

CITY OF ALTOONA COUNCIL MEETING  
MONDAY, NOVEMBER 6, 2017, 6:30 P.M.  
AT THE ALTOONA CITY HALL

1. CALL TO ORDER

Roll Call at 6:30 pm

Mayor - absent

Boka - present

Mertz- present

O'Connor - present

Sloan- present

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

Audience Present: Korey Marsh, Joe Shepherd, Dalton Sanford, Troy Schneider, Scott Duer, Melissa Horton, Alex Payne, Jill Ellsworth, Stacia Vriezelaar, Linda Lawson, John Rullman, Alexia Leanos, Mercedes Macias, Brayton Forbes

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

3. Altoona Road Riders presentation of donation

Doug Gissel, 2538 NE 112<sup>th</sup> St., Mitchellville, representing Altoona Road Riders presented the City of Altoona with a donation for \$8,000 raised from the 2017 Altoona Tune-up ride to be used towards an information hub.

\*\* Mayor Pro-Tem O'Connor requested a moment of silence to pay respect to the victims of the Sutherland, Texas Church shootings.

4. Approval of October 16 and 23, 2017 Council Minutes

Roll Call Vote:

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

5. Citizens request to address the council

Jay Kennedy of Breakaway Lounge, 801 Bass Pro Dr., Suite 520, shared information in regards to providing alcoholic beverages for temporary time period located at the Outlets of Des Moines.

6. Public hearing to consider vacating two 50'x60' ingress/egress easements centered on the north portion of Lots 16/17 and Lots 17/18 of Franzen Plat 1

Hearing opened at 6:44pm

Comments: Community Development Director John Shaw explained Kwik Trip is requesting that the council vacate two easements that are centered on the north 50 feet of the property.

Closed at 6:45pm

7. Ordinance #11-06-2017 #1 (474) TO VACATE TWO 50'X60' INGRESS/EGRESS EASEMENTS CENTERED ON THE NORTH PORTION OF LOTS 16/17 AND LOTS 17/18 OF FRANZEN PLAT 1 (1<sup>ST</sup> READING)

Roll Call Vote (1<sup>st</sup> Reading):

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

Roll Call Vote (To waive 2<sup>nd</sup> & 3<sup>rd</sup> Reading):

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

Roll Call Vote (To publish):

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

8. **Public Hearing to consider amending Chapter 125 Massage Parlors and Massage Technicians Hearing opened at 6:46pm**  
Comments: Jill Ellsworth, 713 NE Parks St., Grimes, explained she was a massage therapist in the greater Des Moines metro area. She is concerned that the changes in the metro area communities' massage parlor ordinances will have a negative effect of legitimate massage therapists. Police Chief Greg Stallman explained the need for the change in the ordinance. He explained that Representative Zach Nunn would present information in the future in regards to the need for the changes in communities' ordinances. Council Member Kyle Mertz motioned to continue the hearing.  
Roll Call Vote:  
2 Boka 1 Mertz Y O'Connor Y Sloan Y Willey (5-0)
9. **Resolution #11-07-2017 #01 TO CONSIDER A SITE PLAN AMENDMENT FOR CENTRAL PLAINS CEMENT**  
Director Shaw explained Central Plains Cement is proposing an amendment to their site plan. They are proposing to reconfigure the driveway in order to reduce pavement. Two buildings were proposed. They will be combined to consolidate the footprint. They added two parking stalls. The retaining wall along the rail was extended. The site storm sewer was shifted around to accommodate the drive aisle. The storm outlet has been revised to release to the east. They are lowering the floor elevations from 941.70 feet to 940.20 feet. There are also a few storm sewer changes to the south rail area.  
Roll Call Vote:  
2 Boka 1 Mertz Y O'Connor Y Sloan Y Willey (5-0)
10. **Resolution #11-07-2017 #02 TO CONSIDER RE-APPROVAL OF A PRELIMINARY PLAT FOR BROOKHAVEN ESTATES**  
Director Shaw explained the developer of Brookhaven Estates Plat 2 is seeking re-approval of their preliminary plat. It has been more than six months since the original approval.  
Roll Call Vote:  
Y Boka 1 Mertz Y O'Connor 2 Sloan Y Willey (5-0)
11. **Resolution#11-07-2017 #03 TO CONSIDER A FINAL PLAT FOR IRONWOOD SOUTH PLAT 5**  
Director Shaw explained the applicant, Ironwood South LLC, is seeking final plat approval for Ironwood South Plat 5. Council Member Mertz motioned approval subject to legal documents being received and reviewed.  
Roll Call Vote:  
Y Boka 1 Mertz Y O'Connor Y Sloan 2 Willey (5-0)
12. **Resolution #11-07-2017 #04 TO CONSIDER A FINAL PLAT FOR A & J JONES PLAT 1**  
Director Shaw explained Art Jones is seeking final plat approval for A & J Jones Plat 1. Council Member Vern Willey motioned approval subject to legal documents being received and reviewed.  
Roll Call Vote:  
2 Boka Y Mertz Y O'Connor Y Sloan 1 Willey (5-0)
13. **Consider development agreement with RUTHRA Investments, L.P. (A & J Jones Plat 1 - \$146,110)**  
City Engineer Jon Hanson explained the agreement is between RUTHRA Investments, LP, aka Art Jones property and the City of Altoona. The developer has agreed to install public improvements consisting of offsite sanitary sewer, offsite storm sewer, oversized water main, and oversized sidewalks. The City agrees to reimburse the developer for the costs associated with the City's portion of the improvements, including the oversizing of certain improvements.  
Roll Call Vote:  
1 Boka Y Mertz Y O'Connor Y Sloan 2 Willey (5-0)

