

CITY OF ALTOONA COUNCIL MEETING
MONDAY, AUGUST 15, 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, Scott Atzen, Jon Hanson, Jim Utter, Amy Hill, City Attorney Bob Laden

Audience Present: Jim Franchetti, Lynne Franchetti, Steve Kitwell, Jeremy Larsen, Dick Nesselroad, Bonnie Nesselroad, Gary Palmer, Bob Swoboda, Vera Swoboda, Steve Moyna, Kay Eshelman, Don Timmins, Cheryl Timmins, Timothy Burget, Larry O'Connor, Melissa Horton, Debra Haak, Alex Lynch, Loyd Oval, Edward Williams, Wally Pelds, Eric Berkey

2. Perfecting and approval of the agenda

Mayor Skip Conkling requested the agenda be approved as presented.

Roll Call Vote:

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

3. Proclamation for the Altoona, Iowa Sesquicentennial

Mayor Conkling proclaimed July 26 - 29, 2018 as the official date for the sesquicentennial celebration in Altoona.

4. Approval of August 1, 2016, minutes

Roll Call Vote:

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

5. Citizens request to address council

No one came forward to speak.

6. Public hearing to consider a comprehensive plan land use map amendment from Meadowlands II, LC to change 56.35 acres from Light Industrial/Office Park to Industrial (land is generally located south of 9th St NE, east of 1st Avenue North, and north of the railroad tracks)(Continued)

Mayor Conkling explained this is the continuation of the public hearing originally scheduled for July 18, 2016. The property owner, Meadowlands II, LLC, is proposing to amend the comprehensive plan and land use map to allow for a cement fly ash terminal. The proposed land use change is to go from light industrial/office to industrial. The land is 56.35 acres in size and located south of 9th Street NE, and north of the railroad.

Comments:

*Edward Williams representing Eagle Materials, Dallas, Texas and working with Central Plains Cement Company gave a presentation about the logistics of the site they would like to create.

*Lloyd Oval, 301 E. Walnut St., Des Moines, representing Jim & Lynne Franchetti who reside at 834 9th St. NE., presented the council and read into record the formal Written Protest to Request to Change Pursuant to Iowa Code 414.5. The concerns the Franchetti's have are as follows: 1) The area being considered doesn't feel like a light industrial area. This area feels like a rural area; although, 9th St. does receive a heavy traffic during rush hours in the morning and late afternoon. 2) Fly ash is considered toxic and has special requirements under EPA regulations. 3) Questions that still need to be addressed: noise from the manufacturer & the semi-truck traffic, traffic counts, and any EPA citations against the current obligations. 4) Homeowners properties will be devalued because of proximity to the business.

*Vera Swoboda, 401 9th St. NE, are concerned about the increase traffic on 9th St. NE. and the additional noise that will be created. Ms. Swoboda also questioned why the spur couldn't be moved further east.

*Dick Nesselroad, 202 9th St. NW, shared his concerns about the increase in noise from the semi-trucks. He questioned whether additional traffic would proceed down 80th St. Mr. Nesselroad asked whether traffic lights would have to be installed on 9th St. because of the additional truck traffic. He does not want traffic lights installed. He agrees that surrounding homes will be devalued because of the business and increase truck traffic. Also, he questioned why the business couldn't be located in the NE Industrial Park. City Administrator Jeff Mark explained that another company will be building in the area with a railspur at the NE Industrial Park so the location is no longer available.

*Debra Haak, 127 7th Ave. Ct. SE, also wondered if traffic lights will need to be installed at 1st Ave. N. and 9th St. NE. She expressed her concern that 9th St. NE is not engineered to handle the additional semi-truck traffic. Ms. Haak also expressed that utilities will have to be added to and the road replaced eventually. She questioned who was going to be taxed for these installations and repairs.

*Wally Pelds of A. Leo Pelds Engineering, 2323 Dixon St., Des Moines, explained the drainage study completed to correct the storm water issue and the location of the storm water detention basin.

*Eric Berkey, 451 9th St. NE, stated he was in favor of the business being proposed. He stated having the road improved will aid his ability to run his business.

*Edward Williams responded to the questions: 1) Traffic study required the developers to state the heaviest possible for truck traffic on a single day. 80 trucks a day would be a rarity and not the norm. Normal truck traffic will probably be 40-45 trucks a day. 2) The company would be paying a large percentage of the taxes for any road improvements to 9th St. NE. 3) The traffic study shows virtually no trucks going south on 80th. 4) The company currently adheres to all EPA guidelines at all of the facilities in operation. 5) The terminal needs to be located next to the rail spur.

*Mayor Conkling did place into record a letter received from Chris Braenenwald which listed his concerns as a homeowner.

Closed hearing: 7:25pm

7. **Resolution #08-15-2016 #01 TO APPROVE AN AMENDMENT TO THE COMPREHENSIVE PLAN LAND USE MAP (LIGHT INDUSTRIAL/OFFICE PARK TO INDUSTRIAL)**

*City Attorney Bob Laden explained the process of the protest and the requirements of votes to pass the resolution.

*Council Member Vern Willey asked about the current zoning and what conditional zoning would be required. Community Development Director John Shaw explained M1 and M2 industrial zoning.

Council Member Willey discussed the delay for train traffic on 1st Ave. N in the past and currently. Director Shaw believed that the law only allowed train cars to block the roadway for 15-20 minutes.

*Council Member Dean O'Connor expressed that he believed that Altoona is a railroad town, a grain elevator town, and an interstate town. He believes that none of these things are going to change. He shared that Altoona is a growing community and this area has been planned for a long time to be an industrial area.

