

CITY OF ALTOONA COUNCIL MEETING  
MONDAY, APRIL 18, 2016, 6:30 P.M.  
AT THE ALTOONA CITY HALL

1. CALL TO ORDER

Roll Call at 6:30 pm

Mayor Conkling - present

Boka - present

Mertz- present

O'Connor - present

Sloan- present

Willey - present

City Officials Present: Jeff Mark, Randy Pierce, Jody Matherly, Jerry Whetstone, John Shaw, Jon Hanson, Amy Hill, City Attorney Tim Pearson, Lee Richardson, Anthony Rauterberg, Cory Glover

Audience Present: Jim Ellingson, Karen Denny, Jeremy Denny, Haley Keeling, Jon Keeling, Bob Hall, Jeremy Shepherd

2. Perfecting and approval of the agenda

Roll Call Vote:

Y Boka 1 Mertz 2 O'Connor Y Sloan Y Willey (5-0)

3. Approval of April 4, 2016, Council Minutes

Roll Call Vote:

Y Boka Y Mertz Y O'Connor 1 Sloan 2 Willey (5-0)

4. Arbor Day Proclamation

Mayor Conkling proclaimed Saturday, April 30<sup>th</sup> as Arbor Day in Altoona.

5. Introduction of new full-time Assistant Fire Chief, new Fire Lieutenants and Firefighter/Paramedic

Chief Jerry Whetstone introduced the promotions of Assistant Fire Chief Lee Richardson, Lieutenants Eli Kilburg and Tony Rauterberg, and full-time Firefighter/Paramedic Cory Glover

6. Citizens request to address council

No one came forward to speak.

7. Public Hearing for Issuance of General Obligation Urban Renewal Refunding Bonds, Series 2016a

City Clerk Randy Pierce explained this is a public hearing to consider approving the issuance of GO urban renewal refunding bonds not to exceed \$4,500,000. This bond would be used to refund 2009D bond series. The city is estimating a savings of \$343,000 by doing this refunding. We will sell these bonds on May 2, 2016.

Hearing opened: 6:39pm

Comments: No one came forward to speak.

Hearing closed: 6:40pm

8. Resolution 04-18-2016 #01 DETERMINING TO PROCEED WITH THE ISSUANCE OF \$4,195,000 GENERAL OBLIGATION URBAN RENEWAL REFUNDING BONDS AND SETTING DATE FOR SALE OF THE BONDS

Roll Call Vote:

Y Boka Y Mertz 1 O'Connor Y Sloan 2 Willey (5-0)

9. Public hearing to consider ordinance amendment to 2004 City of Altoona Code of Ordinances, Chapter 167.16, Temporary Use Permit

Mayor Conkling explained this is a public hearing to consider an amendment to Chapter 167.16, Temporary Use Permits. There are two changes, 1) to increase the permit fees for produce stands/trucks gardens from \$20 to \$100. 2) That permits are good for 60 days, and up to two

permits may be issued in a calendar year.  
Hearing opened: 6:41pm  
Comments: No one came forward to speak.  
Hearing closed: 6:42pm

