

CITY OF ALTOONA COUNCIL MEETING
MONDAY, MARCH 18, 2019, 6:30 P.M.
AT THE ALTOONA CITY HALL

1. **CALL TO ORDER**

Roll Call at 6:30 pm

Mayor O'Connor- present

Duer - present

Mertz- present

Boka - present

Leighter - absent

Willey - present

City Officials Present: Jeff Mark, Randy Pierce, Tony Chambers, Jared Ogbourne, John Shaw, Jon Hanson, Jim Utter, Scott Atzen, Amy Hill, City Attorney Bob Laden, Jeff Bierl, Alyssa Wilson

Audience Present: Mike Clayberg, Eugene Jones, Phil Rees, Korey Marsh, Matt Kray, Steve Moyna, Jerry White, Alex Payne, Alex McReynolds, Barb Bartemes, Kevin Bartemes, Bruce Mason, Kari Aalbars, Wes Enos, Joe Riding, Eric Bohnenkamp, Caleb Smith, Korey Marsh, Nick Bettis, Andrew McReynolds, Byron Rees

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

Mayor Dean O'Connor requested the agenda be approved as presented.

Roll Call Vote:

2 Boka Y Duer A Leighter Y Mertz 1 Willey (4-0)

3. **Consider approval of March 4, 2019 Council Minutes**

Roll Call Vote:

Y Boka 1 Duer A Leighter 1 Mertz Y Willey (4-0)

4. **Citizens request to address council**

No one came forward to speak.

5. **Continued public hearing to dispose of public property described as GEO Parcel 7922-19-400-003 and consider development agreement for the above parcel of land**

City Engineer Jon Hanson explained this is a public hearing to consider the disposal of publicly owned property and to negotiate a development agreement with the lowest responsible bidder for a residential plat and public improvements for 5.621 acres on the north side of the Spring Creek Sports Complex. Jeff Stanbrough was determined to have submitted the low bid. Staff would recommend disposal of the public property to Stanbrough Development, subject to both parties successfully working out the details of the development agreement.

Council Member Kyle Mertz motioned to reopen the public hearing.

Roll Call Vote:

Y Boka Y Duer A Leighter 1 Mertz 2 Willey (4-0)

Hearing opened at 6:32pm

Comments: No one came forward to speak.

Hearing closed at 6:33pm

6. **Resolution 03-18-2019 #01 TO APPROVE THE DISPOSAL OF CITY PROPERTY AND WORK WITH LAND BUYER ON A DEVELOPMENT AGREEMENT**

Council Member Mertz motioned approval to Stanbrough Development.

Roll Call Vote:

Y Boka Y Duer A Leighter 1 Mertz 2 Willey (4-0)

7. **Public hearing to consider 2019A amendment to the Altoona Urban Renewal Plan**

City Clerk Randy Pierce explained this is a public hearing to consider an amendment to the Altoona Urban Renewal Plan. The 2019A amendment will include the following projects: 1st Avenue North widening, 8th Street reconstruction, 17th Street SE construction and 24th Street SW widening. The proposed debt to be incurred in the urban renewal area is \$6,620,000.

Hearing opened at 6:34pm
Comments: No one came forward to speak.
Hearing closed at 6:34pm

