

**CITY OF ALTOONA COUNCIL MEETING  
MONDAY, DECEMBER 5, 2022, 6:30 P.M.  
AT THE ALTOONA CITY HALL**

**1. CALL TO ORDER**

Roll Call at 6:30 pm

Mayor O'Connor- present

Boka - present

Burns-Thompson - present

Duer - present

Dunwoody- present

Willey - present

**City Officials Present:** Chad Quick, Jared Ogbourne, Greg Stallman, Kim Kietzman, Dan Scott, John Dostart, Jeff Bierl, City Attorney Tim Pearson, John Shaw

**Audience Present:** Phyllis Murphy, Rick Tekolste, Brian & Cynthia Shepherd, Steve & Shelba Oberto, Korey Marsh (Snyder & Associates), Ted Greedy, Lisa Beem, Amy Plymat, Robbie Baker and Melvin Quinn.

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

**Roll Call Vote:**

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

**3. Approval of November 21 and 28, 2022 Council Minutes**

**Roll Call Vote:**

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

**4. Citizens request to address council**

**5. Public hearing to consider an 80/20 voluntary annexation of approximately 276.255 acres of territory within an urbanized area to include non-consenting property**

Community Development Director John Shaw discussed the City is looking at annexing in a territory of approximately 276.255 acres located north of Edwin W. Skinner Parkway SE. This will include the parcels of land where Saga Communications of Iowa LLC has a radio tower, the Spring Creek Sports Complex and continuing east to include the residential and ag land that is located directly South of Tuscany and North of NE 38<sup>th</sup> Ave. Frank Smith, 4215 Hubbell Avenue, Des Moines, Iowa, Attorney representing the City of Altoona on this annexation discussed the steps of annexation  
Open: 6:37 p.m.

Steve Orberto, 8228 NE 38<sup>th</sup> Avenue, Altoona is concerned about paying for services that they are not using, and also is concerned that only 2 of the residents volunteered to join the annexation. Lisa Beem, 8208 NE 38<sup>th</sup> Avenue, Altoona, she wanted to make sure that the letter they provided be on record that was provided in the packet. Also has concerns on what type of development would be locating there and if there would be stoplights and commercial/convenience stores around them. She is however looking forward to the internet providers that may be available. Robbie Baker, 3883 NE 80<sup>th</sup> Street, Altoona has concerns on traffic on 80<sup>th</sup>. Will the road be expanded for traffic to 2 lanes each direction? There will be traffic studies done to help with decisions on the road in the future. Cynthia Shepard, 8326 NE 38<sup>th</sup> Avenue, Altoona is concerned about how the property is being developed. Several homes have had water issues in their homes. Will the drainage be rectified when they start developing the area and have creek management in place? Nathan Hullet, 8272 NE 38<sup>th</sup> Avenue, Altoona noted that they only had 3 days' notice from when the City letter came and when they had to decide. He thought meetings prior to the letter would have helped answer questions, and asked if there was any damage to his property if it would be replaced/repaired by the developer. Rick Tekolste, 8186 NE 38<sup>th</sup> Avenue, Altoona asked what the timeline would be before this would be final. Frank Smith noted the timeline and advised if all went well it could be finalized by as early as

mid-February 2023. Amy Plymat, 6892 NW 93<sup>rd</sup> Court, Johnston does not fall in this annexation, but owns land to the south that will eventually be annexed and asked about the sewer fee hook ups and how long they will be waived for. Mayor Dean O'Connor indicated that the time line would be indefinite as each home owner's situation would be different, but would be in place for some time and they would also be able to utilize tax abatement on their property. Jennifer Hullett, 8272 NE 38<sup>th</sup> Avenue, Altoona is concerned about the storm sewer behind her house, she says when it rains there is a river behind her home. Steve Jones, 8582 NE 38<sup>th</sup> Avenue, Altoona is not in this annexation but is a little farther to the east and discussed water and tiling issues in the area.

Close: 7:08 pm.

Council Member Duer noted that there should be a discussion with the developer on the issues brought up tonight especially all the water issues that was discussed prior to developing this area.

Community Development Director John Shaw explained that they will have a discussion with the developers to make sure these issues are addressed properly.

**6. Resolution #12-5-2022#01 to consider an 80/20 voluntary annexation of approximately 276.255 acres of territory within an urbanized area to include non-consenting property**

**Roll Call Vote:**

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

**7. Public hearing to consider a rezoning request from Floyd and Renee Allen Joint Revocable Trust to rezone 0.78 acres, south part of 6131 NE 62<sup>nd</sup> Avenue, Altoona, Iowa, from A-1 (Agricultural) to M-1 (Limited Industrial) to become a part of the I-80 Business Park development.**

Community Development Director John Shaw explained that the Opus Development Company, LLC, and Floyd and Renee Allen Joint Revocable Trust submitted a rezoning request for 0.78 acres, parcel # 2022-1195 (the Plat of Survey for the Parcel 2022-1195 was approved by the Council at the November meeting). This is the south part of the property located at 6131 NE 62<sup>nd</sup> Avenue, Altoona, Iowa. The applicants are requesting to rezone the property from A-1 (Agricultural District) to M-1 (Limited Industrial). Once the rezoning request is approved, 0.78 acres (Parcel # 2022-1195) will become a part of the I-80 Business Park Plat 3 Development. On November 29<sup>th</sup>, 2022, Altoona Planning and Zoning Commission approved a rezoning request.