14. Resolution #11-07-2017 #05 TO CONSIDER A PRELIMINARY PLAT FOR MCDONALD'S ALTOONA PLAT 1  
Director Shaw explained McDonald's is constructing a new restaurant on the site of the current truck parking area, located on the east side of their property. Council Member Mertz motioned approval subject to deficiencies being met.  
 Roll Call Vote:  
Y Boka 1 Mertz Y O'Connor 2 Sloan Y Willey (5-0)
15. Resolution #11-07-2017 #06 TO CONSIDER A FINAL PLAT FOR MCDONALD'S ALTOONA PLAT 1  
Council Member Willey motioned approval subject to deficiencies being met.  
 Roll Call Vote:  
Y Boka Y Mertz Y O'Connor 2 Sloan 1 Willey (5-0)
16. Resolution #11-07-2017 #07 TO CONSIDER A SITE PLAN FOR MCDONALD'S  
Director Shaw explained the applicant is seeking site plan approval for a new McDonald's restaurant located directly east of the existing restaurant. They are proposing to construct a 4,988 sf restaurant. Council Member Jeremy Boka motioned approval subject to deficiencies being met.  
 Roll Call Vote:  
1 Boka Y Mertz Y O'Connor Y Sloan 2 Willey (5-0)
17. Request for relief of utility bill at 635 26<sup>th</sup> St. SE  
Mayor Pro-Tem O'Connor explained that council had a chance to review the documents explaining the situation prior to the council meeting. Council Member Mertz motioned approval to waive the sewer charge of \$175.92.  
 Roll Call Vote:  
2 Boka 1 Mertz Y O'Connor Y Sloan Y Willey (5-0)
18. Resolution #11-07-2017 #08 TO APPROVE A PLAT OF SURVEY FOR PARCEL 2017-192 GEORGE FAMILY 2009 REV TRUST PROPERTY ON NE 80<sup>TH</sup> STREET  
 Roll Call Vote:  
Y Boka Y Mertz Y O'Connor 2 Sloan 1 Willey (5-0)
19. Consider Consent Agenda
- a) Allow Bills
  - b) Capital Projects
    - B1) Pay App # 1 - Underground Co. - 8<sup>th</sup> St. Storm Sewer Improvements - \$64,657.95
    - B2) Change Order #2 - Jackson Creek Enterprises, L.C. - 2017 Water Main Improvements Project - \$18,221,01
    - B3) Pay App #5 - Jackson Creek Enterprises, Inc. - 2017 Watermain Improvements Project - \$76,009.18
    - B4) Change Order #1 - Elder Corporation - Adventureland Drive Widening - \$47,076.80
    - B5) Pay App # 3 - Elder Corporation - Adventureland Drive Widening - \$383,001.18
  - c) Consider professional services agreement with Veenstra & Kimm for 2017 CIPP Sewer Lining Project
  - d) Consider professional services agreement with Veenstra & Kimm for Northwest Lift Station
  - e) Resolution #11-07-2017 #09 APPROVING WRITING OFF OF RESCUE FEES FOR BAD DEBT ACCOUNTS - COLLECTION FEES FROM 7-1-2017 THRU' 9-30-2017
  - f) Resolution #11-07-2017 #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 YEAR (\$127,034 - F&S ROSENBERGER, LLC)
  - g) Resolution #11-07-2017 #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 YEAR (\$33,600 - FRANZEN ALTOONA I-80)
- h) Resolution #11-07-2017 #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 YEAR (\$49,000 - FRANZEN ALTOONA I-80)
  - i) Resolution #11-07-2017 #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 YEAR (\$100,000 - MIDWEST 1, LLC)
  - j) Resolution #11-07-2017 #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 YEAR (\$200,000 - PRAIRIE MEADOWS)