8. Resolution #03-18-2019 #02 TO APPROVE 2019A AMENDMENT TO URBAN RENEWAL PLAN FOR THE ALTOONA URBAN RENEWAL AREA
Roll Call Vote:
2 Boka Y Duer A Leighter 1 Mertz Y Willey (4-0)
9. Public hearing to consider a rezoning request from Opus Development Co. to rezone 34.5 acres of the Goodwin property from A-1 (Agricultural) to M-1 (Limited Industrial)
Community Development Director John Shaw explained the property owner, William Goodwin, and the developer, Opus Development Co. LLC, are requesting approval to rezone their property from A-1 (Agricultural) to M-1 (Limited Industrial). The property is located on the west side of Hubbell Avenue, north of Interstate 80. The site is 34.5 acres in size.
Hearing opened at 6:37pm
Comments: *Korey Marsh with Snyder and Associates, 2727 SW Snyder Blvd., Ankeny, representing Opus and their engineer are looking at options to accomplish the City's traffic corridor, while fully developing their site.
*Jerry White, 6204 NE 62nd Ave., Bondurant, express his opposition to the plan until he can further understand the layout of the site plan.
Hearing closed at 6:40pm
10. Ordinance #03-18-2019 #01 (514) TO REZONE 34.5 ACRES OF THE GOODWIN PROPERTY FROM A-1 (AGRICULTURAL) TO M-1 (LIMITED INDUSTRIAL)
Roll Call Vote(1st Reading):
1 Boka 2 Duer A Leighter Y Mertz Y Willey (4-0)
Roll Call Vote (To waive 2nd and 3rd Reading):
2 Boka Y Duer A Leighter 1 Mertz Y Willey (4-0)
Roll Call Vote (To publish):
Y Boka Y Duer A Leighter 2 Mertz 1 Willey (4-0)
11. Public hearing to consider a PUD amendment for Tuscany Reserve LLC amending the John Altman PUD development plan to increase lots from 126 to 139, to revise minimum lot widths, lot area, and to transfer approximately 9 acres of open space from HOA to City of Altoona in the SE portion of the development
Director Shaw explained the Applicant, Tuscany Reserve LLC. is seeking an amendment to the Prairie at Tuscany Reserve Development Plan. The property is located east of 14th Avenue SE (80th Street in the county), at the south terminus of Tuscany Drive SE. The property is 48.01 acres in size. The developer is proposing changes to the existing plan that was approved in June of 2018.
Hearing opened at 6:42pm
Comments: Eric Bohnenkamp with Hubbell, 6900 Westown Pkwy, West Des Moines, IA, explained the plan is to maximize the infrastructure to the cost. Approximately one-third of the lots reduced the lot size with maintaining lot sizes towards the outside abutting the natural settings.
*Joe Riding representing Terrace Hills Golf Course, 8700 NE 46th Ave., Altoona, expressed concerned about water retention and field tile.
*Caleb Smith with McClure Engineering Company, 1360 NW 121st St., Clive, explained this phase will utilize standard curb and gutter with storm sewer design in the public roadway. McClure always works to remove field tile in developments where they can or tie the tile into the storm sewer. City Engineer Hanson explained the plan for storm water detention and flow towards Mud Creek.
Hearing closed at 6:49pm
12. Resolution #03-18-2019 #03 TO PUD AMENDMENT FOR TUSCANY RESERVE LLC AMENDING THE JOHN ALTMAN PUD DEVELOPMENT PLAN TO INCREASE LOTS FROM 126 TO 139, TO REVISE

MINIMUM LOT WIDTHS, LOT AREA, AND TO TRANSFER APPROXIMATELY 9 ACRES OF OPEN SPACE FROM HOA TO CITY OF ALTOONA IN THE SE PORTION OF THE DEVELOPMENT

Council Member Vern Willey stated he would appreciate the 5 foot sidewalks to meet the ADA standards. He also would like parking to be provided closer to the pond.

Roll Call Vote:

Y Boka Y Duer A Leighter 1 Mertz 2 Willey (4-0)

13. **Resolution #03-18-2019 #04 TO APPROVE A REVISED PRELIMINARY PLAT FOR TUSCANY PLAT 5**
Eric Bohnenkamp with Hubbell, 6900 Westown Pkwy, West Des Moines, IA, responded to Council Member Willey's questions with confirmation on the 5 foot sidewalks and working towards a resolution on the parking. Council Member Mertz motioned approval subject to trail access being agreed upon between the City of Altoona and Hubbell.

Roll Call Vote:

Y Boka Y Duer A Leighter 1 Mertz 2 Willey (4-0)

14. **Public hearing to consider vacating and selling a 0.03-acre triangle shaped parcel of unneeded ROW located on the east side of 34th Ave SW to Lion Development Company**
City Administrator Jeff Mark explained this is a public hearing to consider vacating a 0.03-acre triangle shaped parcel of ROW located on the east side of 34th Avenue SW to Lion Development. This is an unneeded parcel of ground that is owned by the City of Altoona. Lion development will be swapping some of their land along 34th Avenue back to the City for ROW to be utilized for street improvements to 34th Avenue.

Hearing opened at 6:53pm

Comments: *Nick Bettis with Axiom Consultants, 60 East Court St., Unit 3, Iowa City, stated he was available to answer any questions.