Open: 7:17 p.m.

Close: 7:17 p.m.

**8. Ordinance #12-5-2022 #01(618) to rezone 0.78 acres from A-1 (Agriculture) to M-1 (Limited Industrial)**

**Roll Call Vote: 1st**

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

**Roll Call Vote: 2nd**

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

**Roll Call Vote: 3<sup>rd</sup>**

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

**9. Public Hearing on Proposed Development Agreement with DM Industrial Prop, LLC**  
Economic Development Director Chad Quick explained that this public hearing is to consider a development agreement with DM Industrial to rebate back to the developer the construction costs of public improvements they are building along 34<sup>th</sup> Ave. The city will make semi-annual payments to the developer for up to 10 years or for an amount not to exceed \$750,000 or actual construction costs.

Open: 7:18 p.m.

Close: 7:18 p.m.

**10. Resolution #12-5-2022 #02 Approving Development Agreement with DM Industrial Prop, LLC, Authorizing Annual Appropriation Tax Increment Payments and Pledging Certain Tax Increment Revenues to the Payment of the Agreement**

**Roll Call Vote:**

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

**11. Resolution #12-05-2022 #03 to approve a Preliminary Plat for the I-80 Business Park Plat 3.**

Brent Culp, Snyder & Associates, 2727 SW Ankeny Blvd, Ankeny explained the Opus Development Company, LLC submitted a preliminary plat for I-80 Business Park Plat 3 (41 acres). This is a two-lot subdivision with lot Lot 1 being 19.69 acres and Lot 2 - being 16.31 acres. Outlot X, 4.90 acres, will serve as a detention basin. The property is zoned M-1 (Limited Industrial). Both Lot 1 and Lot 2 will have frontage on 21<sup>st</sup> Street NW that will connect I-80 Business Park Plat 1 to I-80 Business Park Plat 2 and Plat 3 (in the west) and Graham Warehouse (in the south). There will be two access points to I-80 Business Park Plat 3 Lot 1 from 21<sup>st</sup> Street NW, and one shared access between I-80 Business park Plat 3 Lot 1 and I-80 Business park Plat 2 Lot 1. The entrance will be located along the east side of I-80 Business Park Plat 3 Lot 1 (west side of I-80 Business Park Plat 2 Lot 1). Lot 2 will have two access points along 21<sup>st</sup> Street NW. On November 29<sup>th</sup>, 2022, Altoona Planning and Zoning Commission approved a preliminary plat.

**Roll Call Vote:**

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

**12. Resolution #12-05-2022 #04 to approve a Final Plat for the I-80 Business Park Plat 3.**

Community Development Director John Shaw discussed that the Opus Development Company, LLC submitted a final plat for I-80 Business Park Plat 3, 42.66 acres. Lot 1 is 19.69 acres and Lot 2 is 16.31 acres. Outlot X, a detention basin, is 4.9 acres. The area is zoned M-1 Limited Industrial. Public streets and utilities are not installed so performance bonds will be required to record a final plat. On November 29<sup>th</sup>, 2022, Altoona Planning and Zoning Commission approved a final plat pending submission of the legal documents and the required fees.

Council Member Boka motioned approval subject to deficiency items being resolved.

**Roll Call Vote:**

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

**13. Resolution #12-05-2022 #05 to approve a Site Plan for the I-80 Business Park Plat 3 Lot 1.**

Community Development Director John Shaw explained the Opus Development Company, LLC is submitting a Site Plan for I-80 Business Park Plat 3 Lot 1.

Lot 1 is 19.69 acres in size. This lot is located directly west of I-80 Business park Plat 2, Lot 1. The developer proposes to construct a 460,922 SF building that will be used as a light industrial warehouse/distribution center. There will be three access points to this site - one in the east, and two in the south of the lot along 21<sup>st</sup> Street NW. The entrance in the east will allow joint access to Plat 3 and Plat 2 for large truck access. Building exterior materials meet zoning requirements for the M-1 (Limited Industrial) zoning district. The applicant proposes precast concrete panels that vary in texture, height, and color. The materials encompass the entire building which creates a unified character. For the color of the exterior material, the applicant proposes grey, white, and navy blue. Per staff request, the applicant amended the site landscaping plan to allow sufficient landscaping and screening from the residential property in the north.

