

CITY OF ALTOONA COUNCIL MEETING
MONDAY, AUGUST 5, 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- absent
Boka - present Leighter - present Willey - present

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

Audience Present: David Cusic, Chris Lybarger, Melissa Horton, Jon Wall, Alex Payne, Tyler Girling, Robert DuBois II, Erin Ollendike, Terry Coady, Jason Ledden

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

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

Roll Call Vote:

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

3. **Consider approval of July 15, 2019 Council Minutes**

Roll Call Vote:

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

4. **Swear in new reserve officers and introduce new police chaplain**

Mayor O'Connor swore in new reserve officers Tyler Girling and Robert DuBois II. Mayor O'Connor introduced new police chaplain Jeff Hanna.

5. **Presentation of command certificate**

Mayor O'Connor presented Lt. Tony Chambers with his graduation certificate from the School of Police Staff and Command at Northwestern University

6. **Citizens request to address council**

No one came forward to speak.

7. **Public Hearing to consider vacating and selling a portion of Altoona-owned rail spur right-of-way to Lineage ICS, LLC**

City Attorney Bob Laden explained this is a public hearing to consider vacating and selling a portion of Altoona-owned rail spur right-of-way to Lineage ICS, LLC. The City's ownership of the property for the rail spur was a requirement of the federal funds that were granted for the project. The reason for this sale is that when Iowa Cold Storage was built, a portion of their building was erected on the ROW.

Open hearing: 6:41pm

Comments: No one came forward to speak.

Closed hearing: 6:41pm

8. **Ordinance #08-05-2019 #01 (525) TO VACATE AND SELL A PORTION OF ALTOONA-OWNED RAIL SPUR RIGHT-OF-WAY TO LINEAGE ICS, LLC (1ST READING)**

Roll Call Vote (1st Reading):

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

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

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

Roll Call Vote(To publish):

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

9. **Public Hearing to consider reducing the speed limit on 34th Avenue NW from Interstate 80 to 25th Street NW (NE 62nd Avenue) from 55 MPH to 45 MPH (Jeff)**
City Administrator Jeff Mark explained this is a public hearing to consider reducing the speed limit on 34th Avenue NW from Interstate 80 to 25th Street NW from 55 MPH to 45 MPH.
Open hearing: 6:42pm
Comments: No one came forward to speak.
Closed hearing: 6:42pm
10. **Ordinance #08-05-2019 #02 (526) TO REDUCING THE SPEED LIMIT ON 34TH AVENUE NW FROM INTERSTATE 80 TO 25TH STREET NW (NE 62ND AVENUE) FROM 55 MPH TO 45 MPH (1ST READING)**
Roll Call Vote (1st Reading):
2 Boka Y Duer Y Leighter A Mertz 1 Willey (4-0)
Roll Call Vote (To waive 2nd & 3rd reading):
Y Boka 1 Duer 2 Leighter A Mertz Y Willey (4-0)
Roll Call Vote(To publish):
Y Boka 1 Duer Y Leighter A Mertz 2 Willey (4-0)
11. **Continued public hearing to consider a comprehensive plan land use map amendment request from Larry and Connie Nikkel to change from low density residential to commercial for 1.5 acre of land at the SE corner of 8th St SW and 25th Ave SW**
Council Member Jeremy Boka motioned to reopen the hearing.
Roll Call Vote:
1 Boka Y Duer Y Leighter A Mertz 2 Willey (4-0)
Open hearing: 6:44pm
Comments: Community Development Director John Shaw stated the applicant has withdrawn their request for this item and #12.
Closed hearing: 6:45pm
12. **Continued public hearing to consider a conditional rezoning request from Larry and Connie Nikkel to rezone from A-1 (Agricultural) to Conditional C-2 (General Commercial) for 1.5 acre of land at the SE corner of 8th St SW and 25th Ave SW**
Council Member Scott Duer motioned to reopen the hearing.
Roll Call Vote:
Y Boka 1 Duer Y Leighter A Mertz 2 Willey (4-0)
Open hearing: 6:45pm
Comments: No one came forward to speak.
Closed hearing: 6:45pm
13. **Reconsider Resolution 07-01-2019 #01 approving a sanitary sewer development agreement with Altoona Lots II, LLC and Temple Holdings, LP**
Mayor O'Connor stated Dave Harmeyer with Altoona Lots II, LLC. is unavailable and asked for the item to be tabled until his return. Council Member Boka motioned to table the reconsideration of the resolution.
Roll Call Vote:
1 Boka 2 Duer Y Leighter A Mertz Y Willey (4-0)
14. **Resolution #08-05-2019 #01 TO CONSIDER A FINAL PLAT FOR MEADOW VISTA WEST PLAT 1**
Erin Ollendike with Civil Design Advantage, 3405 SE Crossroads Dr., Suite G, Grimes, representing Pilgrim Development, LLC is seeking final plat approval for the Meadow Vista West Plat 1. The property is located south of the existing Meadow Vista and is an eastern extension of the Brookfield Estates development. The property is 18.56 acres in size and is platted for 50 single-family lots.
Council Member Boka motioned approval subject to deficiencies being met.
Roll Call Vote:
1 Boka 2 Duer Y Leighter A Mertz Y Willey (4-0)

