

CITY OF ALTOONA COUNCIL MEETING
TUESDAY, JULY 5, 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, Jody Matherly, John Shaw, Scott Atzen, Jon Hanson, Amy Hill, City Attorney Tim Pearson

Audience Present: Sally Millione, James Rizzuti, Doug Mandernach, Phyllis Cokerham, Denny Cokerham, Jim Ellingson, Marvel Dunaway, Bob Dunaway, David Robison, Sharon Robison, Scott Temple, Dave Stubbs, Brandon Stubbs, Bob Berkenes, Joyce Berkenes, Bob Johnston, Andrew Frana, Aaron Michael, Adam Jones, Leslie Netzler

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

Mayor Skip Conkling requested approve the agenda as presented.

Roll Call Vote:

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

3. **Approval of June 20 and 27, 2016, Council Minutes**

Roll Call Vote:

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

4. **Citizens request to address council**

*Andrew Frana, 2727 14th St. SW, Altoona; co-owner of Wingnutt Brewery requested that the council review City of Altoona Code of Ordinances 120.05 Subsection 11 in regards to minors being allowed into establishments where the majority of sales is a result of liquor. He explained that substantial amount of patrons had minors with them; especially when riding bicycles along the trail. He also shared the majority of the brews sold contain 10% or less of alcohol. Council Member Jeremy Boka was in support of the change and requested staff work with the City Attorney to bring language forward for the change.

5. **Public hearing to consider a development plan amendment for John Altman PUD (The Prairie at Tuscany Reserve) from Tuscany Reserve LLC.**

Mayor Conkling explained this is a public hearing to consider a development plan amendment for The Prairie at Tuscany Reserve. Community Development Director John Shaw explained the development is located south of 8th Street SE and east of 14th Avenue (80th Street in the county). The applicant Tuscany Reserve LLC, (Hubbell), is wanting to make some changes to the townhome section of the development. The amendment will change the size and layout of the townhome tract (tract 5). This will result in reduction of 2 units, and eliminate some redundant tract numbers.

Hearing opened: 6:36pm

Comments: No one came forward to speak.

Hearing closed: 6:37pm

6. **Resolution 07-05-2016 #01 TO APPROVE DEVELOPMENT PLAN AMENDMENT FOR JOHN ALTMAN PUD (THE PRAIRIE AT TUSCANY RESERVE) FROM TUSCANY RESERVE LLC.**

Roll Call Vote:

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

7. Resolution 07-05-2016 #02 TO CONSIDER A PRELIMINARY PLAT FOR TUSCANY TOWNHOMES PLAT 2

Director Shaw explained this is the preliminary plat that reflects the changes proposed in the development plan amendment from the previous agenda item. This preliminary plat proposes 24 units, of a proposed 120 unit townhome development. There are 12 bi-attached townhomes in this plat.

Roll Call Vote:

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

8. Public hearing to consider an 80/20 voluntary annexation for approximately 210 acres of land southeast of Altoona

Director Shaw explained the City of Altoona is seeking approval of an annexation of a tract of land adjacent to the City on its south and east sides of its existing corporate boundaries. The annexation is for 201.432 acres plus public road right of ways of 8.55 acres. Of the 201.432 acres, 185.948 (92.31%) is owned by property owners who have voluntarily petitioned for annexation and 15.484 (7.69%) is owned by non-consenting property owners. The non-consenting land is included to make more uniformed boundaries.

Hearing opened: 6:39pm

Comments: *Aaron Michael, 7858 NE 27th Ave., Altoona, had questions in regards to the following:

