

CITY OF ALTOONA COUNCIL MEETING
MONDAY, OCTOBER 3, 2016, 6:30 P.M.
AT THE ALTOONA CITY HALL

1. **CALL TO ORDER**

Roll Call at 6:30 pm

Mayor Conkling - present

Boka - present

Mertz- present

O'Connor - present

Sloan- present

Willey - present

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

Audience Present: Nathan Frohock, Robin Frohock, Simon Frohock, Melissa Horton, Megan Carr, Bob Hall, Doug Mandernach, Keith Olson, Jim Ellingson, Morgan Lynch, Ranae Lynch

2. **Perfecting and approval of the agenda**

Mayor Skip Conkling requested the agenda be approved as presented.

Roll Call Vote:

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

3. **Approval of September 19 and 26, 2016, minutes**

Roll Call Vote:

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

4. **Citizens request to address council**

No one came forward to speak.

5. **Public hearing to consider plans, specifications and form of contract for the 2016 Casebeer Water Main Project**

Mayor Conkling explained the City received bids on Tuesday September 27, 2016 for the 2016 Casebeer Water Main project. Seven bids were received with the lowest bid submitted by Morris Enterprises Inc, in the amount of \$219,531.

Opened hearing at 6:32pm

Comments: No one came forward to speak.

Closed hearing at 6:33pm

6. **Resolution 10-03-2016 #01 to approve the plans, specifications, form of contract and estimated costs for the 2016 Casebeer Water Main Project**

Mayor Conkling explained the estimated cost is \$ 286,090.

Roll Call Vote:

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

7. **Resolution 10-03-2016 #02 to approve the contract and bond for the 2016 Casebeer Water Main Project**

Council Member Dean O'Connor approved the resolution subject to City Attorney Bob Laden reviewing and approving the contract and bond.

Roll Call Vote:

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

8. **Resolution 10-03-2016 #03 making the award of the contract for the 2016 Casebeer Water Main Project**

City Engineer Jon Hanson stated staff would recommend awarding the contract to Morris Enterprises Inc. in the amount of \$219,531 for the 2016 Casebeer Water Main project. Council Member Jeremy Boka approved the resolution subject to City Attorney Laden reviewing and approving the contract.

Roll Call Vote:

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

9. Ordinance 9-19-2016 #01 (437) TO APPROVE REZONING REQUEST FROM MOLLY MEADOWS LLC & SPRING CREEK RIDGE LC FOR 67.21 ACRES FROM A-1 TO R-1 (2nd Reading)

Mayor Conkling explained the applicants, Molly Meadows and Spring Creek Ridge, LC are seeking approval to rezone 67.21 acres from A-1 (Agricultural) to R-1 (Single-family residential). The property is located on the west side of NE 80th Street, and north of the single family homes on the north side of NE 27th Avenue. This is the second reading. Council Member Vern Willey motioned approval subject to the annexation being finalized.

Roll Call Vote (2nd Reading):

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

Roll Call Vote (To waive 3rd Readings):

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

Roll Call Vote (To publish):

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

10. Ordinance 9-19-2016 #02 (438) TO ADD STOP SIGNS ON 7TH AVENUE SE AT 3RD STREET SE FOR NORTH AND SOUTH BOUND TRAFFIC (2nd Reading)

Mayor Conkling stated this was the 2nd reading to establish a stop sign at 3rd St. SE.

Roll Call Vote (2nd Reading):

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

Roll Call Vote (To waive 3rd Readings):

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

Roll Call Vote (To publish):

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

11. Ordinance 9-19-2016 #03 (439) TO AMEND TO CHAPTER 52 WEEDS AND GRASS (2nd Reading)

Mayor Conkling explained this is the 2nd reading and this change, and the proposed change to Chapter 163 below, adds some wording to make the two ordinances consistent with Chapter 50 - Nuisance Abatement Procedure.

Roll Call Vote (2nd Reading):

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

Roll Call Vote (To waive 3rd Readings):

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

Roll Call Vote (To publish):

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

12. Ordinance 9-19-2016 #04 (440) TO AMEND CHAPTER 163 PROPERTY MAINTENANCE CODE (2nd Reading)

Roll Call Vote (2nd Reading):

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

Roll Call Vote (To waive 3rd Readings):

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

Roll Call Vote (To publish):

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

13. Ordinance 10-03-2016 #01 (441) AMENDING SECTION 10.05 OF THE CITY OF ALTOONA CODE OF ORDINANCES TO DELETE THE LEGAL DESCRIPTION OF CERTAIN PROPERTY FROM THE ALTOONA URBAN RENEWAL AREA (1st Reading)

City Clerk Randy Pierce explained a condominium, Linden Oaks, has a portion of its property lying within the 1990 Altoona UR plan area and a portion lying outside the same plan area. This condominium lies on 3 parcels each with a different class. This creates a situation where the taxpayer

will get multiple tax bills. This amendment will remove the area out of the plan area and allow Polk County to issue just one tax statement.

