

**CITY OF ALTOONA COUNCIL MEETING
MONDAY, FEBRUARY 18, 2008, 6:30 P.M.
AT THE ALTOONA CITY HALL**

1. CALL TO ORDER

Roll Call at 6:29 p.m.

Mayor Burget-present Conkling- present Nolin- present
Riding- present Sloan- present Warren- present

City Officials Present: Jeff Mark, Randy Pierce, Vern Willey, John Shaw, John Gray, Jerry Whetstone, Amy Hill, Attorney Bob Laden

Audience Present: Dennis Keller, Brent Culp, Luke Sibley, Joelle Henderson

2. Perfecting and approval of the agenda

Roll Call Vote:

 1 Conkling 2 Sloan Y Riding Y Warren Y Nolin (5-0)

3. Approval of February 4 and 11, 2008 Council Minutes

Roll Call Vote:

 Y Conkling Y Sloan 1 Riding 2 Warren Y Nolin (5-0)

4. Citizens request to address council

Luke Sibley, 405 21st Street SW, Altoona, Iowa 50009, representing the Altoona Area Chamber of Commerce addressed the council. Mr. Sibley was requesting funds on behalf the Chamber. Mayor Tim Burget stated that two council members will review the request with staff and then they will be back in touch with the Chamber regarding the request for funds.

5. Public Hearing to consider no parking zone on 9th Street SE, 75 feet west from 7th Avenue SE
Mayor Burget stated this is a public hearing to consider adding a new paragraph to Chapter 69, Section 08, No parking Zones. The amendment would prohibit parking on the south side of 9th Street SE, from 7th Avenue SE, to a point 75 feet east. The no-parking zone is near Centennial Elementary.

Open Hearing at 6:34 pm

Public Comment: No one came forward to speak

Close Hearing at 6:35 pm

**6. Ordinance approving no parking zone on 9th Street SE, 75 feet west from 7th Avenue SE
(1st Reading)**

ORDINANCE NO. 2-18-2008 #1 (274) AN ORDINANCE TO APPROVE NO PARKING ZONE ON 9TH STREET SE, 75 FEET WEST FROM 7TH AVENUE SE

Council Member Skip Conkling asked if the residents had been informed of the change. Community Services Director Vern Willey stated they had not because it was a rental property. Council Member Joe Riding said he would prefer to wait on publishing until the residents had been informed. Community Services Director Willey said they would inform the owner of the property. Council Member Riding motioned to approve the 1st reading. Council Member Gerald Nolin seconded the motion.

Roll Call Vote: (1st reading)

 Y Conkling Y Sloan 1 Riding Y Warren 2 Nolin (5-0)

- 7. Public Hearing to consider an amendment to Chapter 165.01 Interpretation of Standards**
Mayor Burget stated that this public hearing was for the proposed changes to Chapter 165.01 Interpretation of Standards. City Administrator Jeff Mark stated the change in the ordinance reflects that the City of Altoona is now using the International Building Codes instead of the Uniform Building Codes.
Open Hearing at 6:36 pm
Public Comment: No one came forward to speak
Close Hearing at 6:37 pm
- 8. Ordinance to approve amendment to Chapter 165.01 Interpretation of Standards (1st Reading)**
ORDINANCE NO. 2-18-2008 #2 (275) AN ORDINANCE TO APPROVE AMENDMENT TO CHAPTER 165.01 INTERPRETATION OF STANDARDS
Roll Call Vote: (1st reading)
Y Conkling Y Sloan Y Riding 2 Warren 1 Nolin (5-0)
Roll Call Vote: (waive 2nd and 3rd reading)
2 Conkling Y Sloan 1 Riding Y Warren Y Nolin (5-0)
Roll Call Vote: (to publish)
1 Conkling Y Sloan Y Riding 2 Warren Y Nolin (5-0)
- 9. Public Hearing to consider an ordinance amendment to Chapter 169.03 Application of Building Permit**
Mayor Burget introduced the proposed changes to Chapter 169.03 Application of Building Permit. City Administrator Mark stated that again the changes remove the actual verbiage from the ordinance that lists examples of cases and refers the user to the actual building code section for reference.
Open Hearing at 6:38 pm
Public Comment: No one came forward to speak
Close Hearing at 6:39 pm
- 10. Ordinance to approve amendment to Chapter 169.03 Application of Building Permit (1st Reading)**
ORDINANCE NO. 2-18-2008 #3 (276) AN ORDINANCE TO APPROVE AMENDMENT TO CHAPTER 169.03 APPLICATION OF BUILDING PERMIT
Roll Call Vote: (1st reading)
Y Conkling 2 Sloan Y Riding 1 Warren Y Nolin (5-0)
Roll Call Vote: (waive 2nd and 3rd reading)
Y Conkling Y Sloan Y Riding 1 Warren 2 Nolin (5-0)
Roll Call Vote: (to publish)
1 Conkling 2 Sloan Y Riding Y Warren Y Nolin (5-0)
- 11. Public Hearing to consider an ordinance amendment to Chapter 169.05 Expiration of Permit**
Mayor Burget stated that this public hearing was for the proposed changes to Chapter 169.05 Expiration of Permit. City Administrator Mark stated the change removes the references to the language used under the Uniformed Building Code and replaces it with the references to the International Building Code.
Open Hearing at 6:40 pm
Public Comment: No one came forward to speak
Close Hearing at 6:41 pm

