pointe, and Spruce Pointe.

*Public Works Director Scott Atzen reminded council and staff of the dedication of the new basketball courts at Ironwood Park on Wednesday (7/22) at 10:00am.

*Mayor Pro-Tem Mertz commented about the great press release Altoona received over the weekend in regards to the new shopping area and Heart of America's continued development.

26. Adjourn at 7:09 pm

Roll Call Vote:

2 Boka Y Harmeyer Y Mertz A O'Connor 1 Sloan (4-0)

Attest to: _____
Amy S. Hill, Secretary

Kyle Mertz, Mayor Pro-Tem