- a) Any plans for the area? Mayor Conkling stated at this time there are no development plans for the area.
- b) Sewer - once installed will homeowners be required to immediately hook up? City Administrator Jeff Mark stated that if the homeowner has a working certified septic system the homeowners would not be required by the City of Altoona to hook up to the newly installed sewer system until the homeowners' septic system did not meet Polk County and/or DNR requirements. Mr. Mark shared he did not know if Polk County would require the residents to hook on city sewer system once it became available or if Polk County like the City of Altoona would be fine with the residents using their septic systems if the system continued to pass certification.
- c) Water - currently water is provided by Des Moines Water Works. City Administrator Mark explained that the city would be providing the water in the area eventually.
- d) Electric and/or Gas - currently Mr. Michael explained he used propane. City Administrator Mark explained that the decision for natural gas versus propane would be determined by MidAmerican Energy as the area developed.
- e) Garbage/Recycling/Compost - Mayor Conkling gave the costs for the services for annexed residents. City Administrator Mark explained the annexed area would be considered in the city limits and covered under the contract for garbage/recycling/compost services the city uses.
- f) Streets lights to be added - City Administrator Mark stated as the area develops lights will be added unless current residents request street lights be added sooner.
- g) Recreational fires - could they burn refuse? Director Shaw explained that agricultural type refuse could be burned but not household trash.
- h) Apartment complexes planned for area? City Administrator Jeff Mark explained the comp plan shows single family dwellings. Developers can make the request but the homeowners in the area would receive notification of the request and public hearings to voice their opinions.
- i) Spring Creek Soccer Complex not being annexed? Director Shaw shared at this time the soccer complex will remain within Polk County but the complex is owned by the City.

*Adam Jones, 7960 NE 27th Ave., Altoona, stated concerns over the following:

- a) Yard waste pick up in the area. He also asked about
- b) Speed limit changes? Chief Jody Matherly stated as the area develops that traffic counts would be completed and recommendations on changes would be shared with homeowners in the affected area prior to public hearings. Chief Matherly stated that the speed would not increase though.
- c) Required to install sidewalks? City Administrator Mark explained that eventually sidewalks would have to be installed but the City would work with homeowners to decide the best way to handle this and the council would have to decide how the cost would be allocated or shared.

Hearing closed: 6:54pm

9. Resolution 07-05-2016 #03 TO APPROVE AN ALTOONA EAST VOLUNTARY ANNEXATION INCLUDING LAND OWNED BY NON-CONSENTING PROPERTY OWNERS TO AVOID THE CREATION OF ISLANDS AND/OR TO PROVIDE FOR UNIFORM BOUNDARIES (AREA IS APPROXIMATELY 210 ACRES OF LAND SOUTHEAST OF ALTOONA)
Roll Call Vote:
Y Boka Y Mertz 2 O'Connor Y Sloan 1 Willey (5-0)
10. Ordinance No. 06-20-2016 #01 (432) TO REZONE 8.69 ACRES FROM A-1 (AGRICULTURAL) TO M-1 (LIMITED INDUSTRIAL) (2nd Reading) (Marazco)
Mayor Conkling explained this was the 2nd reading regarding Marazco Holding Company, LLC proposing to rezone their property from A-1 (Agricultural) to M-1 (Limited Industrial). The site is 8.69 acres in size and Summit Products have their facilities on the property and a single-family home. The home is pre-existing and will be grandfathered.
Roll Call Vote (2nd Reading):
Y Boka Y Mertz 1 O'Connor Y Sloan 2 Willey (5-0)
Roll Call Vote (To waive 3rd Reading):
2 Boka Y Mertz 1 O'Connor Y Sloan Y Willey (5-0)
Roll Call Vote (To publish):
2 Boka 1 Mertz Y O'Connor Y Sloan Y Willey (5-0)
11. Ordinance No. 06-20-2016 #02 (433) TO VACATE AND SELL PUBLIC ROW TO PREMIER DEVELOPMENT FOR 10,272 SF PARCEL OF 8TH STREET SW PUBLIC RIGHT-OF-WAY GROUND SOUTH OF LOT 39, WAYSIDE ACRES (2nd Reading) (Wayside Acres)
Mayor Conkling stated this is was a second reading to consider vacating a 25-foot right-of-way along 8th Street SW. This request is submitted by the Developer, Premier Development, as part of their preliminary and final platting process. Staff has reviewed and would recommend approval. This request is similar to other requests we have considered along 8th Street in recent years. Council Member Kyle Mertz requested that the council only consider the 2nd reading at this time.
Roll Call Vote (2nd Reading):
2 Boka Y Mertz 1 O'Connor Y Sloan Y Willey (5-0)
12. Ordinance No. 07-05-2016 #01 (434) TO REZONE 1.302 ACRES FROM A-1 (AGRICULTURAL) TO CONDITIONAL S-2 (GENERAL COMMERCIAL) (1ST READING CONTINUED) (WAYSIDE ACRES)
Mayor Conkling explained the applicant Phyllis Cokerham is seeking approval to rezone her property from A-1 (Agricultural) to Conditional C-2 (General Commercial). The public hearing was held on 6-20-2016 for this action. The property is located on the northeast corner of 8th Street SW and Prairie Meadows Drive. The platted property is Lot 38 and the east 212 feet of Lot 37 of Wayside Acres. The developer, Premier Development, is proposing a one-lot subdivision plat that will tie the properties together. The owner and the developer have agreed to place the same zoning restrictions on this property as is currently in place on the southern lot owned by Bucklin Galinsky Properties LLC.
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 Y Mertz 2 O'Connor Y Sloan 1 Willey (5-0)
Roll Call Vote (To publish):
Y Boka Y Mertz 1 O'Connor Y Sloan 2 Willey (5-0)
13. Resolution to consider a preliminary plat for Wayside Acres Commercial Plat
No action - deferred until 7-18-2016
14. Resolution to consider a final plat for Wayside Acres Commercial Plat
No action - deferred until 7-18-2016

