

CITY OF ALTOONA COUNCIL MEETING
MONDAY, SEPTEMBER 17, 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, Jared Ogbourne, John Shaw, Jon Hanson, Scott Atzen, Jason Ferguson, Lee Richardson, Jim Utter, Amy Hill, City Attorney Bob Laden, Tony Chambers

Audience Present: Alex Payne, Steve Moyna, David Cusic, Joe Riding

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

Mayor Dean O'Connor requested to approve the agenda as presented.

Roll Call Vote:

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

3. **Approval of September 4, 2018, council minutes**

Roll Call Vote:

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

4. **Citizens request to address council**

*Joe Riding, 252 Cottonwood Dr. SW, shared his appreciation for the storm water improvements to the Tuscany development that corrected the issues at the Terrace Hills Golf Course.

5. **Public hearing to consider the 2018B amendment to urban renewal plan for Altoona Urban Renewal Area**

City Clerk Randy Pierce explained this is a public hearing to consider an amendment to the urban renewal plan for the Altoona Urban Renewal Area. The resolution to approve will add the Lion Development Group's projects located on the east side of 34th Avenue, east of Wal-Mart and north of Car-X, and for the second floor façade on the retail building where the old car wash used to be on the south side of 8th Street.

Open hearing: 6:35pm

Comments: No one came forward to speak.

Closed hearing: 6:35pm

6. **Resolution #09-17-2018 #01 TO APPROVE 2018B AMENDMENT TO URBAN RENEWAL PLAN FOR THE ALTOONA URBAN RENEWAL AREA**

Roll Call Vote:

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

7. **Public hearing to consider a development agreement with Lion Development Group, including annual appropriation economic development payments in an amount not to exceed \$814,572**

City Clerk Pierce explained this is a public hearing for the development agreement with Lion Development Group. This agreement is for the property located east of 34th Avenue, and requires that the developer will construct a 20,000 square foot commercial building on the described property. The City agrees to rebate to the developer \$814,572 over a period not to exceed 6 fiscal years or until such earlier date upon which the total payments equal \$814,572.

Open hearing: 6:36pm

Comments: No one came forward to speak.

Closed hearing: 6:36pm

8. Resolution #09-17-2018 #02 APPROVING DEVELOPMENT AGREEMENT WITH LION DEVELOPMENT GROUP AND AUTHORIZING ANNUAL APPROPRIATION ECONOMIC DEVELOPMENT PAYMENTS (\$814,572)
Roll Call Vote:
2 Boka Y Duer Y Leighter Y Mertz 1 Willey (5-0)
9. Public hearing to consider a development agreement with Pratt Real Estate Group/Solid Rock Properties/Solomon Holdings, including annual appropriation economic development payments in an amount not to exceed \$119,650 (Randy)
City Clerk Pierce explained this is a public hearing for the development agreement with Pratt Real Estate Group/Solid Rock Properties/Solomon Holdings. This agreement is for the property located where the old car wash was south of 8th Street. This agreement requires the developer to construct a second floor façade on the retail building at this location. The City agrees to rebate to the developer \$119,650 over a period not to exceed 3 fiscal years or until such earlier date upon which the total payments equal \$119,650.
Open hearing: 6:37pm
Comments: No one came forward to speak.
Closed hearing: 6:37pm
10. Resolution #09-17-2018 #03 TO APPROVE DEVELOPMENT AGREEMENT WITH PRATT REAL ESTATE GROUP/SOLID ROCK PROPERTIES/SOLOMON HOLDINGS AND AUTHORIZING ANNUAL APPROPRIATION ECONOMIC DEVELOPMENT PAYMENTS (\$119,650)
Roll Call Vote:
1 Boka Y Duer Y Leighter Y Mertz 2 Willey (5-0)
11. Public hearing to consider plans, specifications and form of contract for the Adventureland Drive Rehabilitation Project
City Engineer Jon Hanson explained this is a public hearing to consider the plans, specification and form of contract for the Adventureland Drive rehabilitation project. The project will rehab joints and panels from Hubbell Avenue to 17th Avenue NW. The City accepted bids on 9-11-18. A total of 4 bids were received with the low bid submitted by Iowa Civil in the amount of \$1,253,260.10. The engineers estimate was \$1,386,420.
Open hearing: 6:38pm
Comments: No one came forward to speak.
Closed hearing: 6:38pm
12. Resolution #09-17-2018 #04 TO APPROVE PLANS, SPECIFICATIONS AND FORM OF CONTRACT FOR THE ADVENTURELAND DRIVE REHABILITATION PROJECT
Roll Call Vote:
1 Boka Y Duer 2 Leighter Y Mertz Y Willey (5-0)
13. Resolution #09-17-2018 #05 TO APPROVE THE CONTRACT AND BOND FOR THE ADVENTURELAND DRIVE REHABILITATION PROJECT
Council Member Vernon Willey motioned approval subject to Bob Laden's review.
Roll Call Vote:
Y Boka Y Duer 2 Leighter Y Mertz 1 Willey (5-0)
14. Resolution #09-17-2018 #06 TO AWARD THE CONTRACT FOR THE ADVENTURELAND DRIVE REHABILITATION PROJECT
Council Member Vernon Willey motioned approval subject to Bob Laden's review.
Roll Call Vote:
Y Boka 2 Duer Y Leighter Y Mertz 1 Willey (5-0)
15. Public Hearing to consider vacating a portion of a public ingress/egress easement in Ironwood Crossing

Community Development Director John Shaw explained a portion of an existing ingress/egress easement is proposed to be vacated as part of the Residences of Ironwood apartment project. The area is no longer needed.

