

CITY OF ALTOONA COUNCIL MEETING  
MONDAY, MARCH 21, 2016, 6:30 P.M.  
AT THE ALTOONA CITY HALL

1. CALL TO ORDER

Roll Call at 6:30 pm

Mayor Conkling - absent

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: Logan Franck, Don Franck, Chad Jacks, Doug Mandernach, James Rizzute, Brett McAllister, Jason Lighthall, Jeremy Shepherd, Steve Moyna, Vicki Comegys, Greg Edwards, Melissa Horton, Kirk Janes, Jen Book, Jim Ellingson, John McClain, Jon Wall, Peggy Harmeyer, Mike Harmeyer, Zach Nunn, Alex Lynch

2. Perfecting and approval of the agenda

Mayor Pro-Tem Kyle Mertz requested to move item #31 up to item #4a.

Roll Call Vote:

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

3. Approval of March 7, 2016, Council Minutes

Roll Call Vote:

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

4. Citizens request to address council

No one came forward to speak.

\*4a. Greg Edwards presented an update on Des Moines Convention and Visitors Bureau

5. Public hearing to consider a rezoning request from Dr. Copolla for property at 753 8<sup>th</sup> Street SW to rezone 1.233 acres from R-3 (Multi-family Residential) to C-2 (General Commercial) Kirk Janes, 100 8<sup>th</sup> St. SE, Altoona, Iowa, owner of Signatures Salon and Day Spa, is proposing to purchase the property and move his salon and spa business into the building. He wishes to rezone the property from R-3 (Multi-family Residential) to C-2 (General Commercial).

Hearing opened: 6:44pm

Comments: No one came forward to speak.

Hearing closed: 6:45pm

6. Ordinance 03-21-2016 #01 (422) TO APPROVE REZONING FROM DR. COPOLLA FOR PROPERTY AT 753 8<sup>TH</sup> STREET SW TO REZONE 1.233 ACRES FROM R-3 (MULTI-FAMILY RESIDENTIAL) TO C-2 (GENERAL COMMERCIAL) (1<sup>ST</sup> READING)

Roll Call Vote (1<sup>st</sup> Reading):

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

Roll Call Vote (To waive 2<sup>nd</sup> & 3<sup>rd</sup> Reading):

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

Roll Call Vote (To Publish):

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

7. Public hearing to consider a comprehensive plan land use map amendment from SAJG Boys Rental Properties LLC to amend 1.22 acres from low density residential to commercial at 2662 8<sup>th</sup> Street SW

Doug Madernach of CDA, 3405 SE Crossroads Dr., Grimes, explained the property owner, SAJG Boys Rental Properties LLC, are proposing to amend the comprehensive plan land use map and rezone the property to allow for UnityPoint to expand their medical clinic and the services offered on site. The land use change is to go from low density residential to commercial and to rezone from R-1 (Single-family residential) to C-2 (General Commercial).

Hearing opened: 6:47pm

Comments: No one came forward to speak.

Hearing closed: 6:48pm

8. Resolution 03-21-2016 #01 TO APPROVE CONSIDER A COMPREHENSIVE PLAN LAND USE MAP AMENDMENT FROM SAJG BOYS RENTAL PROPERTIES LLC TO AMEND 1.22 ACRES FROM LOW DENSITY RESIDENTIAL TO COMMERCIAL AT 2662 8<sup>TH</sup> STREET SW

Roll Call Vote:

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

9. Public hearing to consider a rezoning request from SAJG Boys Rental Properties LLC to rezone 1.22 acres from R-1 (Single-family Residential) to Conditional C-2 (General Commercial) for property at 2662 8<sup>th</sup> Street SW

Mayor Pro-Tem Mertz explained this is the public hearing for the Conditional C-2 (General Commercial) for the property at 2662 8<sup>th</sup> Street SW. This is the same project as described in the previous agenda item.

Hearing opened: 6:49pm

Comments: No one came forward to speak.

Hearing closed: 6:50pm

10. Ordinance 03-21-2016 #02 (423) TO APPROVE A REZONING REQUEST FROM SAJG BOYS RENTAL PROPERTIES LLC TO REZONE 1.22 ACRES FROM R-1 (SINGLE-FAMILY RESIDENTIAL) TO CONDITIONAL C-2 (GENERAL COMMERCIAL) FOR PROPERTY AT 2662 8<sup>TH</sup> STREET SW

Community Development Director John Shaw explained that this rezoning included conditional uses.

