

CITY OF ALTOONA COUNCIL MEETING
MONDAY, NOVEMBER 20, 2017, 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- absent

Willey - present

City Officials Present: Jeff Mark, Randy Pierce, Greg Stallman, Jason Ferguson, John Shaw, Jon Hanson, Jim Utter, Scott Atzen, Lee Richardson, Amy Hill, City Attorney Bob Laden, Dalton Sanford

Audience Present: Larry O'Connor, Ruth O'Connor, Dawn O'Connor, John Rullman, Dorothy Rullman, Steve Moyna, Alex Payne, Maria Parker, Kenzie Peterson, Scott Duer, Zach Nunn, David Bentz, Brian Lindgren, Kris Saddoris

2. Perfecting and approval of the agenda

Mayor Pro-Tem Dean O'Connor requested the agenda be approved as presented

Roll Call Vote:

Y Boka 1 Mertz Y OConnor A Sloan 2 Willey (4-0)

3. Presentation of 3rd Quarter Safety Award

Mayor Pro-Tem O'Connor awarded Dalton Sanford with a quarterly safety award.

4. Approval of November 6 and 13, 2017 Council Minutes

Roll Call Vote:

Y Boka 2 Mertz Y OConnor A Sloan 1 Willey (4-0)

5. Citizens request to address the council

No one came forward to speak.

6. Public Hearing to consider amending Chapter 125 Massage Parlors and Massage Technicians
Hearing reopened at 6:34pm

Comments: Representative Zach Nunn addressed the human trafficking problem in Iowa and what the cities, counties and state government are trying to accomplish by amending the massage parlors and massage technicians ordinances.

Closed at 6:40pm

7. Ordinance #11-20-2017 #01 (475) TO AMEND 2004 CITY OF ALTOONA CODE OF ORDINANCES - CHAPTER 125 (MASSAGE PARLORS AND MASSAGE TECHNICIANS)(1st Reading)

Roll Call Vote (1st Reading):

2 Boka 1 Mertz Y OConnor A Sloan Y Willey (4-0)

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

Y Boka 2 Mertz Y OConnor A Sloan 1 Willey (4-0)

Roll Call Vote (To publish):

1 Boka Y Mertz Y OConnor A Sloan 2 Willey (4-0)

8. Public hearing on 2017B amendment to urban renewal plan for Altoona Urban Renewal Area

Hearing opened at 6:41pm

Comments:

City Clerk Randy Pierce explained this is a public hearing to amend the urban renewal plan for the Urban renewal area. This allows the use of incremental property tax revenues to help finance improvements within this amended area. The amended area includes the Townsend property, old car wash site and also Lions Park and Aquatic Park areas.