12. **Ordinance to approve amendment to Chapter 169.05 Expiration of Permit (1st Reading)**
ORDINANCE NO. 2-18-2008 #4 (277) AN ORDINANCE TO APPROVE AMENDMENT TO CHAPTER 169.05 EXPIRATION OF PERMIT
Roll Call Vote: (1st reading)
2 Conkling 1 Sloan Y Riding Y Warren Y Nolin (5-0)
Roll Call Vote: (waive 2nd and 3rd reading)
Y Conkling 2 Sloan Y Riding Y Warren 1 Nolin (5-0)
Roll Call Vote: (to publish)
Y Conkling 1 Sloan Y Riding 2 Warren Y Nolin (5-0)
13. **Public Hearing to consider an ordinance amendment to Chapter 168.09 to allow truck rental establishments as a principal permitted use in the C-3 zoning district**
Mayor Burget stated this is a public hearing to consider allowing truck rental establishments as a principal permitted use in the C-3 zoning district. City Administrator Mark stated the owners of the Super Stop, located at 2635 Adventureland Drive, were using their property to lease U-Hauls when staff informed them that they were in violation of the zoning ordinance. The owners presented their request for an ordinance amendment to the City Council in late December and the Council forwarded the request to the Planning and Zoning Commission for review and consideration. Currently, truck rental establishments are permitted in the M-1 and M-2 districts.
Open Hearing at 6:42 pm
Public Comment: No one came forward to speak
Close Hearing at 6:43 pm
14. **Ordinance to approve amendment to Chapter 168.09 to allow truck rental establishments as a principal permitted use in the C-3 zoning district (1st Reading)**
Motioned was made by Council Member Riding to deny the amendment. Council Member Stacey Warren seconded the motion.
Roll Call Vote:
Y Conkling Y Sloan 1 Riding 2 Warren Y Nolin (5-0)
15. **Public hearing to consider approval of resolution approving proceeding with condemnation of property owned by Altoona Investors, L.C.**
Mayor Burget stated the City of Altoona needs to acquire the right-of-way along 34th Avenue SW, for the purpose of placing the overhead electric lines underground. Community Services Director Willey said this project is in conjunction with the 34th Avenue/56th Street reconstruction project with Polk County and Pleasant Hill.
Open Hearing at 6:43 pm
Public Comment: No one came forward to speak
Close Hearing at 6:44 pm
16. **Resolution approving proceeding with condemnation of property owned by Altoona Investors, L.C.**
Resolution #2-18-2008 #01 RESOLUTION TO CONSIDER APPROVING PROCEEDING WITH CONDEMNATION OF PROPERTY OWNED BY ALTOONA INVESTORS, L.C.
Council Member Nolin asked if the electrical boxes would be placed on the property. Community Services Director Willey stated that two large boxes are needed on the property to handle the amount of electricity that Mid-American has coming through that intersection.
Roll Call Vote:
1 Conkling Y Sloan Y Riding Y Warren 2 Nolin (5-0)