Open hearing: 6:41pm

Comments: No one came forward to speak.

Closed hearing: 6:41pm

16. Ordinance #09-17-2018 #01 (501) TO VACATE A PORTION OF A PUBLIC INGRESS/EGRESS EASEMENT IN IRONWOOD CROSSING (1ST READING)

Roll Call Vote (1st Reading):

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

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

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

Roll Call Vote (To publish):

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

17. Ordinance #09-17-2018 #02 (502) AMENDMENT TO THE 2004 CITY OF ALTOONA CODE OF ORDINANCES - CHAPTER 22.02 (LIBRARY BOARD OF TRUSTEES)(1ST READING)

City Clerk Pierce explained on November 5, 2013, the voters of Altoona approved a ballot measure to increase the number of Library Board members from 5 to 7 members. The Library Board has been operating with 7 members since that time. However, we forgot to amend our Code of Ordinances to reflect the change.

Roll Call Vote (1st Reading):

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

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

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

Roll Call Vote (To publish):

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

18. Resolution #09-17-2018 #07 TO APPROVE SITE PLAN AMENDMENT AND WAIVER OF ARCHITECTURAL DESIGN STANDARDS FROM MENARDS FOR LUMBER YARD ENTRANCE ADDITION

Director Shaw explained Menards is seeking a site plan amendment to add a lane to their lumber yard entrance. The new land will be on the north side of the existing entrance. They will also be adding an additional handicap accessible parking stall to replace the one that would be lost. Menards is also requesting a waiver from the architectural design standards to match the same metal paneling as is on the rest of the entrance exterior. Council Member Willey motioned approval and granting the waiver from the architectural design standards to match the same metal paneling.

Roll Call Vote:

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

19. Consider request for waive penalty fee for 1800 2nd Ave. SW

City Clerk Pierce explained Neelea Wells of 1800 2nd Avenue SW, requesting that the council waive her late charges for her utility bill. The late fee was \$8.08. Council Member Jeremy Boka motioned to deny the request to waive.

Roll Call Vote:

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

20. Consent Agenda

A) Allow bills

B) Consider approval of sanitary sewer easement agreement (Casey's Marketing Company - \$1.00)

C) Consider approval of sanitary sewer easement agreement (Park Place Investments No. II, LLC)

- D) Resolution #09-17-2018 #08 ACCEPTING TEMPORARY CONSTRUCTION EASEMENT FOR CONSTRUCTION OF THE 1ST AVE. UTILITIES PROJECT - 2018 (MEADOWLAND II, LLC. - \$3,330.00)
- E) Resolution #09-17-2018 #09 ACCEPTING PERMANENT SURFACE WATER FLOWAGE EASEMENT FOR CONSTRUCTION OF THE 1ST AVENUE UTILITIES PROJECT - 2018 (MEADOWLAND II, LLC. - \$20,110.00)
- F) Resolution #09-17-2018 #10 ACCEPTING TEMPORARY CONSTRUCTION EASEMENT FOR CONSTRUCTION OF THE 1ST AVENUE UTILITIES PROJECT - 2018 (KENT FEEDS, INC. - \$23,010.00 & \$2,100.00)
- G) Resolution #09-17-2018 #11 ACCEPTING PERMANENT SIDEWALK TRAIL EASEMENT FOR CONSTRUCTION OF THE 1ST AVENUE UTILITIES PROJECT - 2018 (KENT FEEDS, INC. - \$6,520.00)
- H) Resolution #09-17-2018 #12 ACCEPTING PERMANENT STORM SEWER EASEMENT FOR CONSTRUCTION OF THE 1ST AVENUE UTILITIES PROJECT - 2018 (KENT FEEDS - \$67,998.50)
- I) Resolution #09-17-2018 #13 ACCEPTING PERMANENT PUBLIC UTILITY EASEMENT FOR CONSTRUCTION OF THE 1ST AVENUE UTILITIES PROJECT - 2018 (KENT FEEDS - \$13,041.50)
- J) Resolution #09-17-2018 #14 APPROVING TRANSFER FROM THE GENERAL FUND, WATER FUND AND STORM WATER FUND TO THE EQUIPMENT REPLACEMENT FUND
- K) Set Public Hearing for Monday, October 15, 2018 at 6:30 pm to consider an 80/20 voluntary annexation consisting of approximately 239.524 acres of land north of Altoona

Roll Call Vote:

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

21. Beer & Liquor Permits

- A) Fareway Stores #925 - Class E Liquor License (LE), Class B Wine Permit (Carryout Includes Native Wine), Class C Beer Permit (Carryout Beer)

Lt. Jason Ferguson stated there were no issues with this permit.

Roll Call Vote:

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

- B) Super Stop 2, Class E Liquor License (LE), Class B Wine Permit (Carryout wine - includes native wine), Class C Beer Permit (Carryout Beer), and Sunday Sales

Lt. Ferguson stated there were no issues with this permit.

Roll Call Vote:

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

- C) Kum & Go #184, Class E Liquor License (LE), Class B Wine Permit (Carryout wine - includes native wine), Class C Beer Permit (Carryout Beer), and Sunday Sales

Lt. Ferguson stated there were no issues with this permit.

Roll Call Vote:

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

22. Department Head Reports & Updates

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

23. General Business

*Council Member Boka shared about a tour of the Metro Park East Landfill.

*Council Member Scott Duer shared an EPIC update.

*Council Member Scott Leighter shared in regards to an upcoming meeting with Summit Products.

*Council Member Willey shared a DART update.

24. Adjourn at 7:10pm

Roll Call Vote:

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

Attest to: _____
Amy S. Hill, Secretary

Dean O'Connor, Mayor