

CITY OF ALTOONA COUNCIL MEETING
MONDAY, JUNE 4, 2018, 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- present

Boka - present

Leigher - present

Willey - present

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

Audience Present: Melissa Horton, Corrine Stout, Doug Mandernach, Joe Fogg, Kathy Fogg, Zach Nunn, Jill Craven, Jill Fisher, Alex Payne, Aaron Meyer, Tyler Henry, Dave Harmeyer, Chris Trospen, Wally Pelds

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

Mayor Dean O'Connor requested to add item 29J to the consent agenda which was setting a public hearing.

Roll Call Vote:

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

3. **Approval of May 21, 2018, council minutes**

Roll Call Vote:

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

4. **Citizens request to address council**

Representative Zach Nunn, 1304 13th St SE, Bondurant, gave a legislative update to council.

5. **Continued public hearing to consider approval of plans, specifications, and form of contract for Traffic Signalization - 1st Ave. & Exit 143**

City Engineer Jon Hanson explained this is a public hearing for the 1st Avenue and Exit 143 traffic signalization, plans, specifications, and form of contract. Bids for this project were received on May 2, 2018. Two proposals were received with the low bid submitted by Iowa Signal Inc. of Grimes, Iowa for \$156,153.42.

Open hearing: 6:43pm

Comments: No one came forward to speak.

Closed hearing: 6:44pm

6. **Resolution #06-04-2018 #01 APPROVING THE PLANS, SPECIFICATIONS, AND FORM OF CONTRACT FOR TRAFFIC SIGNALIZATION - 1ST AVE. & EXIT 143**

Roll Call Vote:

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

7. **Resolution #06-04-2018 #02 APPROVING THE CONTRACT AND BOND FOR TRAFFIC SIGNALIZATION - 1ST AVE. & EXIT 143**

Council Member Jeremy Boka motioned approval subject to review by city attorney.

Roll Call Vote:

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

8. **Resolution #06-04-2018 #03 AWARDING THE CONTRACT FOR TRAFFIC SIGNALIZATION - 1ST AVE. & EXIT 143**

This resolution is awarding the contract to Iowa Signal Inc. of Grimes, Iowa, in the amount of \$156,153.42.

Roll Call Vote:

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

9. **Public Hearing to consider an ordinance amendment to Chapter 69.11 Snow Removal**
Police Chief Greg Stallman explained the new language is in bold and underlined. The new language sets the snow removal parking ban from October through May when the weather forecast predicts weather conditions that will require enforcement of the parking ban. The police department and public works will coordinate their efforts to notify the public, via social media and the City's website when they have reason to believe that the ordinance is going to be enforced.

Open hearing: 6:46pm

Comments: No one came forward to speak.

Closed hearing: 6:47pm

10. **Ordinance #06-04-2018 #01 (491) TO APPROVE AMENDMENT TO THE 2004 CITY OF ALTOONA CODE OF ORDINANCES, CHAPTER 69.11 (SNOW REMOVAL)**

Roll Call Vote (1st Reading):

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

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

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

Roll Call Vote (To publish):

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

11. **Resolution #06-04-2018 #04 APPROVING A DEVELOPMENT PLAN FROM TEMPLE HOLDINGS LP CALLED MAGNOLIA TO INCLUDE APPROXIMATELY 279 ACRES OF INCLUDE LOW, MEDIUM AND HIGH DENSITY RESIDENTIAL USES**

Council Member Jeremy Boka motioned approval subject to the following terms being added to the development plan: 1) Sidewalk and berm on north and west side of development; 2) Street lights will be added along 36th St. SE and 1st Ave. S; 3) Trail system will be continued and will be shown on the map; 4) Curb stops will not be allowed in the sidewalks; 5) Remove "also townhomes" in the B1 area; 6) Extend utilities to the east 7) Layout housing driveways to allow for maximum on street parking; 8) Offset egress window; 9) Street to the south installed and paid for by developer (if required); 9) Housing density max at 12 units per acre; 10) C1/C2- Straight R-3 zoning; 11) D1/D2 - Straight R-1 zoning; 12) Northern lots with pipeline easement are not allowed to have fences or accessory structures; 13) Extend trail from park to the south in minimum 50-foot wide greenspace; and, 14) Eliminate notes section by working with staff

Roll Call Vote:

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

12. **Ordinance to consider a rezoning request from Temple Holdings LP to rezone approximately 5.09 acres from A-1 (Agricultural) to C-2 (General Commercial) (2nd reading)**

Community Development Director John Shaw stated that the developer had requested this item be removed for consideration. No action was taken.