Roll Call Vote (1<sup>st</sup> Reading):

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

Roll Call Vote (To waive 2<sup>nd</sup> & 3<sup>rd</sup> Reading):

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

Roll Call Vote (To Publish):

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

11. Resolution 03-21-2016#02 to consider a preliminary plat for UnityPoint Altoona Medical Campus

Director Shaw explained this preliminary and final plat will plat combine two existing lots into one lot. The existing clinic is on its own lot and the existing home is on a separate lot. With the proposed addition crossing the lot line, this plat will create a one-lot commercial subdivision plat. It is 3.15 acres in size. No new streets are constructed as part of this plat but the existing shared access on the northeast corner will be improved. There are existing covenants on the existing UnityPoint lot and these restrictions should be re-affirmed and cover the new portion of the new plat. Council Member Dean O'Connor motioned approval subject to legal documents being approved by the city attorney.

Roll Call Vote:

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

12. Resolution 03-21-2016 #03 to consider a final plat for UnityPoint Altoona Medical Campus

Council Member Connor motioned approval subject to legal documents being approved by the city attorney.

Roll Call Vote:

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

13. **Resolution 03-21-2016 #04 to consider a site plan for UnityPoint Family Care**  
Doug Madernach of CDA, 3405 SE Crossroads Dr., Grimes, explained the addition will be for expanded services including urgent care and other services. Rather than building a separate building, the plan is to add on to the existing building by constructing to the east. The existing building is 15,243 square feet in size and one story in height. The addition will roughly double the size as the addition is 15,016 square feet, and also matches the roof line. Council Member O'Connor motioned approval subject to the deficiencies being met and approved by city staff.  
**Roll Call Vote:**  
2 Boka Y Mertz 1 O'Connor Y Sloan Y Willey (5-0)
14. **Public hearing to consider a development plan amendment for The Shoppes at Prairie Crossing - Waterside Entertainment Territory**  
Chris Whalen representing Heart of America, 1501 River Dr., Moline, Illinois, explained Prairie Crossing Investment, Inc., are requesting a commercial PUD amendment for the area known as the Waterside Entertainment Territory ("WET") of The Shoppes at Prairie Crossing. The property is zoned C-7 (Regional Commercial).  
**Hearing opened: 6:54pm**  
**Comments: No one came forward to speak.**  
**Hearing closed: 6:57pm**
15. **Resolution 03-21-2016#05 to approve a development plan amendment for The Shoppes at Prairie Crossing - Waterside Entertainment Territory**  
Council Member O'Connor motioned approval subject to deficiencies being resolved that are noted in the staff report.  
**Roll Call Vote:**  
2 Boka Y Mertz 1 O'Connor Y Sloan Y Willey (5-0)
16. **Resolution 03-21-2016#06 to consider a preliminary plat for Prairie Crossing Plat 4**  
Tim West of Snyders and Associates, 2727 Snyder Blvd., Ankeny, explained the owner/developer is proposing to construct a Fairfield Inn and Suites at 460 Bass Pro Drive NW. To do so they are platting the property into a one-lot commercial subdivision, that is intended for multiple buildings. The site is on the south side of the lake and is 6.38 acres in size. There is room for two additional building pads on this lot. In the future, when the next building is ready to be constructed, a commercial condominium regime will be established to layout responsibilities of maintaining the parking lots, snow removal, landscaping, etc. The property is zoned C-7 (Regional Commercial) and is part of the Waterside Entertainment District of the Shoppes at Prairie Crossing development. Council Member O'Connor motioned approval subject to deficiencies being resolved that are noted in the staff report. **Roll Call Vote:**  
Y Boka Y Mertz 1 O'Connor 2 Sloan Y Willey (5-0)
17. **Resolution 03-21-2016#07 to consider a final plat for Prairie Crossing Plat 4**  
Council Member O'Connor motioned approval subject to deficiencies being resolved that are noted in the staff report.  
**Roll Call Vote:**  
Y Boka Y Mertz 2 O'Connor Y Sloan 1 Willey (5-0)
18. **Resolution 03-21-2016 #08 to consider a site plan for Fairfield Inn and Suites**  
Chris Whalen representing Heart of America, is proposing to construct a 108-room Fairfield Inn and Suites at 460 Bass Pro Drive NW. The site is on the south side of the lake and is 6.38 acres in size. There is room for two additional buildings on this lot. In the future, when the next building is constructed, a commercial condominium regime will be established to layout responsibilities of maintaining the parking lot, snow removal, landscaping, etc. The building footprint is 15,000 square feet in size. Council Member O'Connor motioned approval subject to deficiencies being resolved that are noted in the staff report.

Roll Call Vote:

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

19. Public hearing to consider amendment to the 2004 City of Altoona Code of Ordinances Chapter 105.05 (Open Burning Restricted) and Chapter 161.09 (Open Burning and Recreational Fires)  
Director John Shaw explained this is a public hearing to consider amendments to two ordinances, which would allow burning on A-1 (Agricultural) zoned properties. The first is chapter 105.05, Open Burning Restrictions, staff has determined that no changes are needed. The amendment for chapter 161.09, Open Burning and Recreational Fires would allow agriculturally zoned property to burn landscape waste and agricultural structures with a permit from Polk County.

Hearing opened: 7:11pm

Comments: No one came forward to speak.