  - k) Resolution #11-07-2017 #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 YEAR (\$300,000 - CCRC OF ALTOONA)
  - l) Resolution #11-07-2017 #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 YEAR (\$100,000 - ALTOONA HOSPITALITY)
  - m) Resolution #11-07-2017 #17 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 YEAR (\$2,769,250 - CITY OF ALTOONA ANNUAL APPROPRIATION URBAN RENEWAL BONDS, SERIES 2016C)
  - n) Resolution #11-07-2017 #18 APPROVING AND AUTHORIZING THE CITY CLERK TO SIGN PARTIAL RELEASE OF DEVELOPMENT AGREEMENT
  - o) Resolution #11-07-2017 #19 ACCEPTING PERMANENT PUBLIC UTILITY EASEMENT FOR CONSTRUCTION OF FUTURE ADVENTURELAND DRIVE WIDENING (TRIPLE CROWN ALTOONA COOPERATIVE - \$2,542.20)
  - p) Resolution #11-07-2017 #20 ACCEPTING PERMANENT PUBLIC UTILITY EASEMENT FOR CONSTRUCTION OF FUTURE ADVENTURELAND DRIVE WIDENING (ADVENTURELANDS - \$6,708.30)
  - q) Resolution #11-07-2017 #21 ACCEPTING PERMANENT PUBLIC UTILITY EASEMENT FOR CONSTRUCTION OF FUTURE ADVENTURELAND DRIVE WIDENING (ADVENTURELANDS - \$2,070.00)
  - r) Resolution #11-07-2017 #22 ACCEPTING PUBLIC IMPROVEMENTS (SE LIFT STATION SANITARY SEWER PHASE 1)
  - s) Resolution #11-07-2017 #23 TO APPROVE *TREES PLEASE!* GRANT APPLICATION
  - t) Consider indemnification and hold harmless agreement with Brad J. and Patricia A. Murray
  - u) Consider approval of supplemental agreement with Confluence (Altoona Park Master Plan)
  - v) Set Public Hearing for Monday, November 20<sup>th</sup> at 6:30 pm to consider rezoning of 77.34 acres of property owned by MidAmerican Energy from A-1 (Agricultural) to M-1 (Limited Industrial)
  - w) Set Public Hearings for Monday, November 20<sup>th</sup> at 6:30 pm to consider comprehensive plan land use map amendment from commercial to high density residential, rezoning from C-2 (General Commercial) to R-5 (PUD), and development plan for 6.47 acres of land owned by Tuscany Reserve LLC

Roll Call Vote:

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

20. Beer & Liquor Permits

a) Brightside Aleworks - 1 day event (November 12, 2017 - Cook-off)

Lieutenant Jason Ferguson stated there are no violations at this establishment.

Roll Call Vote:

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

21. 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 Hanson, Director Shaw, and Assistant Fire Chief Lee Richardson.

\*City Administrator Jeff Mark requested the some of the council members be present at an area award banquet that will be honoring two Altoona business.

\*Council Member Boka stated he will be in attendance at the award banquet on November 14<sup>th</sup>. He also expressed kudos to the Altoona Area Chamber of Commerce for the Nippy Hippy 5K event.

\*Council Member Mertz shared an Altoona 150 Parade committee update.

\*Council Member Willey shared he is attending the DART and WRA - finance meeting this week.

22. Update on Prairie Crossing

Stated under item #21 with Director Shaw's report.

23. Adjourn at 7:16pm

Roll Call Vote:

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

Attest to:

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Amy S. Hill, Secretary

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Dean O'Connor, Mayor Pro-Tem