

CITY OF ALTOONA COUNCIL MEETING
MONDAY, DECEMBER 7, 2020, 6:30 P.M.
AT THE ALTOONA CITY HALL
Via GoToMeeting
Due to COVID-19 epidemic

1. CALL TO ORDER

Roll Call at 6:30 pm

Mayor O'Connor- present
Boka - present

Burns-Thompson - present
Duer - present

Mertz- present
Willey - present

City Officials Present: Jeff Mark, Greg Stallman, Jared Ogbourne, John Shaw, John Dostart, Jim Utter, Jeff Bierl, Kim Kietzman, Amy Hill and City Attorney Bob Laden

Audience Present: none

2. Perfecting and approval of the agenda

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

Roll Call Vote:

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

3. Approval of November 16 and 23, 2020 Council Minutes

Roll Call Vote:

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

4. Citizens request to address council

None

5. Presentation and swearing in of new police officers and K-9s

Mayor O'Connor swore in new police officers Justin Shellburg, Robert DuBois II, Trixana Walker, Mitchel Bartleson, Justin Edwards and four K-9s.

6. Public hearing to consider a development agreement with I-80 Business Park, including annual appropriation economic development payments in an amount not to exceed \$2,500,000

City Administrator Jeff Mark explained this public hearing is for the council to consider approving the development agreement with I-80 Business Park. The agreement states that I-80 Business Park will build certain public improvements that the city will then rebate TIF money back to them for an amount not to exceed \$2.5 million over a 10-year period.

Open hearing: 6:39pm

Comments: No comments

Closed hearing: 6:39pm

7. Resolution #12-07-2020 #01 APPROVING DEVELOPMENT AGREEMENT WITH I-80 BUSINESS PARK, LLC AND AUTHORIZING ANNUAL APPROPRIATION ECONOMIC DEVELOPMENT PAYMENTS

Roll Call Vote:

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

8. Public hearing to consider development agreement with KCI Altoona Industrial Land, LLC, including annual appropriation economic development payments in an amount not to exceed \$2,700,000

City Administrator Mark This public hearing is for the council to consider approving the development agreement with KCI Altoona Industrial Land, LLC. The agreement states that KCI Altoona will build certain public improvements that the city will then rebate back TIF money back to them for an amount not to exceed \$2.7 million over a 10- year period.

Open hearing: 6:39pm

Comments: No comments
Closed hearing: 6:40pm

9. **Resolution #12-07-2020 #02 APPROVING DEVELOPMENT AGREEMENT WITH KCI ALTOONA INDUSTRIAL LAND, LLC AND AUTHORIZING ANNUAL APPROPRIATION ECONOMIC DEVELOPMENT PAYMENTS**
Roll Call Vote:
2 Boka Y Burns-Thompson Y Duer 1 Mertz Y Willey (5-0)
10. **Resolution #12-07-2020 #03 TO AMEND THE STONEBRIDGE DEVELOPMENT PLAN - AREA D**
Community Development Director John Shaw explained the owner/developer, Cramer and Associates, are proposing to amend the Stonebridge development plan. The development is located south of 36th Street SW and west of 1st Avenue South. The property is 122.02 acres in size. They are requesting that 56 lots that are currently approved at 70-foot wide, be amended to 66 lots that are 60-foot wide. The change is located in the south-central portion of the development and does not abut any of the existing single-family homes on the south side of 36th Street SW. This proposal would raise the percentage of small lots (55' & 60' lots) from the currently approved 12% of the development, to the proposed 31.8% of the development. Staff recommended a compromise that that preserved the appearance of the main street entrance into the development with 70 foot lots and allow for 60 foot lots to be in the blocks that are north and south of the southern entrance street. This allows for a net gain of 7 additional homes instead of 10 as requested. Council Member Vern Willey motioned approval of staff's recommendation of the 7 additional homes instead of the 10.
Roll Call Vote:
2 Boka Y Burns-Thompson Y Duer Y Mertz 1 Willey (5-0)
11. **Resolution #12-07-2020 #04 TO CONSIDER A FINAL PLAT FOR I-80 BUSINESS PARK PLAT 1**
Director Shaw explained the owner, I-80 Business Park, LLC, is seeking final plat approval for the I-80 Business Park, Plat 1. The property is located on the northwest side of Hubbell Avenue, north of I-80. Directly across from Ziegler Drive. The property is 40.34 acres, with 35.61 acres being located in Altoona and the remaining 4.66 acres are located in Bondurant. The portion in Bondurant will be utilized as a detention basin. The two lots located on the corners of entrance to the development, are zoned C-2 (General Commercial) and the remainder of the property is zoned M-1 (Limited Industrial). Council Member Jeremy Boka motioned approval subject to performance and maintenance bonds being received.
Roll Call Vote:
1 Boka Y Burns-Thompson Y Duer Y Mertz 2 Willey (5-0)
12. **Resolution #12-07-2020 #05 TO CONSIDER A SITE PLAN ADDITION FOR LEGACY BANK**
Director Shaw explained Legacy Bank is seeking site plan approval for the Legacy Bank Addition. They are proposing to build an addition onto the east side of their existing building, located at 502 8th Street SW. The addition is 3,596 square feet in size.
Roll Call Vote:
1 Boka Y Burns-Thompson 2 Duer Y Mertz Y Willey (5-0)
13. **Resolution #12-07-2020 #06 TO CONSIDER A SITE PLAN FOR SICULUS DATA CENTER PCI 3-4**
Director Shaw explained Siculus, Inc. is seeking site plan approval for the Siculus Data Center PCI 3-4. The property is located on the north side of 25th Street NW (NE 62nd Avenue in the county), directly north of the existing data centers. Craig Bennet of Miller and Associates, 1111 Central Ave., Kearney, Nebraska, representing Siculus answered questions the council members had. Council Member Boka motioned approval subject to outstanding issues regarding services for sanitary sewer and public water.
Roll Call Vote:
1 Boka Y Burns-Thompson Y Duer 2 Mertz Y Willey (5-0)