15. **Resolution #08-05-2019 #02 TO CONSIDER RE-APPROVAL OF A PRELIMINARY PLAT FOR SCENIC RIDGE PLAT 1 (FORMERLY CALLED TUSCAN ESTATES PLAT 2)**
Director Shaw explained this plat was originally approved as Tuscan Estates Plat 2. The developer, Willis Van Zee has sold the property to John Larsen who is planning to construct the exact plat. He is renaming the plat to Scenic Ridge Plat 1. Jason Ledden with Snyder & Associates, 2727 Snyder Blvd., Ankeny explained it has been more than 180-days since the plat was previously approved, and must be reapproved in order for the developer to proceed.
Roll Call Vote:
1 Boka Y Duer Y Leighter A Mertz 2 Willey (4-0)
16. **Resolution #08-05-2019 #03 TO CONSIDER A PRELIMINARY PLAT FOR WILLIAMSON FARM PLAT 1 (COUNTY PLAT)**
Director Shaw explained the Kenneth and Amber Williamson Trust are seeking preliminary plat approval of the Williamson Farm Plat 1 Subdivision. This is a county plat located about one half mile west of Altoona on NE 62nd Avenue, west of Facebook. The property is 145.9 acres in size. They are proposing to re-plat the property into a 15-acre lot around the existing homestead and an additional lot, five acres in size on the south side of NE 62nd Avenue. The land is within the two-mile review area.
Roll Call Vote:
Y Boka 1 Duer 2 Leighter A Mertz Y Willey (2-0)
17. **Resolution #08-05-2019 #04 TO CONSIDER A FINAL PLAT FOR WILLIAMSON FARM PLAT 1 (COUNTY PLAT)**
Roll Call Vote:
2 Boka Y Duer Y Leighter A Mertz 1 Willey (4-0)
18. **Resolution #08-05-2019 #05 TO CONSIDER A SITE PLAN FOR HY-VEE AISLES ON-LINE**
Director Shaw explained Hy-Vee is seeking site plan approval for their Hy-Vee Aisles On-Line site plan. Bree Cooper with Hy-Vee, 5820 Westown Pkwy, West Des Moines, is proposing to construct an Aisles On-Line drive-up building and canopy. The building and canopy are located on the east side of the grocery store in an existing grass area.
Roll Call Vote:
1 Boka 2 Duer Y Leighter A Mertz Y Willey (4-0)
19. **Resolution #08-05-2019 #06 TO CONSIDER A SITE PLAN AMENDMENT FOR BURGER KING**
Director Shaw stated this is a resolution to consider approval of a site plan amendment for Burger King. The owners have decided to re-open following the fire. There are no changes to the site plan. They are going to have the parking lot overlaid with asphalt and re-establish the landscaping. The reason for the amendment are the changes to the exterior of the building. Staff is recommending that the sidewalk be deferred until Adventureland Drive is widened. Council Member Duer motioned approval subject to Burger King providing a letter requesting the deferment.
Roll Call Vote:
2 Boka 1 Duer Y Leighter A Mertz Y Willey (4-0)
20. **Resolution #08-05-2019 #07 to approve a Plat of Survey for Parcel 2019-125, consisting of 0.32 acres, a part of Lot 19, Meadowlark Place, Polk County, Iowa (2400 NE 72nd Street)**
Terry Coady of Snyder and Associates, explained this was approved at the July 15, 2019 Council meeting. The request is now for a smaller parcel. Previously, the Council approved 0.40 acres, the owners are now only wanting a Plat of Survey for 0.32 acres. The parcel will still be added via a Lot Tie to the adjoining lot.
Roll Call Vote:
Y Boka 2 Duer Y Leighter A Mertz 1 Willey (4-0)
21. **Consider Consent Agenda**
 - a) Allow Bills

