

CITY OF ALTOONA COUNCIL MEETING
MONDAY, NOVEMBER 21, 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, Jerry Whetstone, Jary Bowie, John Shaw, Jon Hanson, Scott Atzen, Jim Utter, Amy Hill, City Attorney Bob Laden

Audience Present: Steve Hanson, Matt Carlile, Bret Paige, John McClain, Erin Ollendike

2. Perfecting and approval of the agenda

Mayor Skip Conkling requested to approve the agenda as presented.

Roll Call Vote:

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

3. Approval of November 7 and 14, 2016, minutes

Roll Call Vote:

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

4. Citizens request to address council

No one came forward to speak.

5. Public hearing to consider vacating a public utility easement on Lot 2, Burget Acres Plat 1

Mayor Conkling explained Steve and Mary Hanson are requesting an easement vacation for their property on 36th Street (27th Avenue in the County). Community Development Director Shaw stated the easement is needed to replace the deck on the front of their house. The property was recently annexed into Altoona with the SE annexation. Prior to being annexed, they were working with Polk County. They have received approval from the 8 known utility companies for the originally requested 80 sq. ft. of easement vacation. However, staff noticed that there was an additional 18 sq. ft. needed. The surveyor is working on updating the approvals from the utility companies. Staff is comfortable with council approving the request, subject to receiving the update signed approvals.

Opened hearing at 6:32pm

Comments: No one came forward to speak.

Closed hearing at 6:33pm

6. Ordinance #11-21-2016 #01 (443) to vacate a public utility easement on Lot 2, Burget Acres Plat 1 (1st Reading)

Council Member Kyle Mertz motioned approval subject to the updated approvals needed being received.

Roll Call Vote (1st Reading):

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

Council Member Vern Willey II motioned approval to waive 2nd & 3rd readings subject to the same as stated by Council Member Mertz.

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

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

Council Member Dean O'Connor motioned approval to publish with the same requirements.

Roll Call Vote (To Publish):

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

7. Public hearing to consider a comprehensive plan land use map amendment from Big R Farms, LLC to change 184.4 acres from Long Term Growth Area to Industrial

Mayor Conkling explained this public hearing needs to be opened and a motion made to continue the public hearing until after the annexation is approved. The annexation approval has been delayed until December 2016, as a result of the City Development Board not having the required 4 members available to approve an 80/20 annexation application at the November meeting.

Opened hearing at 6:34pm

Comments: No one came forward to speak.

Council Member O'Connor motioned to continue the hearing.

Roll Call Vote:

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

8. Public hearing to consider a rezoning request from Big R Farms, LLC to rezone 184.4 acres from A-1 (Agricultural) to M-1 (Limited Industrial)

Mayor Conkling stated the public hearing for the rezoning of this property needs to be continued for the same reason as given for item #7 on the agenda.

Opened hearing at 6:35pm

Comments: No one came forward to speak.

Council Member O'Connor motioned to continue the hearing.

Roll Call Vote:

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

9. Public hearing to consider a rezoning request from Cheryl Laird Humphrey Family Trust and Diamond Development to rezoning 78.5 acres from A-1 (Agricultural) to R-5 (Planned Unit Development)

Mayor Conkling explained the owner, Cheryl Laird Humphrey Family Trust, and the developer, Diamond Development are requesting to rezone 78.5 acres from A-1 (Agricultural) to R-5 (Planned Unit Development).

Opened hearing at 6:36pm

Comments: Erin Ollendike of Civil Design Advantage, 3405 SE Crossroads Dr. #G, Grimes, representing the owners stated the property is located west of Clay Estates, north of 36th Street SW, south of Ironwood South. The developer is proposing a residential development called Brookhaven Estates. The development consists of approximately 203 single-family detached homes. The minimum lot width proposed will require that 75% of the lots will be at least 70 feet wide and a maximum of 25% of the lots can be between 65 and 69 feet wide.

Closed hearing at 6:37pm

10. Ordinance #11-21-2016 #02 (444) TO REZONE 78.5 ACRES (CHERYL LAIRD HUMPHREY FAMILY TRUST AND DIAMOND DEVELOPMENT) FROM A-1 (AGRICULTURAL) TO R-5 (PLANNED UNIT DEVELOPMENT) (1st Reading)

Council Member Jeremy Boka asked Director Shaw about concerns staff had in regards to the park land. Director Shaw explained that with the current plan presented the park land dedicated is in the middle of the backyards and only accessible from the trail. This makes it difficult for a public accessible park but in this development the school will be considered the park because of the proximity to the neighborhood. Director Shaw mentioned the detention area with a water feature may make the area more pleasing for the residents.

