

CITY OF ALTOONA COUNCIL MEETING
MONDAY, SEPTEMBER 19, 2022, 6:30 P.M.
AT THE ALTOONA CITY HALL COUNCIL CHAMBERS

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: Randy Pierce, Greg Stallman, Jared Ogbourne, Chad Quick, Dan Scott, John Shaw, John Dostart, Kim Kietzman, Jeff Bierl, City Attorney Bob Laden

Audience Present: Michelle Cole, Steve Cole, Angie Pettinger, Theresa Augustin, Connie Kennedy, David Holt, Josh Anderson, Steve Gulling, Steven Hanson, Alex Payne, Phyllis Murphy, Dany Gamarra, Adam Grubb

2. Perfecting and approval of the agenda

Mayor Dean O'Connor requested approve the agenda as presented

Roll Call Vote:

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

3. Approval of September 6, 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

*No one came forward to speak.

5. Public hearing to consider the rezoning request from Stubbs Development to rezone 74.52 acres (located west of Spring Creek Ridge Plat 1, 2 and 3) from A-1 to R-5 (PUD)

Economic Development Director Chad Quick explained Stubbs Development submitted a rezoning request to rezone 74.52 acres from A-1 Agricultural District to R-5 Planned Unit Development. The developer wants the smallest lot size to be 60' which calls for R-5 (PUD). The comprehensive plan calls for low-density residential and that is what is proposed. The site is located west of Spring Creek Ridge Plat 1, 2, and 3.

Open hearing: 6:32pm

Comments: *Josh Anderson located at 1118 34th St. SE Steve Cole at 1054 34th St. SE, Angie Pettinger located at 1062 34th St. SE, shared concerns about annexation and size of lots.

Closed hearing: 6:42pm

6. Ordinance # 09-19-2022 #01 (601) TO REZONE 74.52 ACRES (LOCATED WEST OF SPRING CREEK RIDGE PLAT 1, 2 AND 3) FROM A-1 TO R-5 (PUD)(1st Reading)

Roll Call Vote (1st Reading):

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

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

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

Roll Call Vote (To publish):

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

7. Public hearing to consider the development plan approval request from Stubbs Development for the Spring Creek Ridge West (located west of Spring Creek Ridge Plat 1, 2, and 3)

Director Quick explained Stubbs Development proposes to develop this lot with single-family houses. 30th Street SE, 33rd Street SE and 34th Street SE will be collector streets and will extend through the plat to provide connectivity. The proposed lot sizes range from 60' (minimum lot size) to 80' plus.