- b) Capital Projects
 - B1) Pay App #10 - Two Rivers Group, Inc. - Altoona Community Center - \$40,243.09
 - B2) Pay App # 3 - Iowa Civil Contracting, Inc. - 1st Avenue Reconstruction - \$254,903.58
 - B3) Change Order #3 - Iowa Civil Contracting, Inc. - 1st Avenue Reconstruction - \$26,397.80
 - B4) Pay App #2 - Jackson Creek Enterprises - 2018 Water Main Project - \$24,225.00
 - B5) Change Order #1 - Graff Excavating, Inc. - Townsend House Lift Station and Sanitary Sewer - \$33,175.00
- c) Resolution #08-05-2019 #08 ACCEPTING PERMANENT PUBLIC UTILITY EASEMENT FOR THE ADVENTURELAND DRIVE ROW ACQUISITION PROJECT (ADVENTURELANDS OF AMERICA, INC. - \$16,238.00)
- d) Resolution #08-05-2019 #09 TO PURCHASE LAND BY WARRANTY DEED FOR THE ADVENTURELAND DRIVE ROW ACQUISITION PROJECT (ADVENTURELANDS OF AMERICA, INC. - \$33,774.00)
- e) Resolution #08-05-2019 #10 ACCEPTING PERMANENT PUBLIC UTILITY EASEMENT FOR CONSTRUCTION OF THE 1ST AVENUE RECONSTRUCTION PROJECT (SIERRA PROPERTIES, L.C. - \$9,055.00)
- f) Resolution #08-05-2019 #11 ACCEPTING TEMPORARY CONSTRUCTION EASEMENT FOR CONSTRUCTION OF THE 1ST AVENUE RECONSTRUCTION PROJECT (SIERRA PROPERTIES, L.C. - \$1,060.00)
- g) Consider offer to purchase and agreement with Sierra Properties, L.C. (\$10,115.00)
- h) Resolution #08-05-2019 #12 ACCEPTING PERMANENT WATER MAIN EASEMENT FOR CONSTRUCTION OF THE 2018 WATER MAIN IMPROVEMENT PROJECT (HAWKEYE LAND CO. - \$5,000)
- i) Resolution #08-05-2019 #13 TO APPROVE POPULATION COUNT FOR ANNEXED TERRITORY UA19-01
- j) Resolution #08-05-2019 #14 TO APPROVE POPULATION COUNT FOR ANNEXED TERRITORY NC18-26
- k) Resolution #08-05-2019 #15 TO APPROVE POPULATION COUNT FOR ANNEXED TERRITORY NC18-21
- l) Resolution #08-05-2019 #16 AUTHORIZING AMENDED AND RESTATED ECONOMIC DEVELOPMENT GRANT
- m) Consider approval of agreement with Group Creative Services for Woven Lines Public Art Project and City Hall Public Art Project
- n) Consider approval of agreement with LJPC II, LLC. for purchase of Terrace Hills Golf Course
- o) Consider agreement with VirTra, Inc. for simulated firearm equipment and training services
- p) Consider approval of professional services agreement with Snyder and Associates, P.C. for Sam Wise Youth Complex Improvements Environmental Documentation
- q) Consider professional services agreement with Snyder and Associates, P.C. for 8th Street SW Overlay Project
- r) Consider supplemental agreement no. 5 with Kirkham Michael for First Avenue Widening (Preliminary Design)
- s) Resolution #08-05-2019 #17 SETTING A PUBLIC HEARING FOR TUESDAY, SEPTEMBER 3, 2019 AT 6:30PM TO FOR 2019B AMENDMENT TO THE ALTOONA URBAN RENEWAL PLAN
- t) Set public hearing for Monday, August 19, 2019, at 6:30pm to consider vacating and selling land owned by the City of Altoona consisting of a portion Lots 1 and 67 of Spring Creek Ridge North Plat 1
- u) Set public hearing for Monday, August 19, 2019, at 6:30pm to consider development agreement with Stanbrough
- v) Beer & Liquor Permits
 - 1. Bianchi Boys Pizza and Pasta - Special Class C Liquor License (BW)(Beer/Wine)

Roll Call Vote:

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

12. Department Head Reports & Updates

The following gave updates: Police Department - Greg Stallman, Fire Department - Jared Ogbourne, Public Works - Scott Atzen, Public Utilities - Jim Utter, Community Development - John Shaw, Finance - Randy Pierce, Administration - Jeff Mark

13. **General Business**

*Council Member Vernon Willey shared the Donut Dip at the Altoona Campus was a success on Saturday.

*Mayor O'Connor shared that Jeannie Conkling is wanting to create a small pocket park in honor of Skip.

14. **Adjourn at 7:09pm**

Roll Call Vote:

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

Attest to:

Amy S. Hill, Secretary

Dean O'Connor, Mayor