

CITY OF ALTOONA COUNCIL MEETING
TUESDAY, SEPTEMBER 16, 2019, 6:30 P.M.
AT THE ALTOONA CITY HALL

1. **CALL TO ORDER**

Roll Call at 6:30 pm

Mayor O'Connor- present
Boka - present

Duer - present
Leighter - present

Mertz- present
Willey - present

City Officials Present: Jeff Mark, Randy Pierce, Jared Ogbourne, John Shaw, Scott Atzen, Amy Hill, City Attorney Bob Laden, Tony Chambers

Audience Present: Katie Gieszler, Scott Raecker, David Cusic, Alex Payne, Elizabeth Boms-Thompson, Lisa Ciesielski, Kurt Ciesielski, Gabe Nelson

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

Mayor Dean O'Connor requested to approve the agenda as presented.

Roll Call Vote:

Y Boka Y Duer Y Leighter 1 Mertz 2 Willey (5-0)

3. **Consider approval of September 3, 2019 Council Minutes**

Roll Call Vote:

Y Boka 2 Duer Y Leighter 1 Mertz Y Willey (5-0)

4. **Citizens request to address council**

No one came forward to speak.

5. **Public hearing to consider development agreement with Graham Warehouse**

Community Development Director John Shaw explained this is a public hearing to consider a development agreement between the Graham Group, Inc. and the City of Altoona. Graham will be constructing 540,000 square feet of warehouse space consisting of two buildings. The Developer will construct a public street to be located north of and parallel to the site of the project. The City agrees to make economic development payments to the Developer in an amount equal to one-half of the actual cost of constructing the Street and related improvements. The amount of the economic development payments shall not exceed \$1,750,000 for the construction costs.

Open hearing: 6:31pm

Comments: No one came forward to speak.

Closed hearing: 6:31pm

6. **Resolution #09-16-2019 #01 APPROVING DEVELOPMENT AGREEMENT WITH GRAHAM WAREHOUSE 5 L.P. AND AUTHORIZING ANNUAL APPROPRIATION ECONOMIC DEVELOPMENT PAYMENTS**

Roll Call Vote:

Y Boka Y Duer Y Leighter 2 Mertz 1 Willey (5-0)

7. **Public hearing to purchase real estate at 1112 1st St. E.**

City Administrator Jeff Mark explained this is a public hearing to approve the purchase of real estate at 1112 1st Street East. The property is located on the south side of 1st Street East at the northeast corner of the Sam Wise Youth Complex. The purchase price is \$310,000, which is the appraisal value for the property. The City will incorporate the property into the future public improvements for the Sam Wise Youth Complex.

Open hearing: 6:33pm

Comments: No one came forward to speak.

Closed hearing: 6:33pm

8. Resolution #09-16-2019 #02 APPROVING THE PURCHASE OF REAL ESTATE - LOT 2 - PLUMMER PLACE (1112 1ST ST. E., ALTOONA, IOWA) FROM MAURICE F. WITMER
Roll Call Vote:
Y Boka 2 Duer Y Leighter Y Mertz 1 Willey (5-0)
9. Mid-American Energy to present certificate of verification of 100% Renewable Energy Vision
Mid-American Energy's representative Katie Gieszler presented an update on the 100% Renewable Energy Vision program.
10. Scott Raecker, Executive Director of the Robert D. and Billie Ray Center presenting 2019 Goal Setting Report
Scott Raecker, 2507 University Ave., Des Moines, IA provided an overview of the 2019 Goal Setting Report.
Roll Call Vote:
1 Boka 2 Duer Y Leighter Y Mertz Y Willey (5-0)
11. Resolution #09-16-2019 #04 TO CONSIDER APPROVAL OF A PLAT OF SURVEY FOR PARCEL 2019-192, PART OF LOT 36, EAGLE KNOLL ESTATES PLAT 1
Director Shaw explained this is a plat of survey to split off a 3,196 sf portion of the rear of Lot 36 in Eagle Knoll Estates. Jon and Catherine Ackelson would like to purchase this portion of the lot from the developer, Jack Bartels. Their desire is to add it to their lot - Lot 39 of Eagle Knoll Estates, directly north of this parcel.
Roll Call Vote:
2 Boka Y Duer Y Leighter Y Mertz 1 Willey (5-0)
12. Resolution #09-16-2019 #03 TO CONSIDER A RECORD OF LOT TIE FOR JON AND CATHERINE ACKELSON TO TIE PARCEL 2019-192 TO LOT 39 IN EAGLE KNOLL ESTATES PLAT 1
Roll Call Vote:
Y Boka 2 Duer Y Leighter Y Mertz 1 Willey (5-0)
13. Consider request to waive sewer charges at 629 Sunset Dr. SE (Randy)
City Clerk Randy Pierce explained Ralph Nery is a resident at 629 Sunset Dr. SE. He recently moved into a new home and needed to water his sod. The resident is requesting a sewer credit in the amount of \$784.08 for 99,000 gallons of sanitary sewer charge. The council discussed whether requiring an irrigation meter should be required in these claims or what other options are available for similar issues in the future. Council Member Kyle Mertz motioned to approve waiving the sanitary sewer charges. Council Member Scott Duer seconded the motion.
Roll Call Vote:
Y Boka 2 Duer Y Leighter 1 Mertz Y Willey (5-0)
14. Consider request from residents at 614 15th Street SE to waive sidewalk repair fee (Scott)
Lisa and Kurt Ciesielski, 614 15th, Street SE shared they received a sidewalk repair notice and believe that the damage to the sidewalk was caused by "street creep". Gabe Nelson of Snyder and Associates, 2727 Snyder Blvd., Ankeny, stated John Haldeman of Snyder & Associates reviewed the area. Concrete is always going to expand and contract based on the weather conditions and seasons. The home is on a "T" intersection, which can enhance the possibility of "street creep". The builder should not have placed the driveway entrance at the "T" intersection. Also, the buckling may have been caused by the lack of expansion joints being able to absorb the heave of the expanding concrete. But it is generally accepted that "street creep" on public streets does not create a liability to the City, nor does it imply negligence when sidewalks are affected. Council Member Jeremy Boka motioned for staff to file the claim with the city's liability company.
Roll Call Vote:
1 Boka Y Duer P Leighter Y Mertz 2 Willey (4-0)
15. Consider Consent Agenda