*Council Member Jeremy Boka expressed sympathy for the concerns the homeowners had stated. Currently, Meadowlands is only going to be occupying a third of the area that could be developed as industrial. The company is only running 40-45 trucks per day. If the area developed traditionally, then there is a possibility of 10 industrial businesses that could occupy the same area. Those businesses could run 20 trucks a day which would be a total of 200 trucks a day. Council Member Boka also appreciated that developer would solve the water drainage issue in that area.

*Council Member Willey shared the idea of using the KIP method for taxation on repair or upsizing of the road which is what the city did when the roads needed to be improved by Burger King and

Bosselman's. City Administrator Mark stated Council Member Willey was correct and in that calculation one semi-truck equaled 1000 cars.

*Council Member Michelle Sloan shared that she had the same concerns as Council Member Boka initially but agreed with his idea of what would happen with the traditional development of the area.

*Council Member O'Connor motioned approval of the resolution for the amendment to the comprehensive plan land use map.

Roll Call Vote:

2 Boka P Mertz 1 O'Connor Y Sloan Y Willey (4-0-1)

8. Public hearing to consider a rezoning request from Meadowlands II, LC to rezone 56.35 acres from M-1 (Limited Industrial) and M-2 (Heavy Industrial) to M-2 (Heavy Industrial) (land is generally located south of 9th St NE, east of 1st Avenue North, and north of the railroad tracks)(Continued)

Mayor Conkling explained this is the continuation of the public hearing originally scheduled for July 18, 2016. This is the public hearing for the rezoning of the above described property. The zoning cannot be addressed unless the comprehensive land use map amendment has been approved. The owner, Meadowlands II, LLC, is requesting to rezone the property from M-1 (Limited Industrial) to M-2 (Heavy Industrial).

Comments: Mayor Conkling asked if there were any additional comments not shared with the previous hearing. No one came forward to speak.

Closed hearing: 7:37pm

9. Ordinance #08-15-2016 #01 (435) AMENDING THE CODE OF ORDINANCES OF THE CITY OF ALTOONA, IOWA, 2004, CHAPTER 165, TO CHANGE THE OFFICIAL ZONING MAP TO REZONE CERTAIN PROPERTIES (1st Reading)

Roll Call Vote (1st Reading):

Y Boka P Mertz 1 O'Connor Y Sloan 2 Willey (4-0-1)

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

2 Boka P Mertz 1 O'Connor Y Sloan Y Willey (4-0-1)

Roll Call Vote (To publish):

Y Boka P Mertz 1 O'Connor Y Sloan 2 Willey (4-0-1)

10. Public hearing to consider an amendment to the 2004 City of Altoona Code of Ordinances, Chapter 120.05 (11)(Prohibited Sales & Acts)

Mayor Conkling explained this is a public hearing to consider removing language from the Altoona Code of Ordinances, Chapter 120.05 (11) (Prohibited Sales & Acts). The removal of the language will allow minors, to enter businesses where alcoholic beverages are sold. The proposed change is in accordance with the Code of the State of Iowa. Under the current City Code, a business must have non-alcoholic sales in excess of 50% of their total sales to allow minors in the business.

Open hearing: 7:40pm

Comments: Chief Jody Matherly shared that he had spoken with the three businesses this change would affect.

Closed hearing: 7:42pm

11. Ordinance #08-15-2016 #02 (436) AMENDING THE CODE OF ORDINANCES OF THE CITY OF ALTOONA, IOWA, 2004, BY DELETING A PARAGRAPH IN CHAPTER 120 - LIQUOR LICENSES AND WINE AND BEER PERMITS (1st Reading)

Roll Call Vote (1st Reading):

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

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

1 Boka Y Mertz 2 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)

12. Consider Consent Agenda
- a) Allow Bills
 - b) Resolution #08-15-2016 #02 APPROVING A TRANSFER FROM THE TIF FUND TO THE BOND ESCROW FUND
 - c) Resolution #08-15-2016 #03 TO APPROVE THE JUNE 30, 2016, ROAD USE REPORT
 - d) Set a public hearing for September 19, 2016 at 6:30pm to consider an 80/20 voluntary annexation consisting of approximately 215 acres of land northwest of Altoona
 - e) Set next regular council meeting for Tuesday, September 6, 2016 at 6:30pm
- Roll Call Vote:
2 Boka Y Mertz 1 O'Connor Y Sloan Y Willey (5-0)
13. Beer & Liquor Permits
- a) Bianchi Boys Pizza and Pasta - Special Class C Liquor License and Sunday sales
Chief Matherly stated there were no violations at this establishment.
- Roll Call Vote:
2 Boka Y Mertz 1 O'Connor Y Sloan Y Willey (5-0)
14. General Business Items/Reports and Updates
- *Council Member O'Connor - expressed his thanks to the organizers of the Creole Bash on Saturday night. It went really well and showcased the new shaded performance area.
- *Council Member Willey shared he was one of the judges of the Prairie Meadows Iowa Classic Parade. He offered congratulations to the winners which were Jolly Holiday Lights (1st), SEP Band (2nd) and Altoona Public Library (3rd).
- *Mayor Conkling shared the East Polk Regional Economic Development is changing their name to EPIC and they have hired a marketing consultant firm. He shared an update on Polk County Board of Supervisors recommendations on the minimum wage increase in Polk County. Mayor Conkling also announced that a veteran was going to be rewarded with a new home in Altoona at the Kiss concert Tuesday night. Finally, he congratulated Council Member O'Connor on being named the chair to the Metro Waste Authority Board.
15. Adjourn at 7:51pm
- Roll Call Vote:
Y Boka 1 Mertz 2 O'Connor Y Sloan Y Willey (5-0)

Attest to: _____
Amy S. Hill, Secretary

J.M. Skip Conkling, Mayor