10. Ordinance 04-18-2016 #01 (427) AMENDMENT TO 2004 CITY OF ALTOONA CODE OF ORDINANCES, CHAPTER 167.16, TEMPORARY USE PERMIT (1<sup>st</sup> Reading)  
Roll Call Vote (1<sup>st</sup> Reading):  
2 Boka Y Mertz 1 O'Connor Y Sloan Y Willey (5-0)  
Roll Call Vote (To waive 2<sup>nd</sup> & 3<sup>rd</sup> Reading):  
Y Boka 1 Mertz 2 O'Connor Y Sloan Y Willey (5-0)  
Roll Call Vote (To Publish):  
Y Boka Y Mertz 2 O'Connor Y Sloan 1 Willey (5-0)
11. Ordinance 03-21-2016 #04 (425) TO AMEND 2004 CITY OF ALTOONA CODE OF ORDINANCES CHAPTER 111 (ELECTRIC FRANCHISE)(3<sup>rd</sup> Reading)  
Roll Call Vote (3<sup>rd</sup> Reading):  
1 Boka Y Mertz 2 O'Connor Y Sloan Y Willey (5-0)  
Roll Call Vote (To Publish):  
1 Boka Y Mertz 2 O'Connor Y Sloan Y Willey (5-0)
12. Ordinance 03-21-2016 #05 (426) TO AMEND 2004 CITY OF ALTOONA CODE OF ORDINANCES CHAPTER 110 (NATURAL GAS FRANCHISE)(3<sup>rd</sup> Reading)  
Roll Call Vote:  
Y Boka Y Mertz 1 O'Connor Y Sloan 2 Willey (5-0)  
Roll Call Vote (To Publish):  
2 Boka Y Mertz 1 O'Connor Y Sloan Y Willey (5-0)
13. RESOLUTION 04-18-2016 #02 APPROVING PLAT OF SURVEY FOR PARCEL 2016-63, THE EAST 12 FEET OF LOT 6, TIMBERWOOD PLAT 3 (County Plat of Survey)  
Mayor Conkling explained the plat of survey is for a property located in the Timberwood Subdivision. A property owner constructed a patio over the adjacent property line. The adjacent property is a vacant lot. The plat of survey provides 12 feet of lot width to get the patio onto one lot. Polk County is also requiring a lot tie agreement so the parcel cannot be sold separately from the home.  
Roll Call Vote:  
2 Boka Y Mertz 1 O'Connor Y Sloan Y Willey (5-0)
14. Resolution 04-18-2016 #03 OF INTENTION REGARDING YARD WASTE ACCEPTANCE  
Council Member Dean O'Connor explained the resolution supports the co-mingling of yard waste with the regular waste collection.  
Roll Call Vote:  
1 Boka Y Mertz Y O'Connor Y Sloan 2 Willey (5-0)
15. Resolution 04-18-2016 #04 TO APPROVE OF CONTRACT AND BOND WITH J&K CONTRACTING FOR NE 54<sup>TH</sup> STREET SANITARY SEWER EXTENSION  
City Administrator Jeff Mark explained the resolution is for the approval of the contract and bond for the 54<sup>th</sup> Street Sanitary Sewer Extension Project. Competitive quotes for the project were received on March 23, 2016. There were five proposals received for the project. The low proposal was submitted by J&K Contracting, Ames, Iowa in the amount of \$134,120. Snyder & Associates, Inc. are the consulting engineering firm on this project and they recommend approval.  
Roll Call Vote:  
1 Boka Y Mertz 2 O'Connor Y Sloan Y Willey (5-0)
16. Resolution 04-18-2016 #05 OF SUPPORT FOR AN APPLICATION TO THE STATE OF IOWA HIGH QUALITY JOBS PROGRAM

City Administrator Mark explained as part of the EdgeBCC, Inc. expansion, they have applied for State of Iowa High Quality Jobs Program funding. The State of Iowa requires a local match for these grants. Under the Iowa Economic Development Authorities policy, the City of Altoona would have to provide a tax rebate based on a 5 year sliding scale. Council can agree to participate at any financial level above the minimum required by the IEDA for EdgeBCC to qualify for State assistance.

Roll Call Vote:

Y Boka Y Mertz 2 O'Connor Y Sloan 1 Willey (5-0)

