

**CITY OF ALTOONA COUNCIL MEETING
MONDAY, NOVEMBER 7, 2022, 6:30 P.M.
AT THE ALTOONA CITY HALL**

1. CALL TO ORDER

Roll Call at 6:30 pm

Mayor O'Connor- present

Burns-Thompson - present

Dunwoody- present

Boka - absent

Duer - present

Willey - absent

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

Audience Present: Phyllis Murphy, David Cusic and Alex Payne

2. Perfecting and approval of the agenda

Mayor Dean O'Connor requested approve the agenda as presented

Roll Call Vote:

A Boka 1 Burns-Thompson Y Duer 2 Dunwoody A Willey (3-0)

3. Swear in Deputy Fire Chief - Fire Marshal - John Kraemer

* Council members Boka and Willey signed in via zoom at 6:35 pm

4. Approval of October 17 and 24, 2022 Council Minutes

Roll Call Vote:

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

5. Citizens request to address council

*No one came forward to speak.

6. Public hearing to consider public project which may require acquisition of property

City Engineer John Dostart explained the Des Moines Industrial, LLC, is developing an Altoona Warehouse that will be located on the east side of 34th Ave. NW, north of I-80 and east of the Meta Data Center. Sanitary sewer is located off site. The Developer will be extending sanitary sewer to their site and continuing sanitary sewer through their site so the property to the south is able to access it when they are ready to develop their land.

Because the utilities will need to be extended through private property, the City must acquire the appropriate property rights so utilities may be extended. As part of the acquisition process, a public hearing must be held to allow for public input and comments. Additionally, if acquisition negotiations fail to reach an agreeable price for both parties for

the sale of property rights, the City could request a Condemnation Commission to set a price.

For this project, the City is seeking to acquire easements for sanitary sewer, public utility easements, gas easements, and fee title for the roadway easement where 34th Ave. NW is currently located. Water is available for this development on the west side of 34th Ave. NW.

Open hearing: 6:37pm

Close hearing: 6:37pm

7. Resolution authorizing public improvement project which may require acquisition of agricultural land

Staff recommends approval so the City's ability to use a Condemnation Commission is preserved if a mutually agreeable price is not able to be obtained.

Roll Call Vote:

 Boka Burns-Thompson Duer Dunwoody Willey (5-0)

8. Public hearing to consider approval of plans, specifications, and form of contract for the 2022 Water Main Replacement Project.

Public Utilities Director Dan Scott explained this is a public hearing to consider the plans, specs, and form of contract for the 2022 Water Main Replacement Project. The project is located generally north of 1st Street E along 7th Ave Court NE. This existing section of 4-inch diameter water main will be replaced with 8-inch diameter main. The project was estimated to cost \$900,200. The City received bids on November 3rd. There were a total of 5 bids received. A copy of the bid tabulation sheet is in your packet. Jackson Creek Enterprises, L.C., of Allerton, Iowa was the lowest responsible bidder at \$715,541. In your packet there is a copy of the letter from our consulting engineer on the project, McClure Engineering. The engineer and staff recommend awarding the project to Jackson Creek.

Open hearing: 6:39pm

Close hearing: 6:39pm

9. Resolution plans, specifications, form of contract for the 2022 Water Main Replacement Project

This subject to Bob Laden's review.

Roll Call Vote:

 Boka Burns-Thompson Duer Dunwoody Willey (5-0)

10. Resolution to approve the contract and bond for the 2022 Water Main Replacement Project

This subject to Bob Laden's review.

Roll Call Vote:

 Boka Burns-Thompson Duer Dunwoody Willey (5-0)

11. Resolution to award the contract for the 2022 Water Main Replacement Project

Staff and McClure Engineering both recommend awarding the project to Jackson Creek Enterprises, L.C. in the amount of \$715,541.

Roll Call Vote:

 Boka Burns-Thompson Duer Dunwoody Willey (5-0)

12. Public hearing to consider approval of plans, specifications, and form of contract for the Townsend Watershed Project

City Engineer John Dostart explained the City has received numerous and on-going concern about the storm water storage in the greenway between the Venbury Plat 17 neighborhood, the Ironwood Plat 3, and Ironwood Plat 4 subdivisions. Over many years, multiple low cost fixes have been attempted with varying degrees of success. Since the neighborhoods were developed, the City has been gifted the Townsend Pond, a former farm pond, behind the Townsend Home. With the City's ownership of this pond, the City is able to consider other options for drainage in this neighborhood and convert this farm pond into a pond that will serve as both a regional detention basin and a future park amenity. This phase of the project will replace the current storm drains in the area with an upsized storm sewer and a wide culvert under 6th Ave. SW that will serve to prevent 6th Ave. from blocking drainage during an intensive storm. Additionally, the project will dredge and install a new outlet on the smaller Ironwood Pond that is on the east side of the Ironwood Plat 3 subdivision.