13. **Resolution #06-04-2018 #05 APPROVING A FINAL PLAT FOR TUSCANY TOWNHOMES PLAT 3**
Director Shaw explained the applicant, Tuscan Reserve, LLC is requesting final plat approval for Tuscan Townhomes Plat 3. This is the third phase of a 120 unit townhome development. This plat will have 32 bi-attached units. Council Member Kyle Mertz motioned approval subject to legal documents and bond being submitted.

Roll Call Vote:

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

14. **Resolution #06-04-2018 #06 APPROVING A SITE PLAN AMENDMENT FOR EDENCREST AT TUSCANY**

Chris Trosper from Hubbell Realty, 6900 Westown Pkwy, West Des Moines, explained the developers of Edencrest at Tuscany, have decided to move forward on the independent living project and are seeking site plan approval. There are a few changes to the previous plan. They are adding 12 units for a total of 48. The assisted living facility will change 10 units to memory care, but there will still be 40 units. The buildings have been slid approximately 19 feet to the west.

Roll Call Vote:

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

15. Resolution #06-04-2018 #07 APPROVING A SITE PLAN AMENDMENT FOR CENTRAL PLAINS CEMENT

Director Shaw explained Central Plains Cement is seeking an amendment to their previously approved site plan. They are planning to construct a second rail line for off-loading material, relocating the generators into a separate structure located behind the storage dome, and they will now have a flat roof building. Council Member Mertz motioned approval subject to site lighting plan being approved by staff.

Roll Call Vote:

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

16. Resolution #06-04-2018 #08 APPROVING A SITE PLAN AMENDMENT FOR FACEBOOK ATN 4B

Director Shaw explained Siculus, Inc. is proposing to build another addition to their third building, which will be called "4B" by the owner. The addition is 33,590 square feet in size and will bring the total size of building 3 to 416,030 square feet. Council Member Boka motioned approval subject to site lighting plan being approved by staff.

Roll Call Vote:

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

17. Resolution #06-04-2018 #09 APPROVING A PRELIMINARY PLAT FOR SPRING CREEK RIDGE PLAT 2

Director Shaw explained the developers of Spring Creek Ridge are seeking preliminary plat approval for Spring Creek Ridge Plat 2. The plat is located on the west side of 14th Avenue SE (NE 80th Street), and north of the first single family plat. The plat is 8.336 acres in size. The plat proposes to construct 22 single-family residential lots. The zoning would require that these lots be a minimum of 8,750 square feet in size. The smallest lot proposed is 10,800 and is 80 foot wide.

Roll Call Vote:

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

18. Resolution #06-04-2018 #10 APPROVING A SITE PLAN AMENDMENT FOR CASEY'S CAR WASH

Director Shaw explained Casey's is seeking a site plan amendment for their car wash located on 1st Avenue North. Engineer Wally Pelds, Pelds Engineering, 2323 Dixon St., Des Moines, stated landscaping is being added to the west island and the north side of the site.

Roll Call Vote:

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

19. Resolution #06-04-2018 #11 APPROVING A PRELIMINARY PLAT FOR FREEL FAMILY (COUNTY PLAT)

Director Shaw explained this is a rural Polk County plat that falls within our 2 mile review area.

Roll Call Vote:

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

20. Resolution #06-04-2018 #12 APPROVING A FINAL PLAT FOR FREEL FAMILY (COUNTY PLAT)

Roll Call Vote:

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

21. Resolution #06-04-2018 #13 APPROVING AN AMENDED RURAL PLAT OF SURVEY - PARCEL 2018-103

Director Shaw explained this is an amended Rural Plat of Survey for the Williams Family. The owners are proposing to remove the existing parcel, and create a new parcel further north along their north boundary of their property. This new parcel (2.161 acres in size) then is proposed to be sold to one of the existing residential neighbors to the north. Polk County Planning is in agreement with this plan and is requiring a lot tie to that residential property so a separate home cannot be constructed on this parcel.

Roll Call Vote:

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

22. Resolution #06-04-2018 #14 APPROVING A SITE PLAN FOR CORNER MARKET COMMERCIAL BUILDING

Engineer Doug Mandernach of Civil Design Advantage, 3405 SE Crossroads Dr., #G, Grimes, explained the developer, Markmel Capital, is seeking site plan approval for the Corner Market. The project is located at 400 34th Avenue NW, and is 1.3 acres in size. They are proposing to construct a 5,308 square foot commercial building. Council Member Boka motioned approval subject to site lighting plan being approved by staff.

