

**CITY OF ALTOONA COUNCIL MEETING
MONDAY, AUGUST 18, 2014, 6:30 P.M.
AT THE ALTOONA CITY HALL**

1. CALL TO ORDER

Roll Call at 6:30 pm

Mayor Conkling – present

Boka – present

Harmeyer – present

Mertz- present

O'Connor – present

Sloan- present

City Officials Present: Jeff Mark, Randy Pierce, John Shaw, Jody Matherly, Jerry Whetstone, Karen Oppelt, Kim Kietzman, Amy Hill, City Attorney Bob Laden

Audience Present: James Mack, Patty Whetstone, Jeff Nolin, Marc Hesner, Jeanie Conkling, Zach Nunn, Marilyn Nielsen, Doyle Ables, Steve Johnson, Jena Johnson, Vic Piagentini

2. Perfecting and approval of the agenda

Mayor Skip Conkling requested approval of agenda as presented.

Roll Call Vote:

Y Boka Y Harmeyer 1 Mertz 2 O'Connor Y Sloan (5-0)

3. Recognize former Library Board Members

Library Board Member Jeff Nolin shared his appreciation for Jeanie Conkling's and Marc Hesner's service to the Library Board.

4. Approval of August 4, 2014, Council Minutes

Roll Call Vote:

Y Boka Y Harmeyer Y Mertz 1 O'Connor 2 Sloan (5-0)

5. Citizens request to address council

*Zachary Nunn – former Altoona resident, currently 1304 13th St. SE, Bondurant - He introduced himself to the council and audience as a candidate running for the Iowa House of Representatives.

6. Public hearing to consider amendment to City of Altoona Code of Ordinances – Chapters 55 and 57 (Animal Protection & Control) (1st Reading)

Mayor Conkling explained this is a public hearing to consider amendments to the Code of Ordinances – Chapters 55 and 57 (Animal Protection and Control). The amendments to the ordinances eliminate breed specific language and designates that the Police Department shall be responsible for enforcement of this code section. Chief Jody Matherly expressed he was available for questions if needed.

Open Hearing at 6:36pm

Public Comment: No one came forward to speak.

Closed Hearing at 6:37pm

7. Ordinance amendment to 2004 City of Altoona Code of Ordinances – Chapter 55 (Animal Protection & Control) (1st Reading)

Ordinance No. 8-18-2014 #01 (395) AMENDMENT TO 2004 CITY OF ALTOONA CODE OF ORDINANCES – CHAPTER 55 (ANIMAL PROTECTION & CONTROL) (1ST READING)

Roll Call Vote (1st reading):

2 Boka Y Harmeyer Y Mertz 1 O'Connor Y Sloan (5-0)

8. **Ordinance amendment to 2004 City of Altoona Code of Ordinances – Chapter 57 (Dangerous & Vicious Dogs) (1st Reading)**
Ordinance No. 8-18-2014 #02 (396) AMENDMENT TO 2004 CITY OF ALTOONA CODE OF ORDINANCES – CHAPTER 57 (DANGEROUS & VICIOUS DOGS) (1ST READING)
Roll Call Vote (1st reading):
2 Boka Y Harmeyer Y Mertz 1 O'Connor Sloan (5-0)
9. **Public hearing to consider adopting the Altoona Comprehensive Plan**
Mayor Conkling explained this is a public hearing to consider adopting the Altoona Comprehensive Plan.
Open Hearing at 6:39 pm
Public Comment: Lorin Ditzler of RDG Planning & Design, 301 Grand Ave., Des Moines, presented an overview of the comprehensive plan. This document represents the culmination of nearly a one-year effort on the part of a citizens committee, focus groups, the Mayor and City Council, and city staff, to create a plan which outlines the goals and policies that will direct the City of Altoona's future land use planning.
Closed Hearing at 6:45pm
10. **Resolution adopting the Altoona Comprehensive Plan**
Resolution 8-18-2014 #01 ADOPTING THE ALTOONA COMPREHENSIVE PLAN
Roll Call Vote:
Y Boka Y Harmeyer 1 Mertz 2 O'Connor Y Sloan (5-0)
11. **Public hearing to consider a rezoning request from Bucklin Properties V, LLC to rezone the two lots consisting of 0.43 acres from C-2 (General Commercial) to C-4 (Village Commercial), locally known as 209 8th Street SW**
Mayor Conkling explained this is public hearing to consider rezoning the old Maid-rite property from C-2 (General Commercial) to C-4 (Village Commercial). The current owner, Bucklin Properties, has entered into an agreement to sell the land to Subway
Open Hearing at 6:49pm
Public Comment: No one came forward to speak.
Closed Hearing at 6:50pm
12. **Ordinance to rezone property at 209 8th Street SW owned by Bucklin Properties V, LLC to rezone the two lots consisting of 0.43 acres from C-2 (General Commercial) to C-4 (Village Commercial) (1st Reading)**
Ordinance No. 8-18-2014 #03 (397) TO REZONE PROPERTY AT 209 8TH STREET SW OWNED BY BUCKLIN PROPERTIES V, LLC TO REZONE THE TWO LOTS CONSISTING OF 0.43 ACRES FROM C-2 (GENERAL COMMERCIAL) TO C-4 (VILLAGE COMMERCIAL) (1ST READING)
Roll Call Vote (1st reading):
Y Boka Y Harmeyer 1 Mertz 2 O'Connor Y Sloan (5-0)
Roll Call Vote (To waive 2nd & 3rd reading):
Y Boka Y Harmeyer 1 Mertz 2 O'Connor Y Sloan (5-0)
Roll Call Vote (To publish):
Y Boka Y Harmeyer 1 Mertz Y O'Connor 2 Sloan (5-0)
13. **Public hearing to consider plans, specifications, and form of contract for RISE project (Adventureland Dr. East)**
Mayor Conkling explained this is a public hearing to consider the plans, specifications, and form of contract for the RISE project to extend Adventureland Drive NE to the east. The city received two bids