Roll Call Vote (1st Reading):

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

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

Y Boka 2 Mertz 1 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)

11. Public hearing to consider a development plan request from Cheryl Laird Humphrey Family Trust and Diamond Development to consider a single-family residential development called Brookhaven Estates consisting of approximately 203 homes on 78.5 acres

Mayor Conkling stated this is a public hearing for the approval of a development plan for the above described property.

Opened hearing at 6:40pm

Comments: Erin Ollendike stated that the developers are willing to pave the trail that will run through the development as a way to meet the obligation of park land.

Closed hearing at 6:41pm

12. Resolution #11-21-2016 #01 TO APPROVE A DEVELOPMENT PLAN WITH CHERYL LAIRD HUMPHRY FAMILY TRUST AND DIAMOND DEVELOPMENT TO CONSIDER A SINGLE-FAMILY RESIDENTIAL DEVELOPMENT CALLED BROOKHAVEN ESTATES CONSISTING OF APPROXIMATELY 203 HOMES ON 78.5 ACRES

Council Member Willey pointed out the slightly smaller lot sizes but stated he was fine with them because this was listed as a PUD. City Administrator Jeff Mark shared there were a lot of comments from neighbors regarding storm water. He asked Ms. Ollendike if an increase in detention would be possible to meet the concerns of the residents for storm water control. Ms. Ollendike stated that they are aware of the storm water issue and are working on a plan to meet the needs of the resident for storm water detention.

Roll Call Vote:

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

13. Public hearing for Monday, November 21, 2016 at 6:30pm to consider plans, specifications and form of contract for 2016 SE Lift Station Sanitary Sewer - Phase 1

Mayor Conkling shared this is a public hearing for the proposed SE Lift Station Sanitary Sewer Project-Phase 1. When the entire project is completed, the need for the Southeast Lift Station will be eliminated. Phase 1 will construct a gravity sewer line running from the Mud Creek deep sanitary sewer trunk line, west along the north side of 8th Street and then turning south at the bridge, crossing 8th Street and terminating at the Hubbell property. The City received eight bids on Tuesday, November 15, 2016. The low bid was submitted by J&K Contracting, LLC at \$192,876. The engineers estimate was \$243,905.

Opened hearing at 6:45pm

Comments: No one came forward to speak.

Closed hearing at 6:46pm

14. Resolution #11-21-2016 #02 TO APPROVE THE PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATED COSTS FOR THE 2016 SE LIFT STATION SANITARY SEWER - PHASE 1

Roll Call Vote:

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

15. Resolution #11-21-2016 #03 TO APPROVE THE CONTRACT AND BOND FOR THE 2016 SE LIFT STATION SANITARY SEWER - PHASE 1

Roll Call Vote:

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

16. Resolution #11-21-2016 #04 MAKING THE AWARD OF THE CONTRACT FOR THE 2016 SE LIFT STATION SANITARY SEWER - PHASE 1

City Administrator Mark explained this is the resolution to award to J&K Contracting, LLC of Ames, Iowa, in the amount of \$192,876. City Attorney Bob Laden stated he had reviewed the contract and approved.

Roll Call Vote:

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

17. Consider approval of Professional Services Agreement with Confluence for Spring Creek Park Master Plan Development

Mayor Conkling stated the City is seeking the services of a landscape architect to assist the City of Altoona develop park space in conjunction with an adjacent residential development. The City owns approximately 40 acres and the adjacent development will need to construct stormwater

management, as well as, park land dedication. Matt Carlile of Confluence, 525 17th St. Des Moines, shared if selected, please contact him in regards to any questions and concerns.

Roll Call Vote:

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

18. Consider Tootie Hall's request for a therapy animal

Council discussed the therapy animal in question and came to consensus due to the age of the animal and the special circumstances that this animal would be allowed but if Ms. Hall wished to have a new therapy animal in the future she would need to return to make the request.

Roll Call Vote:

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

19. Resolution #11-21-2016 #05 TO CONSIDER A PLAT OF SURVEY FROM AUDREY ESHELMAN FOR PARCEL 2016-220, PROPERTY IN POLK COUNTY AT 9175 NE 54TH AVENUE

Mayor Conkling explained the property owner, Audrey Eshelman is requesting approval for a plat of survey for ground located at 9175 NE 54th Avenue. Director Shaw stated this property is located in unincorporated Polk County about one and one half mile northeast of Altoona. Polk County is also requiring a lot tie agreement so the parcel cannot be sold separately from the home.