15. **Resolution to consider a site plan for Wayside Acres Commercial**
No action - deferred until 7-18-2016

16. **Resolution 07-05-2016 #04 TO CONSIDER A FINAL PLAT FOR MEADOW VISTA SOUTH PLAT 2**
Director Shaw explained the applicant, MVS Partners LLC, is seeking final plat approval for Meadow Vista South Plat 2. The property is located in the Meadow Vista South development, an eastern extension of 17th Street SW. The plat is 16.02 acres in size and is part of a larger 36 acre development. The plat contains 38 Single family lots.
Roll Call Vote:
Y Boka Y Mertz 1 O'Connor 2 Sloan Y Willey (5-0)

17. **Resolution 07-05-2016 #05 TO CONSIDER A FINAL PLAT FOR FIELDSTONE ESTATES PLAT 2**
Director Shaw explained the property owner, Altoona Lots, LLC, is seeking final plat approval for Fieldstone Estates Plat 2.
Roll Call Vote:
1 Boka Y Mertz 2 O'Connor Y Sloan Y Willey (5-0)

18. **Resolution 07-05-2016 #06 TO CONSIDER A SITE PLAN FOR FACEBOOK BUILDING 3 ADDITION ATN 4**
Director Shaw explained the applicant, Siculus, Inc. (Facebook), is seeking site plan approval for an addition to the third Data center building. The building is located north of I-80 and west of 34 Avenue NE. The addition will add 250 feet of length to the west side of the building and have a foot print of 45,000 sf.
Roll Call Vote:
1 Boka Y Mertz 2 O'Connor Y Sloan Y Willey (5-0)

19. **Resolution 07-05-2016 #07 TO CONSIDER A SITE PLAN FOR COMFORT INN**
Mayor Conkling explained the applicant, VKB Management; Owner: Shree Shayona, LLC, is seeking site plan approval for a Comfort Inn hotel. The property is located at the Northwest corner of Adventureland Drive NW and Shriner's Parkway; directly east of the current Comfort Inn, which will be re-branded. The site is 1.35 acres in size and the hotel has a 12,979 square foot footprint with 38,845 sq. ft. combined in the three story structure.
Roll Call Vote:
Y Boka Y Mertz 1 O'Connor Y Sloan 2 Willey (5-0)

20. **Resolution 07-05-2016 #08 TO CONSIDER A SITE PLAN FOR RV ONE SUPERSTORES**
Leslie Netzler of Kimley Horn , 1001 Warrenville Rd, Suite 250, Lisle, IL, explained the developers, RV One Superstores, are proposing to construct an RV dealership on two lots in the northeast Industrial park. The combined lots are 14.44 acres in size and sit at the north corner of Adventureland Drive and Northridge Circle. The building is one story and houses a sales and service center with support offices, customer waiting area, parts warehouse and six bay service area. The building footprint is 27,200 square feet in size.
Roll Call Vote:
2 Boka Y Mertz 1 O'Connor Y Sloan Y Willey (5-0)