Hearing closed at 6:41pm

9. Resolution #11-20-2017 #01 TO APPROVE 2017B AMENDMENT TO URBAN RENEWAL PLAN FOR THE ALTOONA URBAN RENEWAL AREA
Roll Call Vote:
2 Boka Y Mertz Y OConnor A Sloan 1 Willey (4-0)
10. Ordinance #11-20-2017 #02 (476) PROVIDING FOR THE DIVISION OF TAXES LEVIED ON TAXABLE PROPERTY IN THE 2017B AMENDMENT TO THE ALTOONA URBAN RENEWAL AREA, PURSUANT TO SECTION 403.19 OF THE CODE OF IOWA (1st Reading)
Roll Call Vote (1st Reading):
2 Boka 1 Mertz Y OConnor A Sloan Y Willey (4-0)
Roll Call Vote (To waive 2nd & 3rd Reading):
Y Boka 2 Mertz Y OConnor A Sloan 1 Willey (4-0)
Roll Call Vote (To publish):
Y Boka 2 Mertz Y OConnor A Sloan 1 Willey (4-0)
11. Public hearing to consider rezoning of 77.34 acres of property owned by MidAmerican Energy from A-1 (Agricultural) to M-1 (Limited Industrial)
Hearing opened at 6:42pm
Comments: Community Development Director John Shaw explained MidAmerican Energy Company is requesting to rezone 80 acres that it owns at the northeast corner of NE 56th Street and NE 62nd Avenue. David Bentz of Bishop Engineering, 3501 104th St., Urbandale, representing MidAmerican Energy explained the reason for the request.
Hearing closed at 6:43pm
12. Ordinance #11-20-2017 #03 (477) TO CONSIDER REZONING OF 77.34 ACRES OF PROPERTY OWNED BY MIDAMERICAN ENERGY FROM A-1 (AGRICULTURAL) TO M-1 (LIMITED INDUSTRIAL) (1st reading)
Roll Call Vote (1st Reading):
2 Boka 1 Mertz Y OConnor A Sloan Y Willey (4-0)
Roll Call Vote (To waive 2nd & 3rd Reading):
Y Boka 2 Mertz Y OConnor A Sloan 1 Willey (4-0)
Roll Call Vote (To publish):
1 Boka Y Mertz Y OConnor A Sloan 2 Willey (4-0)
13. Resolution #11-20-2017 #02 TO CONSIDER APPROVAL OF A PRELIMINARY PLAT FOR MIDAMERICAN ENERGY ALTOONA SERVICE CENTER
Director Shaw explained MidAmerican is seeking preliminary plat approval for their property located on the northeast corner of NE 56th Street and NE 62nd Avenue. The property is 77.34 acres in size and has recently been annexed into the City.
Roll Call Vote:
2 Boka Y Mertz Y OConnor A Sloan 1 Willey (4-0)
14. Resolution #11-20-2017 #03 TO CONSIDER APPROVAL OF A FINAL PLAT FOR MIDAMERICAN ENERGY ALTOONA SERVICE CENTER
Council Member Kyle Mertz motioned approval subject to the legal documents being reviewed and approved.
Roll Call Vote:
2 Boka 1 Mertz Y OConnor A Sloan Y Willey (4-0)

15. **Resolution #11-20-2017 #04 TO CONSIDER APPROVAL OF A SITE PLAN FOR MIDAMERICAN ENERGY ALTOONA SERVICE CENTER**
Director Shaw explained that MidAmerican received variances from the Board of Adjustment for conditional use permit for outdoor storage and a variance for overhead doors facing the street. David Bentz representing MidAmerican explained they are seeking site plan approval for their project. They are proposing to construct two buildings. Additionally, MidAmerican is proposing to use metal panels for their exterior finish. Brian Lindgren of OPN Architects, 100 Court Ave., Suite 100, Des Moines, presented the design of the buildings and examples of the material MidAmerican wished to use. Council Member Mertz motioned approval granting the architectural design standards waiver granting the use of presented metal paneling.
Roll Call Vote:
2 Boka 1 Mertz Y OConnor A Sloan Y Willey (4-0)
16. **Public hearing to consider comprehensive plan land use map amendment from Tuscany Reserve LLC to change 6.47 acres from commercial to high density residential**
Hubbell Realty representative Kris Sadoris, 6900 Westown Pkwy, West Des Moines, explained Tuscany Reserve LLC, is proposing to change a portion of the commercially zoned area on the north end of the Tuscany development. They are planning to construct an assisted and independent living project. The request includes the western portion (1.507 acres) to remain the same C-2 zoning. The eastern portion (6.47 acres) is proposing to change to a multi-family residential use.
Hearing opened at 7:00pm
Comments: No one came forward to speak.
Hearing closed at 7:02pm
17. **Resolution #11-20-2017 #05 TO CONSIDER COMPREHENSIVE PLAN LAND USE MAP AMENDMENT FROM TUSCANY RESERVE LLC TO CHANGE 6.47 ACRES FROM COMMERCIAL TO HIGH DENSITY RESIDENTIAL**
Roll Call Vote:
2 Boka Y Mertz Y OConnor A Sloan 1 Willey (4-0)
18. **Public hearing to consider a rezoning request from Tuscany Reserve LLC plan to change 6.47 acres from C-2 (General Commercial) to R-5 (PUD)**
Director Shaw explained this is a public hearing to consider the rezoning of the above described property from C-2 (General Commercial) to R-5 (PUD).
Hearing opened at 7:02pm
Comments: No one came forward to speak.
Hearing closed at 7:03pm
19. **Ordinance #11-20-2017 #04 (478) TO REZONE 6.47 ACRES FROM C-2 (GENERAL COMMERCIAL) TO R-5 (PUD) FOR TUSCANY RESERVE LLC (1st reading)**
Roll Call Vote (1st Reading):
1 Boka Y Mertz 2 OConnor A Sloan Y Willey (4-0)
Roll Call Vote (To waive 2nd & 3rd Reading):
Y Boka 1 Mertz 2 OConnor A Sloan Y Willey (4-0)
Roll Call Vote (To publish):
Y Boka Y Mertz 2 OConnor A Sloan 1 Willey (4-0)
20. **Public hearing to consider a development plan called Tuscany North to include possible uses of assisted living facilities, condominiums, townhomes, or apartments. The bulk regulations will have front yard setback of 50-feet, rear yard setback of 30-feet, and side yard setback of 35-feet on the west and 50-feet on the east. Maximum height is 45 feet and three stories in height and minimum open space is 30 percent (Shaw)**