**Roll Call Vote:**

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

**14. Resolution #12-05-2022 #06 to approve a Site Plan for the I-80 Business Park Plat 3 Lot 2.**

Community Development Director John Shaw explained the Opus Development Company, LLC proposes to develop Lot 2 of I-80 Business Park Plat 3. The lot is located south of Lot 1 and 21<sup>st</sup> Street NW. There will be two access points to the site along 21<sup>st</sup> Street NW. The western entrance will be for passenger vehicles and the eastern entrance will provide access for large trucks. The building is 259,541 SF in size and 41' tall. Building exterior materials meet the ordinance and match the materials selected for the building on Lot 1. The applicant proposes precast concrete panels that vary in texture, height, and color. For the color of the exterior material, the applicant proposes grey, white, and navy blue. Employee offices will be located on the east side of the building, and the applicant will install a 6' sidewalk to allow a pedestrian way from the parking stalls to the building. On November 29<sup>th</sup>, 2022, Altoona Planning and Zoning Commission approved a site plan pending deficiencies. Council Member Dunwoody motioned approval subject to deficiency items being resolved.

**Roll Call Vote:**

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

**15. Resolution #12-05-2022 #07 to approve a Site Plan for the Ziegler Altoona Addition and Site work.**

Korey Marsh, Snyder & Associates, 2727 SW Ankeny Blvd, Ankeny discussed that Ziegler, Inc. is expanding its business and proposes to construct a wash pad to provide heavy machinery cleaning. This is a continuation of the site plan amendment that was proposed earlier this year. The wash pad will be 4,500 SF in size and will be located west of the service bays in the main building. The property is zoned M-1 (Limited Industrial) and the required setbacks are a 50' front yard, 50' rear yard, and 20' side yard (25' if adjacent to the residential district). The wash pad will be used solely for the removal of debris from the tracks/wheels of the equipment and will not be used as the final full wash area for equipment on site. The final detailed washing of the equipment will be done inside the building where the runoff is directed through a sand/oil separator. A 2" water line will be extended to the wash pad to allow water service. The storm sewer line will be to the north of the wash pad. The applicant proposes no changes to the site lighting, landscaping plan, and parking lot plans. On November 29<sup>th</sup>, 2022, Altoona Planning and Zoning Commission approved a site plan amendment.

**Roll Call Vote:**

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

**16. Consider to request to waive sewer fees for 709 8<sup>th</sup> St Pl SE Credit would be \$92.60**

Public Utilities Director Dan Scott discussed a request from the resident of 709 8<sup>th</sup> St. Pl. SE. They are requesting a credit on their utility bill of \$92.60. This amount represents the sewer charges on 10,000 gallons of water. The resident states they went camping for the weekend and when they returned home an outside hose was running. Staff was not able to verify this as the resident didn't realize the extra water until the next month when they received the bill. Council Member Boka motioned to deny the request to waive the sewer fees.

**Roll Call Vote:**

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

**17. Consider Consent Agenda**

a) Allow Bills

b) Pay Apps

B1) Pay App - Iowa Sports Turf - Sam Wise Youth Complex Renovation Phase #2 - \$249,773.29

B2) Pay App - Landmark Structures - North Water Tower - \$210,983.12

B3) Change Order - Synergy Contracting, Inc., - 1<sup>st</sup> Avenue Reconstruction Phase #2 - (\$4,266.87)

B4) Pay App - Synergy Contracting Inc. - 1<sup>st</sup> Avenue Reconstruction Phase #2 - #21 - \$108,508.84

- c) Resolution #12-05-2022 #08 Accepting Aureon Shadow Conduit - Installed Conduit and handholes - \$118,464.00
- d) Resolution #12-05-2022 09 to approve submittal of *Trees Please!* grant application
- e) Consider Professional Services Agreement with Snyder & Associates for Adventureland Drive NW Reconstruction Project from 17<sup>th</sup> Avenue NW to 9<sup>th</sup> Avenue NW
- f) Beer & Liquor Permits
  - F1) Prairie Meadows Racetrack and Casino Inc. - Class C Liquor License, Catering, Sunday & Outdoor sales
  - F2) Prairie Meadows Racetrack and Casino Inc. - Class E Liquor License, Sunday
  - F3) Cinemark USA Inc. - Special Class C Liquor License, Sunday sales
  - F4) Brick and Ivy Rooftop - Class C Liquor License, Sunday & Outdoor sales

**Roll Call Vote:**

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

**19. General Business**

The following gave updates: Police Department - Greg Stallman, Fire Department - Jared Ogbourne, Public Utilities - Dan Scott, Public Works - John Dostart, Community Development - John Shaw, Economic Development - Chad Quick, Library - Kim Kietzman, IT - Jeff Bierl

**20. Adjourn at 7:33 p.m.**

**Roll Call Vote:**

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

Attest to: \_\_\_\_\_  
Chad Quick, ED Director

\_\_\_\_\_  
Dean O'Connor, Mayor