Hearing closed: 7:12pm

20. Ordinance 03-21-2016 #03 (424) TO AMEND 2004 CITY OF ALTOONA CODE OF ORDINANCES CHAPTER 161.09 (OPEN BURNING AND RECREATIONAL FIRES)

Roll Call Vote (1<sup>st</sup> Reading):

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

Roll Call Vote (To waive 2<sup>nd</sup> & 3<sup>rd</sup> Reading):

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

Roll Call Vote (To Publish):

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

21. Public hearing to consider plans, specifications and form of contract for 2016 Water Main Replacement Project

City Engineer Jon Hanson explained on March 8, 2016, the City of Altoona received bids for the 2016 Water Main Replacement Project. Four bids were received with the low bid of \$673,358.00, being submitted by Jackson Creek Enterprises LC. The engineers estimate for the project was \$703,028.00.

Hearing opened: 7:13pm

Comments: No one came forward to speak.

Hearing closed: 7:15pm

22. Resolution 03-21-2016#09 to approve the plans, specifications, form of contract and estimated costs for 2016 Water Main Replacement Project

Roll Call Vote:

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

23. Resolution 03-21-2016#10 to approve the contract and bond for 2016 Water Main Replacement Project

Roll Call Vote:

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

24. Resolution 03-21-2016#11 making the award of the contract for 2016 Water Main Replacement Project

City Engineer Hanson explained staff would recommend awarding the contract to Jackson Creek Enterprises LC, in the amount of \$673,358.00.

Roll Call Vote:

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

25. Public hearing to consider Franchise Revenue Statement

City Clerk Randy Pierce explained the Code of Iowa requires that the City publish and approve a Franchise Revenue Statement that explains the purposes the franchise fee can be used for. The Revenue statement was published in the Des Moines Register on Thursday, March 10, 2016.

Hearing opened: 7:16pm

Comments: No one came forward to speak.

Hearing closed: 7:17pm

26. Resolution 03-21-2016 #12 to approve Franchise Revenue Statement

Roll Call Vote:

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

27. Public hearing to consider amendment to the 2004 City of Altoona Code of Ordinances Chapter 111 (Electric Franchise)

Mayor Pro-Tem Mertz explained the council needs to consider amending Chapter 111 subsection 14 to change the percentage of the franchise fee that the city is allowed to collect. Current ordinance allows for 0% of franchise fees to be collected and the amendment would allow the city to collect 3% franchise fee.

Hearing opened: 7:18pm

Comments: No one came forward to speak.

Hearing closed: 7:24pm

28. Ordinance to amend 2004 City of Altoona Code of Ordinances Chapter 111 (Electric Franchise)(1<sup>st</sup> Reading)

Roll Call Vote (1<sup>st</sup> Reading):

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

29. Public hearing to consider amendment to the 2004 City of Altoona Code of Ordinances Chapter 110 (Natural Gas Franchise)

Mayor Pro-Tem Mertz stated as part of the process to set up the Franchise fee the council needs to consider approving an amended Natural Gas System Franchise agreement with MidAmerican Energy Company. Part of the amendment would extend the agreement for 22 years and would allow the city to collect 3% franchise fee on natural gas customers. Bob Laden has reviewed the agreement.

Hearing opened: 7:25pm

Comments: No one came forward to speak.

Hearing closed: 7:26pm

30. Ordinance to Amend 2004 City Of Altoona Code of Ordinances Chapter 110 (Natural Gas Franchise)(1<sup>st</sup> Reading)

Roll Call Vote (1<sup>st</sup> Reading):

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

31. ITEM MOVED TO #4a.

32. Consider Consent Agenda

a) Allow Bills

Roll Call Vote:

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

b) ITEM REMOVED FOR SEPARATE CONSIDERATION

- 32c. Consider approval of a Professional Services Agreement from Safe Building

City Administrator Jeff Mark stated that language needed to be adjusted and approved by the City Attorney. Council Member O'Connor motioned approval subject to City Attorney's approval.

Roll Call Vote:

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

33. Beer & Liquor Permits

a) Big Steer Restaurant/Lounge - Class C liquor license (LC) Commercial, Sunday Sales

Chief Jody Matherly stated there were no violations at this establishment.

Roll Call Vote:

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

b) Altoona Adult Softball League - CLASS B BEER PERMIT (BB) (includes Wine Coolers), Sunday and Outdoor Sales

Chief Matherly stated there were no violations at this establishment.

Roll Call Vote:

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

34. General Business Items/Reports and Updates

\*Council Member O'Connor gave an update on Metro Waste Authority's search for a new Executive Director and the co-mingling of trash and yard waste option.

35. Adjourn at 7:28pm

Roll Call Vote:

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

Attest to:

\_\_\_\_\_  
Amy Hill, Secretary

\_\_\_\_\_  
Kyle Mertz, Mayor Pro-Tem