Director Shaw explained the developer is proposing to construct two buildings.

Hearing opened at 7:04pm

Comments: Maria Parker, 922 15th Ave. SE, had questions in regards to the layout of the development and the process if Hubbell wanted to change anything on the site plan in the future.

Hearing closed at 7:06pm

21. Resolution #11-20-2017 #06 TO APPROVE A DEVELOPMENT PLAN CALLED TUSCANY NORTH TO INCLUDE POSSIBLE USES OF ASSISTED LIVING FACILITIES, CONDOMINIUMS, TOWNHOMES, OR APARTMENTS. THE BULK REGULATIONS WILL HAVE FRONT YARD SETBACK OF 50-FEET, REAR YARD SETBACK OF 30-FEET, AND SIDE YARD SETBACK OF 35-FEET ON THE WEST AND 50-FEET ON THE EAST. MAXIMUM HEIGHT IS 45 FEET AND THREE STORIES IN HEIGHT AND MINIMUM OPEN SPACE IS 30 PERCENT
Roll Call Vote:
2 Boka Y Mertz Y OConnor A Sloan 1 Willey (4-0)
22. Ordinance #11-20-2017 #05 (479) REPEALING ORDINANCE NO. 4-96, RELATED TO PROPERTY IN THE 1996 ADDITION TO THE ALTOONA URBAN RENEWAL AREA (1st Reading)
City Clerk Pierce explained this ordinance will legally repeal ordinance No. 4-96 which is the urban renewal area that includes the Walmart, Target, Lowes and Menards. This is necessary step to alert Polk County not to send us the increment tax revenues from this area.
Roll Call Vote (1st Reading):
Y Boka 1 Mertz Y OConnor A Sloan 2 Willey (4-0)
Roll Call Vote (To waive 2nd & 3rd Reading):
1 Boka Y Mertz Y OConnor A Sloan 2 Willey (4-0)
Roll Call Vote (To publish):
1 Boka Y Mertz Y OConnor A Sloan 2 Willey (4-0)
23. Consider Consent Agenda
 - a) Capital Projects
 - B1) Pay App # 9 - Elder Corp. - Gay Lea Wilson Trail East Extension - \$23,147.85
 - B2) Pay App #4 - Elder Corp. - Adventureland Dr. Improvements Project- \$96,124.57
 - B3) Change Order #2 - Elder Corp. - Adventureland Dr. Improvements Project - \$10,134.00
 - c) Resolution #11-20-2017 #07 APPROVING THE TRANSFER OF FUNDS FOR BOND AND INTEREST PAYMENTS
 - D) CONSIDER APPROVAL OF ANNUAL URBAN RENEWAL REPORT, FISCAL YEAR 2016-2017
 - e) Consider approval of scope of services with Kimberley L. Rouse Engineering for Traffic Signal Preliminary Layout (1st Ave. S & 24th St. SW - \$1,320.00)
 - f) Resolution #11-20-2017 #08 ACCEPTING A PROPOSAL FROM ELDER CORPORATION IN THE AMOUNT OF \$136,665.50 FOR STORM SEWER IMPROVEMENTS AT 1ST AVE. SOUTH AND 24TH ST. SE INTERSECTION, ALTOONA, IA
 - g) Resolution #11-20-2017 #09 APPROVING REQUESTS FOR TAX ABATEMENT
 - h) Resolution #11-20-2017 #10 ON SETTING A DATE FOR A PUBLIC HEARING FOR MONDAY, DECEMBER 4TH AT 6:30PM TO CONSIDER APPROVAL OF A GENERAL OBLIGATION URBAN RENEWAL CITY HALL AND POLICE STATION LEASE-PURCHASE AGREEMENT
 - i) Set public hearing for Monday, December 4th at 6:30pm to consider placing a stop sign for northbound traffic on Bass Pro Drive NW at Adventureland Drive NWRoll Call Vote:
2 Boka Y Mertz 1 OConnor A Sloan Y Willey (4-0)
24. Beer & Liquor Permits
 - a) Target Store T-1939 - Class B Wine Permit (Carryout-includes Native Wine), Class E Liquor License (LE), Class C Beer Permit (Carryout)
Lieutenant Jason Ferguson stated there are no violations at this establishment.