Open hearing: 6:44pm

Comments: No further comments.
Closed hearing: 6:44pm

8. **Resolution #09-19-2022 #01 TO APPROVE DEVELOPMENT PLAN REQUEST FROM STUBBS DEVELOPMENT FOR THE SPRING CREEK RIDGE WEST (LOCATED WEST OF SPRING CREEK RIDGE PLAT 1, 2, AND 3)**
Roll Call Vote:
1 Boka Y Burns-Thompson 2 Duer Y Dunwoody Y Willey (5-0)
9. **Ordinance # 09-19-2022 #02 (612) TO REZONE APPROXIMATELY 67.7 ACRES FROM A-1 (AGRICULTURAL) TO R-5 (PUD) LOCATED EAST OF FIELDSTONE ESTATES, SOUTH OF PRAIRIE VISTA, NORTH OF 36TH ST. SE (1ST READING)**
Director Quick explained the public hearing for this was held on April 18th, 2022. He shared that Cheryl L Humphrey and Jerry's Homes are looking to rezone 67.7 acres from A-1 (Agricultural) to R-5 (PUD).
Roll Call Vote (1st Reading):
2 Boka Y Burns-Thompson 1 Duer Y Dunwoody Y Willey (5-0)
Roll Call Vote (To waive 2nd and 3rd Reading):
2 Boka Y Burns-Thompson 1 Duer Y Dunwoody Y Willey (5-0)
Roll Call Vote (To publish):
2 Boka Y Burns-Thompson 1 Duer Y Dunwoody Y Willey (5-0)
10. **Continued public hearing to consider a development plan (R-5, Planned Unit Development) for Prairie Landing located east of Fieldstone Estates, south of Prairie Vista, north of 36th Street SE to include approximately 187 single-family**
Director Quick explained Jerry's Homes submitted a development plan application for 67.7 acres. The development will be called Prairie Landing and will provide a variety of single-family homes. The total number of houses they propose to construct is 187. The minimum lot size is 60'.
Open hearing: 7:09pm
Comments: *Theresa Augustin located 3111 4th Ave. SE, requested Council to pass the development subject to this development adhering to the same HOA covenants as Fieldstone. David Holt located at 7488 NE 27th Ave., fencing with neighbors question. *Adam Grubb, owner of Jerry's Homes located at 3900 Westown Pkwy, Suite 100, West Des Moines, apologized to homeowners, council, mayor and staff about the delayed mowing on the property this summer.
Closed hearing: 7:17pm
11. **Resolution #09-19-2022 #02 TO APPROVE DEVELOPMENT PLAN REQUEST FROM JERRY'S HOMES FOR PRAIRIE LANDING LOCATED EAST OF FIELDSTONE ESTATES, SOUTH OF PRAIRIE VISTA, NORTH OF 36TH STREET SE TO INCLUDE APPROXIMATELY 187 SINGLE-FAMILY UNITS**
Council Member Jeremy Boka motioned approval subject to deficiency being resolved and approved by staff.
Roll Call Vote:
1 Boka Y Burns-Thompson Y Duer Y Dunwoody 2 Willey (5-0)
12. **Continued public hearing to consider development agreement with Wolf Pack LLC.**
City Engineer John Dostart explained Wolf Pack, LLC, is developing the Prairie Landing subdivision, located east of 1st Ave. S and east of Fieldstone Estates and north of 36th St. SE. When completed the final development will contain approximately 186 lots. This development agreement provides a payment of \$200,000 to the Developer for improvements to the public streets, sanitary sewer, water main, and storm water detention basin infrastructure including any extra depth associated with the basin within the project. Additionally, this payment is intended to compensate for any additional design, construction staking, engineering services, and possible loss of lots.
Open hearing: 7:18pm
Comments: No one came forward to speak.
Closed hearing: 7:18pm

13. Consider approval of development agreement with Wolf Pack LLC.

Roll Call Vote:

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

14. Public hearing to consider ordinance amendment to the City of Altoona Code of Ordinances 2004 - Chapter 63 (Speed Regulations)(Speed Limit Change on 14th Avenue SE)

City Engineer Dostart explained a traffic study commissioned by the SE Polk School District identified the need for a speed limit reduction along 14th Ave. SE (County NE 80th) from 1st St. E to 8th St. SE from the current 50 mph to 35 mph. This change was recommended due to the projected traffic that will be generated by the new 6th and 7th grade center.

Open hearing: 7:19pm

Comments: No one came forward to speak.

Closed hearing: 7:19pm

15. Ordinance # 09-19-2022 #03 (613) AMENDMENT TO THE CITY OF ALTOONA CODE OF ORDINANCES 2004 - CHAPTER 63(SPEED REGULATIONS)(1ST READING)

Roll Call Vote (1st Reading):

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

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

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

Roll Call Vote (To publish):

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

16. Public hearing to consider ordinance amendment to the City of Altoona Code of Ordinances 2004 - Chapter 69.08 (No parking Zones)

City Engineer Dostart explained as a condition of the sale of land needed from the Iowa Department of Transportation for off-street parking along the east side of 1st Ave. N between 2nd St. NW and 7th St. NW, the City is required to establish this as a public parking area that is not limited for the exclusive use of any business and that no long term or overnight parking is allowed. This ordinance change prohibits parking from 12:00 midnight to 5:00 A.M. These times were chosen because it aligns with when parking is prohibited by ordinance in Altoona's parks.

Open hearing: 7:22pm

Comments: No one came forward to speak.

Closed hearing: 7:22pm

17. Ordinance # 09-19-2022 #04 (614) AMENDMENT TO THE CITY OF ALTOONA CODE OF ORDINANCES 2004 - CHAPTER 69.08 (NO PARKING ZONES)(1ST READING)

Roll Call Vote (1st Reading):

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

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

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

Roll Call Vote (To publish):

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

18. Resolution #09-19-2022 #03 APPROVING THE PRELIMINARY PLAT FOR SPRING CREEK RIDGE WEST

Director Quick explained Stubb's Development proposes to construct single-family houses on this lot. 30th Street SE, 33rd Street SE and 34th Street SE will be collector streets and will be extended through the plat to provide connectivity. The developer will install a large detention pond in the north. The proposed lot sizes will range from 60' wide to 80' plus wide. They are proposing to construct 153 single-family lots: 45 - 60' lots; 22 - 65' lots; 35 - 70'-75' lots; 51 - 80' plus lots. On August 30th, 2022, the Planning and Zoning Commission voted 6 to 0 to recommend approval of the preliminary plat pending deficiencies. The applicant needs to update bulk regulations to show a 30' front yard setback for 70' lots. The applicant also needs to increase the front yard setback for the three 60' lots located directly west of Spring Creek Ridge Plat 1, on the 34th Street SE, from 25' to 30' to match the front yard setbacks in Spring Creek Ridge Plat 1.