21. **Resolution 07-05-2016 #09 TO APPROVE AMENDING THE SERVICES AGREEMENT WITH SAFE BUILDING COMPLIANCE AND TECHNOLOGY**
Mayor Conkling explained with the recent changes in staffing, Safe Building will be providing rental inspection, in addition to their previously approved services.
Roll Call Vote:
Y Boka Y Mertz 1 O'Connor 2 Sloan Y Willey (5-0)

22. Resolution 07-05-2016 #10 AUTHORIZING THE ISSUANCE OF \$42,405,000 ANNUAL APPROPRIATION GENERAL OBLIGATION URBAN RENEWAL REFUNDING BONDS, SERIES 2016C, PROVIDING FOR THE LEVY OF TAXES (SUBJECT TO NON-APPROPRIATION) TO PAY THE BONDS AND AUTHORIZING ACTION TO REDEEM OUTSTANDING BOND

City Clerk Randy Pierce explained this resolution authorizes the issuance of the 2016C Series Annual Appropriation GO Urban Renewal Refunding Bonds that the city took bids on back on June 21, 2016. This bond issue is for \$42,405,000 and will be paid back with TIF property taxes. The city saved over \$43.8 million in gross annual savings on this refunding issue.

Roll Call Vote:

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

23. Consider Consent Agenda

a) Allow Bills

b) Capital Projects

B1) Pay App #2 - 2016 Water Main Replacement Project - Jackson Creek Enterprises - \$95,743.32

B2) Pay App #1 - Haines/Village Park Tennis Courts - Minturn, Inc. - \$61,284.21

c) Resolution 07-05-2016 #11 APPROVING TAX ABATEMENT REQUESTS

d) Consider to approve temporary easement for construction (Gay Lea Wilson Trail Extension Project)(Mid-American Energy)

e) Consider to approve termination certificate of the development agreement between the City of Altoona, Iowa and Altoona Lots, LLC (Fieldstone Plat 2)

f) Consider agreement with MACLYN for 2016-2017 Fiscal Year

g) Consider 28E agreement for facility use (Lions Park Shelter) between the City of Altoona, Iowa and the Iowa County of Polk (Senior Meal Site)

ITEM #h removed for separate voting

i) Set a public hearing for Monday, July 18th at 6:30pm to consider a rezoning request from Meadowlands II, LC to rezone 56.35 acres from M-1 (Limited Industrial) and M-2 (Heavy Industrial) to M-2 (Heavy Industrial) (land is generally located south of 9th St NE, east of 1st Avenue North, and north of the railroad tracks)

Roll Call Vote:

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

*h) Set a public hearing for Monday, July 18th at 6:30pm to consider a comprehensive plan land use map amendment from Meadowlands II, LC to change 56.35 acres from Light Industrial/Office Park to Industrial (land is generally located south of 9th St NE, east of 1st Avenue North, and north of the railroad tracks)

Roll Call Vote:

Y Boka P Mertz 2 O'Connor Y Sloan 1 Willey (4-0-1)

24. Beer & Liquor Permits

a) Jethro and Jakes Inc. - Class C Liquor License (LC)(Commercial), Catering & Sunday sales
Chief Jody Matherly 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) Hy-Vee Gas - Class C Beer Permit (BC), Class B Wine Permit (Carryout Wine - includes Native Wine), Sunday sales

Chief Matherly stated there were no violations at this establishment.

Roll Call Vote:

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

25. **General Business Items/Reports and Updates**

*Council Member Dean O'Connor discussed the Aquatics Park repairs that closed the pool for approximately a week.

*Council Member Boka discussed the update on the smartphone app the Chamber was working on implementing for events.

*Council Member Vern Willey II shared information from the metro meeting on home day care requirements.

*Mayor Conkling shared the East Polk Regional Development hired MACLYN for promotion purposes.

26. **Adjourn at 7:15pm**

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