Roll Call Vote:

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

23. Resolution #06-04-2018 #15 APPROVING A PRELIMINARY PLAT FOR MCBURNEY CORNER PLAT 1
Director Shaw explained Chuck and Patricia McBurney are requesting preliminary plat approval for McBurney Corner Plat 1. The plat is 34.09 acres in size. They are proposing to split off the home lot, Lot 2, from the balance of the property. Lot 1 is not being developed at this time. The comprehensive plan shows Lot 1 as low density residential.

Roll Call Vote:

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

24. Resolution #06-04-2018 #16 APPROVING A FINAL PLAT FOR MCBURNEY CORNER PLAT 1
Council Member Mertz motioned approval subject to drainage easement being shown on plat.

Roll Call Vote:

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

25. Resolution #06-04-2018 #17 APPROVING A PRELIMINARY PLAT FOR EWING ALTOONA PLAT 1
Director Shaw explained Ewing Land Development is seeking preliminary plat approval for Ewing Altoona Plat 1. They are proposing to construct a multi-family residential cooperative building. The site is 6.29 acres in size and was recently rezoned to R-3 (Multi-family Residential). Lot 1, where the project is located, is 5.52 acres.

Roll Call Vote:

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

26. Resolution #06-04-2018 #18 APPROVING A FINAL PLAT FOR EWING ALTOONA PLAT 1
Council Member Mertz motioned approval subject to sewer district fees being paid.

Roll Call Vote:

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

27. Resolution #06-04-2018 #19 APPROVING A SITE PLAN FOR EWING ALTOONA PLAT 1
Director Shaw explained Ewing Land Development is seeking site plan approval for a 44 unit cooperative housing project. Their plan will also require that they receive two variances from the Board of Adjustments on June 12, 2018. The first is for a rear yard setback. They are deeding the stream to the City as an Outlot. This will reduce their rear yard setback. The second variance is to reduce the number of parking stalls from the required 85 to the requested 80. Council Member Mertz motioned approval subject to the granting of the variances from the Board of Adjustments.

Roll Call Vote:

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

28. Consider event request from Radiant Church Vacation Bible School at Village Park, June 25-28 from 9am-3pm
Public Works Director Scott Atzen explained Radiant Church will be holding Vacation Bible School in Village Park on June 25-28. They have the shelter reserved from 7-3, but the "School" will only last for two hours within that timeframe.

Roll Call Vote:

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

29. Consent Agenda

A) Allow bills

B) Capital Projects

B1) Change Order #1 - The Underground Co. - 1203 8th St. Storm Sewer Improvements - \$3,240.00

B2) Change Order #1 - Iowa Signal Inc. - 143 Interchange project - \$3,103.00

B3) Pay App #3 - The Underground Co. - 1203 8th St. Storm Sewer Improvements - \$24,096.75

B4) Pay App #2 - Elder Corporation - 1st Ave. S. & 24th St. SE Drainage - \$89,717.05

B5) Pay App #5 - Jackson Creek Enterprises - Water Plant 3 Water Main Improvements - \$51,831.05

C) Consider approval of waste hauler permits

D) Consider approval of cigarette permits

E) Set Public Hearing for June 18, 2018 at 6:30 pm to consider the vacation and sale of right-of-way along 8th Street SE to University of Iowa Credit Union

F) Set Public Hearing for June 18, 2018 at 6:30 pm to consider amending certain sections of the City Code to provide more clarification about the definition of a pool

G) Set Public Hearing for June 18, 2018 at 6:30 pm to consider amending certain sections of the Zoning Code to change the word "fence" to "barrier"

H) Consider approval of the U-STEP Program agreement for the 143 Interchange project

I) Resolution #06-04-2018 #20 TO SET THE RESIDENTIAL RECYCLING RATES FROM \$2.60 TO \$2.85 EFFECTIVE JULY 1, 2018

J) Public Hearing for Monday, June 18th at 6:30 pm to consider a development plan amendment for Tuscany Reserve

Roll Call Vote:

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

30. Beer and Liquor Permits

A) Cool Basil - Special Class C Liquor License (BW) (Beer/Wine), Sunday Sales

Chief Stallman stated there are no violations at this establishment.

Roll Call Vote:

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

B) Oasis - Class C Liquor License (LC) (Commercial), Sunday and Outdoor Sales

Chief Stallman stated there are no violations at this establishment.

Roll Call Vote:

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

** Council Member Vern Willey left the council meeting at 7:47pm

31. Department Head Reports & Updates

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

32. General Business

33. Update on Prairie Crossing

Mayor O'Connor gave times that Kirk Whalen would be available on Wednesday.

34. Adjourn at 8:04pm

Roll Call Vote:

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

Attest to:

Amy S. Hill, Secretary

Dean O'Connor, Mayor