Roll Call Vote:

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

19. Resolution #09-19-2022 #04 APPROVING THE PRELIMINARY PLAT FOR PRAIRIE LANDING

Director Quick explained Jerry's Homes submitted a Preliminary Plat to develop 67.7 acres with single-family houses. The bulk regulations meet the requirements for the R-5 (PUD) zoning district. The lot sizes in the north are 75' and match the lots in the Prairie Vista Plat 5. The lot sizes in the west are 75' and 76' wide and match the lot in Fieldstone Estates Plat 2. The lot sizes in the east are 65' and 60' wide. The proposed minimum lot width is 60 feet.

Roll Call Vote:

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

20. Resolution #09-19-2022 #05 APPOINTING BOARD OF APPEAL MEMBER(S)

Interim City Administrator Randy Pierce explained the reason for the board of appeals.

Roll Call Vote:

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

21. Consider approval of the event request from Festival Parks, LLC to organize a series of events called Phantom Fall Fest

Fire Chief Jared Ogbourne explained Adventureland Resort requested to conduct an event called "Phantom Fall Fest". The event will be conducted on Fridays, Saturdays, and Sundays starting on September 30th, 2022, and going through October 30th, 2022. The hours of operation will be as follow: 6:00 pm-11:00 pm on Fridays, 1:00 pm-11 pm on Saturdays, and 1:00 pm-8:00 pm on Sundays. There will be four haunted houses and three scare zones.

Roll Call Vote:

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

22. Consider Consent Agenda

a) Allow Bills

b) Pay Apps

B1) Change Order - Brenton Enterprises, LLC. - 1st Ave. S Underground Electric - \$2,657.00

B2) Pay App - Jackson Creek Enterprises, Inc. - 2021 Water Main Replacement Project
\$154,375.11

B3) Pay App - Elder Corporation - 8th St. SW Recon. Project - Phase I - \$159,458.89

c) Consider approval of time extension of footing drain tile connections

d) Consider approval of scope of services with Snyder and Associates, Inc. for NE Industrial Regional Detention Basins

e) Consider approval of professional services agreement with Allender Butzke Engineers, Inc. for 9th Ave. NE Box Culvert Concrete Testing

f) Approval to authorize the Mayor to sign a voluntary annexation petition for the land at the Spring Creek Sports Complex

g) Resolution #09-19-2022 #06 SETTING THE DATE OF MONDAY, OCTOBER 3, 2022, AT 6:30PM FOR THE SALE OF GENERAL OBLIGATION URBAN RENEWAL CORPORATE PURPOSE BONDS, SERIES 2022 AND AUTHORIZING THE USE OF THE PRELIMINARY OFFICIAL STATEMENT IN CONNECTION THEREWITH

h) Beer and Liquor Permits

H1) Super Stop (new owners) - Class E Liquor License, Class C Beer Permit, Class B Wine Permit, Class B Native Wine Permit

H2) Brightside Aleworks - Class B Beer Permit, Sunday & Outdoor sales

H3) Fareway Stores #925 - Class E Liquor License

H4) Gilbertos LLC - New - Class C Liquor License, Sunday Sales

i) Cigarette/Tobacco Permit

I1) Cigarette/Tobacco Permit - approval for Super Stop (SK Group of Companies, Inc.)

Roll Call Vote:

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

16. Department Head Reports & Updates

The following gave updates: Police Department - Greg Stallman, Fire Department - Jared Ogbourne, Public Utilities - Dan Scott, Engineering - John Dostart, Community Development - Marina Smart, Economic Development - Chad Quick, Library - Kim Kietzman, IT - Jeff Bierl, Finance - Randy Pierce

17. General Business

No reports.

18. Adjourn at 7:35pm

Roll Call Vote:

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

Attest to: _____
Randy Pierce, City Clerk

Dean O'Connor, Mayor