Roll Call Vote:

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

20. Consider Consent Agenda

a) Allow Bills

b) Capital Projects

B1) Pay App #1 - Morris Enterprises, Inc. - Casebeer Dr. Water Main Improvements - \$159,281.75

c) Resolution #11-21-2016 #06 OBLIGATING FUNDS FROM THE URBAN RENEWAL TAX REVENUE FUND FOR APPROPRIATION TO THE PAYMENT OF ANNUAL APPROPRIATION TAX INCREMENT FINANCED OBLIGATIONS WHICH SHALL COME DUE IN THE NEXT SUCCEEDING FISCAL YEAR (F&S ROSENBERGER, LLC. - \$48,857.00)

d) Resolution #11-21-2016 #07 OBLIGATING FUNDS FROM THE URBAN RENEWAL TAX REVENUE FUND FOR APPROPRIATION TO THE PAYMENT OF ANNUAL APPROPRIATION TAX INCREMENT FINANCED OBLIGATIONS WHICH SHALL COME DUE IN THE NEXT SUCCEEDING FISCAL YEAR (LB PROPERTIES VI - \$75,848.00)

e) Resolution #11-21-2016 #08 OBLIGATING FUNDS FROM THE URBAN RENEWAL TAX REVENUE FUND FOR APPROPRIATION TO THE PAYMENT OF ANNUAL APPROPRIATION TAX INCREMENT FINANCED OBLIGATIONS WHICH SHALL COME DUE IN THE NEXT SUCCEEDING FISCAL YEAR (F&S ROSENBERGER, LLC - \$127,034.00)

f) Resolution #11-21-2016 #09 OBLIGATING FUNDS FROM THE URBAN RENEWAL TAX REVENUE FUND FOR APPROPRIATION TO THE PAYMENT OF ANNUAL APPROPRIATION TAX INCREMENT FINANCED OBLIGATIONS WHICH SHALL COME DUE IN THE NEXT SUCCEEDING FISCAL YEAR (FRANZEN I-80 - \$33,600.00)

g) Resolution #11-21-2016 #10 OBLIGATING FUNDS FROM THE URBAN RENEWAL TAX REVENUE FUND FOR APPROPRIATION TO THE PAYMENT OF ANNUAL APPROPRIATION TAX INCREMENT FINANCED OBLIGATIONS WHICH SHALL COME DUE IN THE NEXT SUCCEEDING FISCAL YEAR (FRANZEN I-80 - \$49,000.00)

h) Resolution #11-21-2016 #11 OBLIGATING FUNDS FROM THE URBAN RENEWAL TAX REVENUE FUND FOR APPROPRIATION TO THE PAYMENT OF ANNUAL APPROPRIATION TAX INCREMENT FINANCED OBLIGATIONS WHICH SHALL COME DUE IN THE NEXT SUCCEEDING FISCAL YEAR (MIDWEST 1, LLC - \$100,000.00)

i) Resolution #11-21-2016 #12 OBLIGATING FUNDS FROM THE URBAN RENEWAL TAX REVENUE FUND FOR APPROPRIATION TO THE PAYMENT OF ANNUAL APPROPRIATION TAX INCREMENT FINANCED OBLIGATIONS WHICH SHALL COME DUE IN THE NEXT SUCCEEDING FISCAL YEAR (PRAIRIE MEADOWS - \$200,000.00)

j) Resolution #11-21-2016 #13 OBLIGATING FUNDS FROM THE URBAN RENEWAL TAX REVENUE FUND FOR APPROPRIATION TO THE PAYMENT OF ANNUAL APPROPRIATION TAX INCREMENT

FINANCED OBLIGATIONS WHICH SHALL COME DUE IN THE NEXT SUCCEEDING FISCAL YEAR (ALTOONA HOSPITALITY - \$100,000.00)