Hearing closed at 6:54pm

15. **Ordinance #03-18-2019 #02 (515) TO VACATE AND SELL A 0.03-ACRE TRIANGLE SHAPED PARCEL OF UNNEEDED ROW LOCATED ON THE EAST SIDE OF 34TH AVE SW TO LION DEVELOPMENT COMPANY**

Roll Call Vote(1st Reading):

2 Boka Y Duer A Leighter Y Mertz 1 Willey (4-0)

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

Y Boka 1 Duer A Leighter Y Mertz 2 Willey (4-0)

Roll Call Vote (To publish):

Y Boka 2 Duer A Leighter Y Mertz 1 Willey (4-0)

16. **Public hearing to consider a rezoning request from Lion Development Co. to rezone 5.66 acres from A-1 (Agricultural) to C-2 (General Commercial)**

Director Shaw explained the owner, Lion Development Company, is requesting to rezone his property from A-1 (Agricultural) to C-2 (General Commercial). The property is located on the east side of 34th Avenue SW, between Car X and the Adventureland Water Park. The site is 5.66 acres in size.

Hearing opened at 6:55pm

Comments: *Mr. Bettis explained the developer has purchased the four single family homes on the east side of 34th Avenue SW and is proposing to construct a series of commercial buildings on site. He has also purchased the property adjacent to the south from Adventureland, but that property is already zoned C-2. The plat layout for the property is for four buildings on this site.

* The following residents had concerns in regards to buffering for sound and light, storm water detention and creek overflow and erosion: Kari Aalbars, 446 31st Ave., Kevin Bartemes, 638 31st Ave. SW, Andrew McReynolds, 654 31st Ave. SW, Byron Rees representing his parents at 434 31st Ave. SW

Hearing closed at 7:07pm

17. **Ordinance #03-18-2019 #03 (516) TO REZONE 5.66 ACRES FROM A-1 (AGRICULTURAL) TO C-2 (GENERAL COMMERCIAL)**

Roll Call Vote(1st Reading):

1 Boka 2 Duer A Leighter Y Mertz Y Willey (4-0)

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

Y Boka 1 Duer A Leighter Y Mertz 2 Willey (4-0)

Roll Call Vote (To publish):

Y Boka 1 Duer A Leighter Y Mertz 2 Willey (4-0)

18. Resolution #03-18-2019 #05 TO APPROVE A PRELIMINARY PLAT FOR LIONS GATE SQUARE PLAT 1
Director Shaw stated Lion Development Company is seeking preliminary plat approval for Lions Gate Square Plat 1. The property is located east of 34th Avenue SW, the same as the previous agenda item. This commercial subdivision plat is 5.66 acres in size and includes three lots and one Outlot.
Roll Call Vote:
1 Boka Y Duer A Leighter Y Mertz 2 Willey (4-0)
19. Resolution #03-18-2019 #06 TO APPROVE A FINAL PLAT FOR LIONS GATE SQUARE PLAT 1
Council Member Willey motioned approval subject to legal documents being submitted and approved.
Roll Call Vote:
2 Boka Y Duer A Leighter Y Mertz 1 Willey (4-0)
20. Public hearing to consider development agreement for Spring Creek Ridge Utility Extension
City Engineer Hanson stated this is a public hearing to consider a development agreement for Spring Creek Ridge Utility Extensions. The items covered under this agreement relate to off-site public improvements for the benefit of the City and are not developer costs associated with Spring Creek Ridge.
Hearing opened at 7:11pm
Comments: No one came forward to speak.
Hearing closed at 7:11pm
21. Resolution #03-18-2019 #07 TO APPROVE DEVELOPMENT AGREEMENT WITH STUBBS DEVELOPMENT
Roll Call Vote:
2 Boka Y Duer A Leighter Y Mertz 1 Willey (4-0)
22. Campus Executive Director Bruce Mason to present update on the Altoona Aquatics Park and consider approval for 2019 management agreement for the Altoona Aquatics Park
Executive Director Bruce Mason, 1500 8th St. SW, explained there are no changes to the new agreement from the current terms. The City pays the Greater Altoona Community Service Campus a management fee of \$50,000 and pays for pool chemicals up to an amount not to exceed \$15,000.
Roll Call Vote:
2 Boka Y Duer A Leighter Y Mertz 1 Willey (4-0)
23. Consider Adventureland Park requests for firework display on July 4th and October 5th at approximately 9:40pm
Roll Call Vote:
1 Boka 2 Duer A Leighter Y Mertz Y Willey (4-0)
24. Consider event request from Outlets of Des Moines to hold a circus in their parking lot from July 29-August 12
The Outlets of Des Moines has requested to hold a circus in their parking lot from July 29th thru August 12, 2019. Representatives have met with City staff regarding the layout, parking, restrooms and traffic control. Staff would recommend approval.
Roll Call Vote:
1 Boka Y Duer A Leighter Y Mertz 2 Willey (4-0)