Roll Call Vote (1st Reading):

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

Roll Call Vote (To waive 2nd & 3rd Readings):

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

Roll Call Vote (To publish):

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

14. Resolution #10-3-2016 #04 TO CONSIDER APPROVAL OF A FINAL PLAT FOR TUSCANY TOWNHOMES PLAT 2

Brad Brockman from McClure Engineering, 3160 NW 121st St., Clive, explained this is a 24-lot bi-attached townhome project and continuation of the larger project. It extends Indigo Drive to the east to connect to Tuscany Drive. Council Member O'Connor motioned approval subject to deficiencies being met.

Roll Call Vote:

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

15. Resolution #10-3-2016 #05 TO CONSIDER APPROVAL OF A PRELIMINARY PLAT FOR TUSCANY PLAT 3

Brad Brockman from McClure Engineering explained this is a 35-lot single-family plat with 55-foot wide lots. The developer is requesting to return to the original PUD the Council approved for this area in 2010. The lot sizes are similar to the rest of the land in the north part such as the 15th Ave SE cul-de-sac.

Roll Call Vote:

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

16. Resolution #10-3-2016 #06 TO CONSIDER APPROVAL OF A SITE PLAN AMENDMENT FOR UNITYPOINT CLINIC

Doug Mandernach with Civil Design Advantage, 3405 SE Crossroads Dr., Grimes, explained UnityPoint has decided to reduce the size of the clinic addition from 15,000 sf down to 6,000 sf. They will still have urgent care and some additional services. Mainly those will all be housed in the existing building with the physical therapy being moved into this new addition. The landscaping and buffer, storm water detention, and the driveway connection to 8th Street SW will still be installed. It will have less parking than was originally proposed but still more than is required.

Roll Call Vote:

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

17. Resolution #10-3-2016 #07 TO CONSIDER APPROVAL OF A SITE PLAN FOR FACEBOOK STORAGE BUILDING

Community Development Director John Shaw explained Facebook desires to construct a 1,500 sf storage and maintenance building. It will be located just northwest of building #2, near the substation. It will set approximately 1/3 of a mile from 34th Avenue NW.

Roll Call Vote:

Y Boka Y Mertz Y O'Connor Y Sloan Y Willey (5-0)

18. Resolution #10-3-2016 #08 TO CONSIDER APPROVAL OF A SITE PLAN ADDITION FOR IOWA COLD STORAGE

Director Shaw explained Iowa Cold Storage is proposing a 117,000 sf addition onto the southern part of the building. It is mostly additional freezer space with a little loading dock addition. The walls on this phase are 50-feet tall, where the rest of the building is 41-feet. Council Member Willey asked if the addition was meeting building code requirements. Director Shaw stated the building department was reviewing the location of the new man doors on the outside of the addition to determine where steps and ramps need to be located and how the sidewalk is routed to the parking lot.

Roll Call Vote:

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

19. Consider event request from Wing Nutt Brewery to hold a tailgating event in their parking lot on Sunday, October 9th from 11 am - 7 pm
Kyle Roberts, 3585 Sage St, Des Moines, requested to have Wing Nutt hold a tailgate event in their parking lot. They have permission from the landlord and from Dr. Swain to use extra parking if needed. The event is on a Sunday so other activity in the area is limited. They will have food vendors, an area for games, and outdoor beer sales.

Roll Call Vote:

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

20. Representative from Sand Company to present on proposed Emory Ridge Apartment Complex Project

Megan Carr, 366 South Tenth Avenue, Waite Park, Minnesota, presented the information for an apartment complex that would be marketed to individuals that 55 or older. The company is also requesting financial help in applying for a grant from the Iowa Finance Authority. Council directed Ms. Carr to work with the City Administrator to look at possible options for contributing funding.

21. Consider Consent Agenda

a) Allow Bills

b) Pay Apps

B1) Change Order #1 - Minturn, Inc. - Haines & Village Park Tennis Projects - \$2,721.00

B2) Pay App #4 - Minturn, Inc. - Haines & Village Park Tennis Projects - \$64,087.00

B2) Pay App #5 - Jackson Creek Enterprises L.C. - 2016 Water Main Replacement Project - \$105,808.58

B3) Final Pay App - J&K Contracting, LLC. - Altoona NE 54th Ave. Sanitary Sewer Extension - \$20,401.25

c) Resolution #10-3-2016 #09 TO APPROVE A GRANT APPLICATION AND MATCHING FUNDS FOR 2016 *TREES PLEASE!*

d) Resolution #10-3-2016 #10 SETTING DATE FOR PUBLIC HEARING ON A DEVELOPMENT AGREEMENT WITH NORTH CENTRAL STATES REGIONAL COUNCIL OF CARPENTERS, INCLUDING ECONOMIC DEVELOPMENT PAYMENTS IN THE AMOUNT NOT TO EXCEED \$3,000,000

e) Resolution #10-3-2016 #11 ACCEPTING PERMANENT WATERMAIN EASEMENT FOR CONSTRUCTION OF THE CASEBEER WATERMAIN REPLACEMENT (DONALD D. STREETER - \$412.50 - PARCEL 4100)