17. Consider Consent Agenda

- a) Allow Bills
- b) Consider approval of supplemental agreement #2 with Kirkham Michael and Associates for Adventureland Dr. Widening Project
- c) ITEM REMOVED FOR SEPARATE DISCUSSION
- d) Consider approval of professional services agreement with Olsson Associates for Casebeer Water Main Replacement Project
- e) Resolution 04-18-2016 #06 APPROVING WRITING OFF OF RESCUE FEES FOR BAD DEBT ACCOUNTS - MEDICARE-MEDICAID - CMS COLLECTIONS FEES FROM 1-1-2016 THRU' 3-31-2016
- f) Resolution 04-18-2016 #07 APPROVING A TRANSFER FROM THE TIF FUND TO THE GENERAL FUND
- g) Resolution 04-18-2016 #08 APPROVING A TRANSFER FROM THE GF001 FUND TO THE CIP 307 FUND
- h) Resolution 04-18-2016 #09 APPROVING A TRANSFER FROM THE CIP 302 FUND TO THE CIP 310 FUND
- i) Resolution 04-18-2016 #10 APPROVING A TRANSFER FROM THE TIF FUND TO THE WATER FUND
- j) Resolution 04-18-2016 #11 APPROVING A TRANSFER FROM THE GENERAL FUND, WATER FUND AND SEWER FUND TO THE EQUIPMENT REPLACEMENT FUND
- k) Set public hearing for Monday, May 2, 2016, at 6:30 pm to consider vacating a sanitary sewer service easement at LightEdge
- l) Set public hearing for Monday, May 2, 2016, at 6:30 pm to consider vacating a storm sewer easement at LightEdge
- m) Set public hearing for Monday, May 2, 2016, at 6:30 pm to consider vacating an ingress/egress easement at LightEdge
- n) Set public hearing for Monday, May 2, 2016, at 6:30 pm to consider vacating and selling a 12,248 square feet parcel of public right-of-way ground in front of Ted's Auto Body to McRoberts Properties LLC
- o) Resolution 04-18-2016 #12 TO SET A PUBLIC HEARING FOR MONDAY, MAY 2, 2016, AT 6:30PM FOR ISSUANCE OF GENERAL OBLIGATION URBAN RENEWAL REFUNDING BONDS, 2016B

Roll Call Vote:

Y Boka Y Mertz 1 O'Connor Y Sloan 2 Willey (5-0)

\*17.c. Consider approval of indemnification and hold harmless agreement from Classic Builders, Inc.

Council Member Willey was concerned that even though the hold harmless removes the liability from the lack of a footing inspection from the city that it puts future citizens at risk for the builder failing to follow the building codes. Council Member Dean O'Connor asked what the answer is then for this property. City Attorney Tim Pearson explained at this point in the process the hold harmless is the best choice for this situation. Mr. Pearson reminded council that the agreement will be recorded with the property and will come up in the title abstract so future home owners of this property will know the concern about the footing. Council Member Willey explained he was agreement for the vote for the hold harmless on this situation but council needs to discuss how to handle these situations in the future. Council agreed to put the

discussion for similar future situations on the agenda for the next council work session. Council Member Willey motioned for a vote to approve the hold harmless.

Roll Call Vote:

Y Boka Y Mertz 2 O'Connor Y Sloan 1-N Willey (4-1)

18. Beer & Liquor Permits

a) Walgreens #09791 - Class C Beer Permit (Carry out Beer), Class E Liquor License (LE), Class B Wine Permit & Sunday Sales

Chief Jody Matherly stated there were no violations at this establishment.

Roll Call Vote:

Y Boka 1 Mertz 2 O'Connor Y Sloan Y Willey (5-0)

b) Hy Vee Food Store - Class C Beer Permit (Carry out Beer), Class E Liquor License (LE), Class B Wine Permit (carry out Wine - includes Native Wine) & Sunday Sales

Chief Matherly stated there were no violations at this establishment.

Roll Call Vote:

Y Boka Y Mertz 1 O'Connor Y Sloan 2 Willey (5-0)

c) Pancheros Mexican Grill - Class B Beer (BB) (includes wine coolers) & Sunday Sales

Chief Matherly stated there were no violations at this establishment.

Roll Call Vote:

2 Boka Y Mertz 1 O'Connor Y Sloan Y Willey (5-0)

19. General Business Items/Reports and Updates

\*City Administrator Mark reminded everyone in attendance that April 30<sup>th</sup> is Spring Cleanup in Altoona.

\*Mayor Conkling gave an update on the CVB budget discussion and DART. He also shared his appreciation for competent and skilled citizens and staff (Police, Fire & Campus) who helped save the life of a man at the Campus.

20. Adjourn at 7:11pm

Roll Call Vote:

1 Boka Y Mertz 2 O'Connor Y Sloan Y Willey (5-0)

Attest to:

\_\_\_\_\_  
Amy Hill, Secretary

\_\_\_\_\_  
J.M. Skip Conkling, Mayor