As part of this project, staff reviewed the ability to handle increased storm flows from upstream or east of the Venbury Plat 17 and Ironwood Plats 3 & 4 neighborhood, which flow through this area. Although the base bid, which features a central 48" and 54" pipe will adequately handle this neighborhood's storm water flows, if there are storm water concerns from the upstream neighborhoods that would require additional drainage for these neighborhoods, this pipe in the base bid will not be able to handle the additional flow and a new pipe would need to be constructed in the same area. The alternative bid, which upsizes the 48" and 54" central pipe to a 60" pipe would be able to handle and additional drainage from upstream, should the City ever need to make further improvements to the upstream neighborhoods. The additional cost to make this upsizing improvement now is \$179,511 and is reflected in the Alternative bid.

Granite Excavating is the lowest responsive bidder on both the base bid and the alternative bid. In your packet is a letter from our consulting engineer, RDG and the certified bid tabulation. The engineer and staff recommend awarding to Granite Excavating for the Base + Alternative #1 bid. The Iowa Finance Authority is providing a \$500,000 grant for this project.

Open hearing: 6:42pm

Close hearing: 6:42pm

13. Resolution plans, specifications, form of contract for Townsend Watershed Project

Roll Call Vote:

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

14. Resolution to approve the contract and bond for Townsend Watershed Project

Roll Call Vote:

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

15. Resolution to award the contract for Townsend Watershed Project

The engineer and staff recommend awarding to Granite Excavating for the Base + Alternative #1 bid.

Roll Call Vote:

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

16. Resolution approving the Plat of Survey for Parcel # 2022-1195 (0.78 acres)

Community Development Director John Shaw discussed that the Opus Development Company, LLC, and Floyd and Renee Allen Joint Revocable Trust submitted a Plat of Survey for Parcel # 2022-1195. This is the south part of the property located at 6131 NE 62nd Avenue, Altoona, Iowa. After the plat of survey is approved, the applicant proposes to rezone this plat from A-1 (Agricultural District) to M-1 (Limited Industrial) so the plat can become a part of the I-80 Business Park Development.

Roll Call Vote:

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

17. Resolution approving the Preliminary Plat for I-80 Business Park Plat 2

Community Development Director John Shaw discussed that the Opus Development Company, LLC submitted a final plat for I-80 Business Park Plat 2 (18 acres). As a part of the application process, the applicant submitted the easement vacation plat for Lots 9, 11-12, I-80 Business Park Plat 1, with addresses of 2131 21st Street NW, 2220 20th Avenue NW, and 2450 20th Avenue NW in Altoona, Iowa. The property owner, I-80 Business Park, LLC, is working with Opus Development Company, LLC to develop Lots 9-12 as one lot. The existing 10-foot public utility easement on the westerly boundary of I-80 Business Park Plat 1 will be beneath the proposed building. The applicant provided a vacation plat illustrating the portion of the PUE along the westerly boundary to be vacated. October 25th meeting, Planning and Zoning Commission voted 5 to 0 to recommend approval of the Final Plat for I-80 Business Park Plat 2 pending deficiency items and 10' PUE easement vacation. (see staff report)

Council Member Duer motioned approval subject to deficiency items being resolved

Roll Call Vote:

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

18. Resolution approving the Final Plat for I-80 Business Park Plat 2

Community Development Director John Shaw discussed that the Opus Development Company, LLC, proposes to construct a light industrial warehouse/distribution center on 59.97 acres. This is a three-lot subdivision with lots ranging in size from 16 acres to 18.5 acres. Part of this lot includes plats from I-80 Business Park Plat 1. The property is rezoned to M-1 (Limited Industrial). With this application, Opus Development Company proposes the development of Lot 1, located directly south of 25th Street NW. The site will be accessed from 20th Avenue NW and 21st Street NW. There will be no access from 25th Street NW. At the October 25th meeting, Planning and Zoning Commission voted 5 to 0 to recommend approval of the Preliminary Plat for I-80 Business Park Plat 2 pending deficiency items and 10' PUE easement vacation. (see staff report)

Council Member Duer motioned approval subject to deficiency items being resolved

Roll Call Vote:

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

19.Resolution approving the Site Plan for I-80 Business Park Plat 2

Community Development Director John Shaw discussed that the Opus Development Company, LLC proposes to develop Lot 1 located south of 25th Street NW with a light industrial warehouse/distribution center. The area is intended for Light Industrial use per the City of Altoona Comprehensive Plan and the application meets this requirement. There will be 15 employees at this facility. The site plan for Lot 1 shows one building, 314,138 SF in size and 41' tall. Employee offices will be located on the east side of the building, and truck parking will be on the west side of the building. To allow trail connectivity, the applicant will install a 10' sidewalk/trail along 25th Avenue NW that will eventually connect to the Facebook trail that is planned to extend to the Muchickinok Trail further west of this site. A 6' sidewalk will be installed on the east side of the building to provide a pedestrian route for the employees. The utilities will be extended from the east (sanitary sewer) and the west (water main). Two detention basins will be provided to allow stormwater detention. October 25th meeting, Planning and Zoning Commission voted 5 to 0 to recommend approval of the Site Plan for I-80 Business Park Plat 2 pending deficiency items and 10' PUE easement vacation. (see staff report)