Roll Call Vote:

Y Boka 1 Mertz Y OConnor A Sloan 2 Willey (4-0)

b) Big Foot Bacon & Brew - Class C Liquor License (LC)(Commercial), Catering Privilege, Sunday Sales

Lt. Ferguson stated there are no violations at this establishment.

Roll Call Vote:

2 Boka 1 Mertz Y OConnor A Sloan Y Willey (4-0)

c) Prairie Meadows - Class C Liquor License (LC)(Commercial), Class B Wine Permit (Carryout Wine)(Includes Native Wine), Catering Privilege, Sunday Sales, Outdoor

Lt. Ferguson stated there are no violations at this establishment.

Roll Call Vote:

1 Boka 2 Mertz Y OConnor A Sloan Y Willey (4-0)

d) Prairie Meadows - Class E Liquor License (LE), Sunday Sales

Lt. Ferguson stated there are no violations at this establishment.

Roll Call Vote:

2 Boka Y Mertz Y OConnor A Sloan 1 Willey (4-0)

** Mayor Conkling swore in new mayor, Dean O'Connor.

25. General Business & Department Head Reports & Updates

The following department heads provided updates to the council: Police Chief Greg Stallman, Public Works Director Scott Atzen, Public Utilities Director Utter, City Engineer Jon Hanson, Director Shaw, and Assistant Fire Chief Lee Richardson.

*City Clerk Pierce reminded council and staff of the work session on Monday, November 27th.

*City Administrator Jeff Mark reminded council and staff that the December work session will be Monday, December 11th.

*Council Member Mertz shared he will be on the MPO nomination committee.

*Mayor O'Connor shared some changes with Metro Waste Authority.

*Council Member Vern Willey shared an update on the regional water.

26. Update on Prairie Crossing

*Director Shaw stated that his staff is working closely with the outlet mall staff to make sure that new tenants are aware of the procedures needed through the Building and Fire Departments. Also, he shared the items continue to progress with Heart of America and the remaining land.

27. Adjourn at 7:25pm

Roll Call Vote:

Y Boka 2 Mertz A Sloan 1 Willey (3-0)

Attest to:

Amy S. Hill, Secretary

Dean O'Connor, Mayor