14. Ordinance #12-07-2020 #01 (564) REPEALING NO. 10-19-2020 #08 (561), RELATED TO PROPERTY IN THE ALTOONA URBAN RENEWAL AREA (1ST READING)
City Administrator Mark explained this ordinance allows the city to repeal an ordinance that was approved with a legal description that was incorrect. This allows us to remove this ordinance off the records and make the corrections needed.
 Roll Call Vote (1st Reading):
2 Boka Y Burns-Thompson Y Duer 1 Mertz ___ Willey (5-0)
 Roll Call Vote (To waive 2nd & 3rd Readings):
2 Boka Y Burns-Thompson Y Duer Y Mertz 1 Willey (5-0)
 Roll Call Vote (To publish):
Y Boka Y Burns-Thompson 2 Duer Y Mertz 1 Willey (5-0)
15. Ordinance #12-07-2020 #02 (565) AMENDING ORDINANCE NO. 08-06-2018 #001 (500), ADOPTED AUGUST, 6, 2018, PURSUANT TO SECTION 403.19 OF THE CODE OF IOWA (1ST READING)
City Administrator Mark this ordinance makes the corrections to the legal descriptions from the ordinance the city just repealed.
 Roll Call Vote (1st Reading):
1 Boka Y Burns-Thompson Y Duer 1 Mertz Y Willey (5-0)
 Roll Call Vote (To waive 2nd & 3rd Readings):
2 Boka Y Burns-Thompson Y Duer Y Mertz 1 Willey (5-0)
 Roll Call Vote (To publish):
Y Boka Y Burns-Thompson 2 Duer Y Mertz 1 Willey (5-0)
16. Consider Consent Agenda
- a) Allow Bills
 - b) Capitol Projects
 - B1) Pay App - Edge Commercial, LLC. - Terrace Hills Golf Clubhouse - \$222,738.95
 - B2) Change Order - Jackson Creek Enterprises, L.C. - Heritage Homes Storm Water Improvements - Phase 2 - extension requested
 - B3) Pay App - Jackson Creek Enterprises, L.C. - Heritage Homes Storm Water Improvements - Phase 2 - \$98,066.13
 - B4) Change Order - McAninch Corp. - NE 62nd Ave. Expansion Grading Project - (\$24,096.61)
 - B5) Pay App - McAninch Corp. - NE 62nd Ave. Expansion Grading Project - \$98,310.50
 - c) Resolution #12-07-2020 #07 ACCEPTING TEMPORARY CONSTRUCTION EASEMENT FOR CONSTRUCTION OF THE 1ST AVENUE RECONSTRUCTION PROJECT (VINCENT PROPERTIES, LLC. - \$270.00)
 - d) Resolution #12-07-2020 #08 ACCEPTING PERMANENT PUBLIC UTILITY EASEMENT FOR CONSTRUCTION OF THE 1ST AVENUE RECONSTRUCTION PROJECT (VINCENT PROPERTIES, LLC. - \$1,440.00)
 - e) Consider cooperative public service agreement with Polk County Sheriff's Department for animal control services
 - f) Consider approval of Mayor's appointments to WRA Board (Primary: Vernon Willey; Secondary: Kyle Mertz)
 - g) Consider approval of professional services agreement with Snyder & Associates, Inc. for Heritage Homes Storm Water Improvements Phases 3 and 4 Project
 - h) Resolution #12-07-2020 #09 TO APPROVE SUBMITTAL OF *TREES PLEASE!* GRANT APPLICATION
 - i) Resolution #12-07-2020 #10 FIXING DATE FOR PUBLIC HEARING TO DISCUSS SALE OF 700 1ST AVE. SOUTH
 - j) Set Public Hearing for Monday, December 21st at 6:30 pm to consider a rezoning request from the Eshelman Family and Forret Acres, LLC to rezone approximately 8.51 acres from R-3 (Multi-family Residential) and M-1 (Limited Industrial) to R-3 (Multi-family Residential)
 - k) Beer & Liquor Permits
 - K1) Prairie Meadows Racetrack & Casino - Class E Liquor License (LE), Sunday Sales

K2)Prairie Meadows Racetrack & Casino - Class C Liquor License (LC)(Commercial),
Catering Privilege, Class B Wine Permit (Carryout Wine - Includes Native Wine),
Outdoor & Sunday Sales

K3)Cinemark USA Inc. - Special Class C Liquor License (BW)(Beer/Wine), Sunday Sales

K4)Pilot Flying J - Class C Beer Permit (BC), Sunday Sales

Roll Call Vote:

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

15. Department Head Reports & Updates

The following gave updates: Police Department - Greg Stallman, Fire Department - Jared Ogbourne,
Public Utilities - Jim Utter, Engineering - John Dostart, Community Development - John Shaw,
Library - Kim Kietzman, IT - Jeff Bierl, Administration - Jeff Mark

16. General Business & Updates

*Council Member Elizabeth Burns-Thompson shared about the Christmas in Old Town event this past weekend.

*Council Member Willey provided an update on WRA budget numbers.

17. Adjourn at 7:18pm

Roll Call Vote:

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

Attest to:

Amy S. Hill, Secretary

Dean O'Connor, Mayor