Roll Call Vote:

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

20.Resolution to approve the Final Plat for Clay Estates Plat 4

Community Development Director John Shaw explained the developer, Clay Estates Plat 4 LLC, is proposing the last plat of the Clay Estates development. The property is zoned R-1, Single Family Residential. The Comprehensive Plan calls for low-density residential and the proposed final plat meets this requirement. This plat is 7.38 acres in size and includes 20 single-family lots. With the completion of this plat, 3rd Avenue SW will connect the Ironwood development to Clay Elementary school. At the October 25th meeting, Planning and Zoning Commission voted 5 to 0 to recommend approval of the Final Plat for Clay Estates Plat pending deficiency items.

Roll Call Vote:

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

21.Consider to request to waive sewer fees for 326 31st St SW credit would be \$435.22

Administrator Randy Pierce explained that a resident living at 326 31st St. SW. had a month where their usage went from average of 9,000 gallons to 56,000 in one month. The city notified the resident and they checked for running toilets and other things and found nothing. They did have an older meter so the city replaced the old meter with a new one. They are requesting relief from there bill of \$435.22. Council Member Duer motioned to deny the request to waive the sewer fees.

Roll Call Vote:

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

22. Consider to request to waive sewer fees for 427 17th St SW credit would be \$296.32
Administrator Randy Pierce explained a request from the resident living at 427 17th St. SW. They left an outside hose on for a couple of days. Staff was notified and went out to resident to verify the wet area in the yard where the hose was. They are requesting relief of \$296.32. Staff would support approving this request.

Roll Call Vote:

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

23. Consider Consent Agenda

- a) Allow Bills
- b) Pay Apps
 - B1) Change Order-Synergy Contracting, Inc.-1st Avenue Reconstruction Phase 2 - \$176.15
 - B2) Pay App - Synergy Contracting Inc. - 1st Avenue Reconstruction Phase 2 - \$198,889.10
 - B3) Pay App - Iowa Sports Turf - Sam Wise Youth Complex Renovation Phase 2 - \$357,211.73
 - B4) Change Order - Impact7G - Muchikinock Creek Trunk Sewer - \$190,000.00
 - B5) Pay App - Graff Excavating - Muchikinock Creek Trunk Sewer - \$491,514.80
 - B6) Pay App - Landmark Structures - North Water Tower - \$398,303.99
- c) Resolution approving writing off of rescue fees for bad debt accounts - collections fees from 7-1-2022 thru' 9-30-2022
- d) Resolution accepting Release of Easement Rights
- e) Consider approval of amendment to 28E agreement for the Safety Coalition of Central Iowa Cities
- f) Consider appointment of Matt Millard to fill Park Board position vacant by Jon Wall
- g) Set up a Public Hearing to consider a rezoning request to rezone 121 acres of the property located one-quarter of a mile north of the corner of NE 62nd Avenue and NE 56th Street from A-1 Agricultural to M-1 Limited Industrial.
- h) Set a Public Hearing to consider a request from Stubbs Development to amend the Altoona Comprehensive Plan Land Use Map to change the land use of the south portion of the Spring Creek Ridge West development
- i) Set a Public Hearing to consider a request from Stubbs Development to approve a development plan to allow medium-density residential development
- j) Set a Public Hearing to consider a request from I-80 Business Park to vacate a 10-foot public utility easement (P.U.E.) located on Lots 9, 10, 11 and 12 of I-80 Business Park Plat
- k) Set a public hearing for Monday, December 5th at 6:30 pm to consider an 80/20 voluntary annexation of approximately 276.255 acres of territory within an urbanized area to include non-consenting property
- l) Consider agreement with William J Ludwig and Associates, Ltd for planning/design services for land between 34th Ave and Hubbell Ave
- m) Consider Standard Professional Services Agreement with Snyder & Associates for SE Sanitary Sewer Extension
- n) Consider Work Order Request with JCG Land Services - ROW Services for 8th St - W of 8th Ave to E of NE 80th St
- o) Resolution Accepting Public Improvements 2021 Water Main Replacement Project

p) Beer and Liquor Permits

- K1) Kwik Star #932 - Class C Beer Permit, Class B Wine Permit, Sunday Sales
- K2) Target Corporation - Class E Liquor License, Class B Wine Permit, Class C Beer Permit, Sunday Sales
- K3) Cool Basil - Special Class C Liquor License, Sunday Sales

Roll Call Vote:

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

24. Department Head Reports & Updates

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

25. General Business

26. Adjourn at 7:14pm

Roll Call Vote:

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

Attest to: _____
Randy Pierce, City Clerk

Dean O'Connor, Mayor