- a) Allow Bills
- b) Capital Projects
 - B1) Pay App #11 - Two Rivers Group, Inc. - Altoona Community Center - \$10,872.34
 - B2) Pay App #5 - Iowa Civil Contracting, Inc. - 1st Ave Reconstruction - \$473,320.63
- c) Resolution #09-16-2019 #05 TO APPROVE AMENDMENT TO 28E AGREEMENT FOR THE SUBURBAN EMERGENCY RESPONSE TEAM
- d) Resolution #09-16-2019 #06 ACCEPTING PERMANENT PUBLIC UTILITY EASEMENT FOR CONSTRUCTION OF THE 1ST AVENUE RECONSTRUCTION PROJECT (JAMES & BONNIE KARRETT - \$2,600.00)
- e) Resolution #09-16-2019 #07 ACCEPTING TEMPORARY CONSTRUCTION EASEMENT FOR CONSTRUCTION OF THE 1ST AVENUE RECONSTRUCTION PROJECT (JAMES & BONNIE KARRETT - \$6,000.00)
- f) Resolution #09-16-2019 #08 TO PURCHASE LAND BY WARRANTY DEED FOR CONSTRUCTION OF THE 1ST AVENUE RECONSTRUCTION PROJECT (JAMES & BONNIE KARRETT - \$8,300.00)
- g) Resolution #09-16-2019 #09 ACCEPTING PERMANENT SIDEWALK TRAIL EASEMENT FOR CONSTRUCTION OF THE 1ST AVENUE RECONSTRUCTION PROJECT (TIMOTHY & DIANE BURGET - \$5,145.00)
- h) Resolution #09-16-2019 #10 ACCEPTING PERMANENT PUBLIC UTILITY EASEMENT FOR CONSTRUCTION OF THE 1ST AVENUE RECONSTRUCTION PROJECT (TIMOTHY & DIANE BURGET - \$3,475.00)
- i) Authorize Mayor and City Clerk to sign corrected Quit Claim Deed for land vacated in Spring Creek Ridge North Plat 1
- j) Resolution #09-16-2019 #11 TO APPROVE THE JUNE 30, 2019, ROAD USE REPORT
- k) Consider professional services agreement with Snyder & Associates, Inc. for NE 62nd Avenue Expansion Grading Project
- l) Set a public hearing for Monday, September 30, 2019 at 6:30pm for plans, specifications and form of contract for 8th Street Overlay Project
- m) Beer & Liquor Permits
 - 1. Super Stop 2 - Dave's 1 LLC - Class E Liquor License (LE), Class B Wine Permit (Carryout Wine-Includes Native Wine), Class C Beer Permit (Carryout Beer), Sunday Sales
 - 2. Guadalajara Mexican Restaurant - Class C Liquor License and Sunday Sales

Roll Call Vote:

 2 Boka Y Duer Y Leighter 1 Mertz Y Willey (5-0)

13. Department Head Reports & Updates

The following gave updates: Police Department - Tony Chambers, Fire Department - Jared Ogbourne, Public Works - Scott Atzen, Community Development - John Shaw, Library - Kim Kietzman, Finance - Randy Pierce, Administration - Jeff Mark

14. General Business

*Council Member Duer requested that an art discussion be added to a work session. Also, he stated that he will be attending a BRAVO meeting this week.

*Council Member Scott Leighter asked about the city audit. City Clerk Pierce explained the report will be available in late October or November.

*Council Member Willey asked about 1st Ave. completion date. Director Scott Atzen stated October 7th is the new date for reopening.

*Mayor O'Connor attended the Facebook Boost meeting, a Water Trails Board meeting and Water Trails Governance Board meeting

15. Adjourn at 7:28pm

Roll Call Vote:

 Y Boka 2 Duer Y Leighter 1 Mertz Y Willey (5-0)

Attest to: _____
Amy S. Hill, Secretary

Dean O'Connor, Mayor