- k) Resolution #11-21-2016 #14 OBLIGATING FUNDS FROM THE URBAN RENEWAL TAX REVENUE FUND FOR APPROPRIATION TO THE PAYMENT OF ANNUAL APPROPRIATION TAX INCREMENT FINANCED OBLIGATIONS WHICH SHALL COME DUE IN THE NEXT SUCCEEDING FISCAL YEAR (CCRC OF ALTOONA - \$300,000.00)
- l) Resolution #11-21-2016 #15 OBLIGATING FUNDS FROM THE URBAN RENEWAL TAX REVENUE FUND FOR APPROPRIATION TO THE PAYMENT OF ANNUAL APPROPRIATION TAX INCREMENT FINANCED OBLIGATIONS WHICH SHALL COME DUE IN THE NEXT SUCCEEDING FISCAL YEAR (BIG GAME ENTERPRISES - \$9,304.00)
- m) Resolution #11-21-2016 #16 OBLIGATING FUNDS FROM THE URBAN RENEWAL TAX REVENUE FUND FOR APPROPRIATION TO THE PAYMENT OF ANNUAL APPROPRIATION TAX INCREMENT FINANCED OBLIGATIONS WHICH SHALL COME DUE IN THE NEXT SUCCEEDING FISCAL YEAR (ANNUAL APPROPRIATION URBAN RENEWAL TAX BONDS, SERIES 2016C - \$2,792,600.00)
- n) Resolution #11-21-2016 #17 APPROVING THE TRANSFER OF FUNDS FOR BOND AND INTEREST PAYMENTS
- o) Consider agreement for cooperative public service between Polk County, Iowa and City of Altoona, Iowa
- p) Consider approval of Annual Urban Renewal Report, Fiscal Year 2015-2016
- q) Consider approval of Professional Services Agreement with Snyder & Associates for Heritage Homes Footing Drain Project - Phase 1
- r) Resolution #11-21-2016 #18 TO APPROVE ALTOONA'S SPONSORSHIP FOR IEDA APPLICATION FOR IOWA COLD STORAGE EXPANSION PROJECT

Roll Call Vote:

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

21. Beer and Liquor Permits

- a) Prairie Meadows Racetrack and Casino - Class C Liquor License, Class B Wine Permit (Carryout Wine-Includes Native Wine), Catering Privilege
Sergeant Jary Bowie stated there were no violations at this establishment.

Roll Call Vote:

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

- b) Cinemark USA Inc. - Special Class C Liquor License (BW)(Beer Wine)
Sergeant Bowie stated there were no violations at this establishment.

Roll Call Vote:

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

- c) Pilot Flying J #913 - Class C Beer Permit (BC)
Sergeant Bowie stated there were no violations at this establishment.

Roll Call Vote:

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

22. Department Head Reports & Updates

*Public Works Director Scott Atzen updated the council in regards to the open burning being performed by the Parks and Fire Departments. He also shared the retaining wall at Lion's park was under construction. Director Atzen explained asbestos had been found in the house set to be demolished. The asbestos will be abated and the house dismantled after that.

*Community Development Director Shaw gave an update on the outlet mall, Fairfield Inn, Hampton Inn, and Comfort Inn. He also shared that the SEP school district has sold the land north of Willowbrook Elementary and there is interest in building some houses there. The Anderson commercial ground is being considered for development.

*Public Utilities Director Jim Utter stated very few deficiencies were found at the walk-through for the 2016 Water Main Replacement today. In addition, the staff are beginning to look at different meter reading software. City Administrator Jeff Mark shared his thanks and that he has received many compliments on the west water tower being illuminated in blue lights in support of the fallen officers in the metro and supporting law enforcement.

*City Engineer Jon Hanson shared information of the watershed coordination efforts in the metro. ROW work continues with several businesses adding fiber. Also, Kum 'n Go is interested in a location in Altoona and he is researching some options for them.

*City Administrator Mark that WRA's grease interceptor requirement has been a discussion at several metro meetings he has attended. Also, Clive has recently passed a new stormwater ordinance and that Altoona may need to review ours. Focus group is interested in a distribution center in Altoona.

*City Clerk Pierce explained that staff would like to have a 2nd work session this month to discuss CIP budget reviews for 2017 - 2018 fiscal year.

23. General Business Items/Reports and Updates

*Council Member O'Connor provided an update on MWA. The campus updated the pool area and worked on fixing leaks. This has been paid for by the Campus Board.

*Council Member Boka shared that he, Council Members O'Connor and Mertz and Mayor Conkling attended the Leaders of Influence event at Camp Dodge.

*Council Member Michelle Sloan shared there was a pretty extensive dumpster fire at the Library on Sunday night. The video is being reviewed by the police department. Also, the project Tale Trail has been installed. Council Member O'Connor commented that he had seen them and they were great.

*Council Member Willey explained he would like to get the new watershed coordinator in to a council meeting for a quick presentation. Also, he attended the WRA policy meeting and the grease interceptor requirement is a topic of conversation.

*Mayor Conkling shared his enjoyment at the Leaders of Influence event.

15. Adjourn at 7:13pm

Roll Call Vote:

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

Attest to:

Amy S. Hill, Secretary

J.M. Skip Conkling, Mayor