on Tuesday, August 12th. The engineers estimate for the project was \$358,162. The low bid was submitted by Elder Corporation in the amount of \$478,478.78 which is \$119,851.78 over the estimate. City Administrator Jeff Mark explained that council will recall that the project has RISE eligible costs and non-RISE eligible costs. The non-RISE costs are to be split on a 50/50 percentage basis with the developer. The original total grant is a not exceed number of \$228,308.00. That leaves a difference of \$250,170.78 to be shared with the developer.

Open Hearing at 6:51pm

Public Comment: No one came forward to speak.

Closed Hearing at 6:52pm

14. Resolution to approve the plans, specifications, form of contract and estimated costs for Adventureland Drive NE extension project (RISE project)

Resolution 8-18-2014 #02 TO APPROVE THE PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATED COSTS FOR ADVENTURELAND DRIVE NE EXTENSION PROJECT (RISE PROJECT)

Council Member Jeremy Boka shared his concern for the price of the over estimate and asked if there was anyway to avoid the loss if the City had utilized the soil that was removed from the Dayton Freight site. Staff and Brent Culp, Snyder and Associates, 2727 Snyder Blvd., Ankeny, agreed to research some cost savings options and bring them back to council.

Roll Call Vote:

Y Boka Y Harmeyer 1 Mertz 2 O'Connor Y Sloan (5-0)

15. Resolution to approve the contract and bond for Adventureland Drive NE extension project (RISE project)

Resolution 8-18-2014 #03 TO APPROVE THE CONTRACT AND BOND FOR ADVENTURELAND DRIVE NE EXTENSION PROJECT (RISE PROJECT)

Council Member Dean O'Connor motioned approval subject to review of legal documents by city attorney.

Roll Call Vote:

Y Boka Y Harmeyer 2 Mertz 1 O'Connor Y Sloan (5-0)

16. Resolution making the award of the contract for Adventureland Drive NE extension project (RISE project)

Resolution 8-18-2014 #04 MAKING THE AWARD OF THE CONTRACT FOR ADVENTURELAND DRIVE NE EXTENSION PROJECT (RISE PROJECT)

Council Member O'Connor motioned approval subject to review of legal documents by city attorney.

Roll Call Vote:

2 Boka Y Harmeyer Y Mertz 1 O'Connor Y Sloan (5-0)

17. Continued public hearing to consider a comprehensive plan land use map amendment from commercial to high density residential for property owned by R&D Plumbing at 301 8th Street SW consisting of 0.328

Mayor Conkling explained the owner of the property located at 301 8th Street SW, is seeking to amend the comprehensive land use map for the same property from commercial to high density residential.

Council Member Kyle Mertz motioned approval to reopen the continued hearing.

Roll Call Vote:

Y Boka Y Harmeyer 1 Mertz 2 O'Connor Y Sloan (5-0)

Open Hearing at 7:10pm

Public Comment:

*Marilyn Neilsen, 1507 4th St. NW, Altoona, explained that she had forwarded a letter to council expressing her disapproval of the project. She explained that her concern was in regards to the amount of traffic that would be utilizing her parking lot.

*Doyle Ables, 302 1st Ave. N, Altoona, explained the property is owned by R&D Plumbing, Inc. and is 0.38 acres in size. He is proposing to lease the property to a daycare operator. He shared that he is open to traffic deterrents (berm, concrete barrier, etc.) to keep the clients from the day care from using the parking lot next door.