f) Resolution #10-3-2016 #12 ACCEPTING PERMANENT WATERMAIN EASEMENT FOR CONSTRUCTION OF THE CASEBEER WATERMAIN REPLACEMENT (LARRY D. CHAPPELL - \$500.00 - PARCEL 4120)

g) Resolution #10-3-2016 #13 ACCEPTING PERMANENT WATERMAIN EASEMENT FOR CONSTRUCTION OF THE CASEBEER WATERMAIN RPLACEMENT (H&W ENTERPRISES, INC./DOUGLAS J. WITZENBURG - \$250.00 - PARCEL 4140)

h) Resolution#10-3-2016 #14 ACCEPTING PERMANENT WATERMAIN EASEMENT FOR CONSTRUCTION OF THE CASEBEER WATERMAIN REPLACEMENT (JOHN C. SHAW & MELANY J. SHAW - \$250.00 - PARCEL 4160)

i) Resolution #10-3-2016 #15 ACCEPTING PERMANENT WATERMAIN EASEMENT FOR CONSTRUCTION OF THE CASEBEER WATERMAIN REPLACEMENT (BRUCE A. MANN & CAROL M. MANN - \$250.00 - PARCEL 4170)

j) Resolution #10-3-2016 #16 ACCEPTING PERMANENT WATERMAIN EASEMENT FOR CONSTRUCTION OF THE CASEBEER WATERMAIN REPLACEMENT (FRANK MURRAY SMITH & BECKY K. SMITH - \$250.00 - PARCEL 4180)

k) Resolution #10-3-2016 #17 ACCEPTING PERMANENT WATERMAIN EASEMENT FOR CONSTRUCTION OF THE CASEBEER WATERMAIN REPLACEMENT (KRISTINE L. PENQUITE & BLAKE D. PENQUITE - \$375.00 - PARCEL 4190)

l) Resolution #10-3-2016 #18 ACCEPTING PERMANENT WATERMAIN EASEMENT FOR CONSTRUCTION OF THE CASEBEER WATERMAIN REPLACEMENT (DARRYL L. NEFF - \$664.00 - PARCEL 4225)

- m) Resolution #10-3-2016 #19 ACCEPTING PERMANENT WATERMAIN EASEMENT FOR CONSTRUCTION OF THE CASEBEER WATERMAIN REPLACEMENT (JEFFREY E. MCCULLEY & ABBY L. MCCULLEY - \$618.00 - PARCEL 4255)
- n) Resolution #10-3-2016 #20 ACCEPTING PERMANENT WATERMAIN EASEMENT FOR CONSTRUCTION OF THE CASEBEER WATERMAIN REPLACEMENT (DON TOWNSEND & DARLENE TOWNSEND - \$1342.00 - PARCEL 4285)
- o) Resolution #10-3-2016 #21 ACCEPTING PERMANENT WATERMAIN EASEMENT FOR CONSTRUCTION OF THE CASEBEER WATERMAIN REPLACEMENT (MELVIN P. ZINNEL & MICHELE R. ZINNEL - \$680.00 - PARCEL 4305)
- p) Resolution#10-3-2016 #22 ACCEPTING PERMANENT WATERMAIN EASEMENT FOR CONSTRUCTION OF THE CASEBEER WATERMAIN REPLACEMENT (PHIL LADD & KATHY LADD - \$672.00 - PARCEL 4385)
- q) Resolution #10-3-2016 #23 ACCEPTING PERMANENT WATERMAIN EASEMENT FOR CONSTRUCTION OF THE CASEBEER WATERMAIN REPLACEMENT (JOHN K. CRAGGS & PAULETTE Y. CRAGGS - \$560.00 - PARCEL 4405)
- r) Consider approval of agreement for cooperative public service between Polk County, Iowa and City of Altoona
- s) Set Public Hearing for Monday October 17 at 6: 30 pm to consider a rezoning request from Arthur Jones to rezone 12.97 acres from A-1 (Agricultural) and R-5 (PUD) to R-1 (Single-family Residential)

Roll Call Vote:

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

22. Beer & Liquor Permits

- a) Fareway Stores Inc. #925 - Class C Beer Permit (Carryout Beer), Class E Liquor License (LE), Class B Wine Permit (Carryout Wine - includes Native Wine)

Chief Jody Matherly stated there are no violations as this establishment.

Roll Call Vote:

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

23. General Business Items/Reports and Updates

*Council Member O'Connor expressed his appreciation to City Attorney Bob Laden for assisting the Altoona Campus on a potential legal issue.

*Council Member Boka reminded council, staff and the audience that next Monday (October 10, 2016) is Taste of Altoona.

*City Clerk Randy Pierce shared with the council a very good renewal percentage for medical health benefits this year.

24. Adjourn at 7:10pm

Roll Call Vote:

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

Attest to:

Amy S. Hill, Secretary

J.M. Skip Conkling, Mayor