25. Consider request from RAMS Swim Club to hang a banner for 10 days starting on March 22nd
The Rams Swim Club is requesting to hang a banner for 10 days on the 8th Street Pedestrian Bridge.
The banner will advertise their club registration starting on March 22, 2019.

Roll Call Vote:

1 Boka 2 Duer A Leighter Y Mertz Y Willey (4-0)

26. Consider Consent Agenda

a) Allow Bills

b) Capital Projects

B1) Change Order - Two Rivers Group, Inc. - Townsend Community Center - \$7,795.08

c) Resolution #03-18-2019 #08 ACCEPTING PERMANENT STORM SEWER EASEMENT FOR CONSTRUCTION OF THE SPRING CREEK RIDGE OFF-SITE SANITARY SEWER (THERESA L. ALLISON - \$4,984.00)

d) Resolution #03-18-2019 #09 ACCEPTING PERMANENT SANITARY SEWER EASEMENT FOR CONSTRUCTION OF THE SPRING CREEK RIDGE OFF-SITE SANITARY SEWER (THERESA L. ALLISON - \$10,746.75)

e) Resolution #03-18-2019 #10 ACCEPTING TEMPORARY CONSTRUCTION EASEMENT FOR CONSTRUCTION OF THE SPRING CREEK RIDGE OFF-SITE SANITARY SEWER (THERESA L. ALLISON - \$14,690.00)

f) Resolution #03-18-2019 #11 APPROVING REQUESTS FOR TAX ABATEMENT

g) Resolution #03-18-2019 #12 ACCEPTING TEMPORARY CONSTRUCTION EASEMENT FOR CONSTRUCTION OF THE 1ST AVENUE RECONSTRUCTION PROJECT (MARTIN MULLER PROPERTIES LLC. - \$1,210.00)

h) Resolution #03-18-2019 #13 ACCEPTING TEMPORARY CONSTRUCTION EASEMENT FOR CONSTRUCTION OF THE 1ST AVENUE RECONSTRUCTION PROJECT (KIRK & LORI DUER - \$840.00)

i) Resolution #03-18-2019 #14 FIXING A DATE OF MEETING FOR MONDAY, APRIL 1, 2019, 6:30PM, AT WHICH IT IS PROPOSED TO HOLD A HEARING AND TAKE ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$7,100,000 GENERAL OBLIGATION URBAN RENEWAL CORPORATE PURPOSE BONDS, SERIES 2019

j) Resolution #03-18-2019 #15 SETTING A PUBLIC HEARING FOR MONDAY, APRIL 1, 2019, 6:30PM, FOR AMENDED DEVELOPMENT AGREEMENT WITH ALTOONA LION DEVELOPMENT GROUP, LLC, INCLUDING ANNUAL APPROPRIATION ECONOMIC DEVELOPMENT PAYMENTS IN AN AMOUNT NOT TO EXCEED \$1,554,023

k) Set Public Hearing for Monday, April 1, 2019, 6:30pm to consider an ordinance amendment to Chapter 136.08 to increase the width of sidewalks in residential areas from four feet to five feet in width

l) Set Public Hearing for Monday, April 1, 2019, 6:30pm to consider an ordinance amendment to the Code of Ordinances regarding small cell regulations

Roll Call Vote:

1 Boka P Duer A Leighter Y Mertz 2 Willey (3-0-1)

27. Department Head Reports & Updates

The following gave updates: Police Department - Tony Chambers, Fire Department - Jared Ogbourne, Public Works - Scott Atzen, Public Utilities - Jim Utter, City Engineer Jon Hanson, Community Development - John Shaw, Finance - Randy Pierce, Administration - Jeff Mark

28. General Business

29. Adjourn at 7:38pm

Roll Call Vote:

Y Boka 2 Duer A Leighter 1 Mertz Y Willey (4-0)

Attest to: _____
Amy S. Hill, Secretary

Dean O'Connor, Mayor