Closed Hearing at 7:14pm

- 18. Resolution to consider approval of a comprehensive plan land use map amendment from commercial to high density residential for property owned by R&D Plumbing at 301 8th Street SW consisting of 0.328 acres**

Council Member O'Connor motioned to deny the request.

Roll Call Vote:

N Boka N Harmeyer 2 Mertz 1 O'Connor Y Sloan (3-2)

- 19. Continued public hearing to consider a rezoning request from C-2 (General Commercial) to R-3 (Multi-18 family Residential) for property owned by R&D Plumbing at 301 8th Street SW consisting of 0.328 acres**

Mayor Conkling explained this public hearing is for the rezoning of the above described property. The owner is seeking to rezone the property located at 301 8th Street SW, from C-2 (General Commercial) to R-3 (Multi-family Residential) to allow the daycare use.

Council Member O'Connor motioned approval to reopen the continued hearing.

Roll Call Vote:

Y Boka Y Harmeyer 2 Mertz 1 O'Connor Y Sloan (5-0)

Open Hearing at 7:19pm

Public Comment: No one came forward to speak.

Closed Hearing at 7:20pm

- 20. Ordinance to consider a rezoning request from C-2 (General Commercial) to R-3 (Multi-family Residential) for property owned by R&D Plumbing at 301 8th Street SW consisting of 0.328 acres (1st Reading)**

Council Member O'Connor motioned to deny the request.

Roll Call Vote:

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

- 21. Resolution to approve a preliminary plat for 28th Avenue Villas**

Resolution 8-18-2014 #05 TO APPROVE A PRELIMINARY PLAT FOR 28TH AVENUE VILLAS

Mayor Conkling explained the owner and developer, Kirk Hesse, 28th Avenue Development, LLC. is seeking preliminary plat approval. Vic Piagentini of AEC, 2927 MLK Parkway, Des Moines, explained the property is 3.33 acres in size. The site plan shows 13 bi-attached buildings comprising 26 total units. The project will be a condominium development; however, the units will be rented and owned by the developer initially.

Roll Call Vote:

Y Boka Y Harmeyer 1 Mertz 2 O'Connor Y Sloan (5-0)

- 22. Resolution to approve a final plat for 28th Avenue Villas**

Resolution 8-18-2014 #06 TO APPROVE A FINAL PLAT FOR 28TH AVENUE VILLAS

Mayor Conkling explained this is the resolution for the final plat for the 28th Avenue Villas. Council Member Mertz motioned approval subject to deficiencies being resolved.

Roll Call Vote:

Y Boka Y Harmeyer 1 Mertz 2 O'Connor Y Sloan (5-0)

23. Resolution to approve a site plan for 28th Avenue Villas

Resolution 8-18-2014 #07 TO APPROVE A SITE PLAN FOR 28TH AVENUE VILLAS

Mayor Conkling explained the resolution to approve the site plan for the 28th Avenue Villas will need to be approved subject to the legal documents being accepted.

Roll Call Vote:

Y Boka Y Harmeyer 1 Mertz 2 O'Connor Y Sloan (5-0)

24. Consider appointment to Planning and Zoning Commission

Council Member Mertz motioned approval of Ann Moyna being appointed to the P & Z Commission.

Roll Call Vote:

Y Boka Y Harmeyer 1 Mertz 2 O'Connor Y Sloan (5-0)

25. Consent Agenda

a) Allow Bills

b) Resolution levying assessments for costs of nuisance abatement BHNAC schedule No. 2014-06, and providing for payment thereof

Resolution 8-18-2014 #08 LEVYING ASSESSMENTS FOR COSTS OF NUISANCE ABATEMENT BHNAC SCHEDULE NO. 2014-06, AND PROVIDING FOR PAYMENT THEREOF

c) Resolution to approve the June 30, 2014, Road Use Report

Resolution 8-18-2014 #09 TO APPROVE THE JUNE 30, 2014, ROAD USE REPORT

d) Consider approval of sports league lease with Southeast Polk Youth Tackle Football League

e) Set the next regular council meeting for Tuesday, September 2, 2014 at 6:30pm

Roll Call Vote:

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

26. General Business Items/Reports and Updates

*Council Member Boka shared he has heard from several developers that appreciate the work the City of Altoona is doing to work with developers.

*Council Member Michelle Sloan reminded council and the audience of Altoona Palooza this weekend.

27. Adjourn at 7:26pm

Roll Call Vote:

Y Boka Y Harmeyer 1 Mertz 2 O'Connor Y Sloan (5-0)

Attest to: _____
Amy S. Hill, Secretary

J.M. Skip Conkling, Mayor