17. **Public Hearing to consider a comprehensive land use map amendment to change 0.75 acres from high density residential to low density residential (northerly extension of 9th Avenue NW)**
Mayor Burget stated this property is located north of Greenbreeze Circle north of 13th Street NW. The owner's, C & J Development, are proposing to construct the first plat in the Andrew's Acres III development and are proposing a change to the current plan. They are proposing to construct three single-family lots north of 13th Street NW instead of condominiums at 12 units per acre. The owner's are requesting a comprehensive land use map amendment to change 0.75 acres from high density residential to low density residential.
Open Hearing at 6:45 pm
Public Comment: No one came forward to speak
Close Hearing at 6:46 pm
18. **Resolution approving comprehensive land use map amendment to change 0.75 acres from high density residential to low density residential (northerly extension of 9th Avenue NW)**
Resolution #2-18-2008 #02 RESOLUTION TO APPROVING PROCEEDING COMPREHENSIVE LAND USE MAP AMENDMENT TO CHANGE 0.75 ACRES FROM HIGH DENSITY RESIDENTIAL TO LOW DENSITY RESIDENTIAL (NORTHERLY EXTENSION OF 9TH AVENUE NW)
Roll Call Vote:
1 Conkling 2 Sloan Y Riding Y Warren Y Nolin (5-0)
19. **Public Hearing to consider a development plan amendment for Andrew's Acres III to change 0.75 acres from condominiums to single-family homes and to change the minimum s.f. area of all single-family lots from 8,750 s.f. to 7,600 s.f. (northerly extension of 9th Avenue NW)**
Mayor Burget stated this is a public hearing for a development plan amendment for Andrew's Acres III. The development plan amendment would allow the single-family homes and the reduced lot size for the single-family lots.
Open Hearing at 6:46 pm
Public Comment: No one came forward to speak
Close Hearing at 6:47 pm
20. **Resolution approving development plan amendment for Andrew's Acres III to change 0.75 acres from condominiums to single-family homes and to change the minimum s.f. area of all single-family lots from 8,750 s.f. to 7,600 s.f. (northerly extension of 9th Avenue NW)**
Resolution #2-18-2008 #03 RESOLUTION TO CONSIDER APPROVING DEVELOPMENT PLAN AMENDMENT FOR ANDREW'S ACRES III TO CHANGE 0.75 ACRES FROM CONDOMINIUMS TO SINGLE-FAMILY HOMES AND TO CHANGE THE MINIMUM S.F. AREA OF ALL SINGLE-FAMILY LOTS FROM 8,750 S.F. TO 7,600 S.F. (NORTHERLY EXTENSION OF 9TH AVENUE NW)
Roll Call Vote:
Y Conkling 2 Sloan Y Riding Y Warren 2 Nolin (5-0)
21. **Consider purchase of Ironwood South park ground as per agreement approved on 9-17-07**
Mayor Burget introduced the Three Party Agreement, which outlines the City of Altoona, will purchase 4.7 acres for the development of Ironwood Park from Polk county Land Co., L.C. The price for said property is \$101,866.20. This is the south portion of the land purchase. City Administrator Mark explained the north portion purchase was approved at the January 21, 2008 council meeting. When combined the park will be approximately 7.48 acres in size.
Roll Call Vote:
N Conkling 2 Sloan Y Riding 1 Warren Y Nolin (4-1)

22. **Consider approval of Hold Harmless Agreement with Frazen I-80 Partnership - Merchants White Line Warehousing, Inc.**
Mayor Burget stated this is a Hold Harmless Agreement with Franzen Altoona I-80 Partnership, Merchants White Line Warehousing and the City of Altoona. City Administrator Mark explained the agreement requires Franzen Altoona I-80 Partnership to provide access to the adjoining property to the south of lot 1 of Franzen Plat 4, when the property to the south is ready to develop. This agreement was required as a condition of the Final Plat approval for Franzen Plat 4.
 Roll Call Vote:
Y Conkling Y Sloan 1 Riding 2 Warren Y Nolin (5-0)
23. **Consent Agenda**
- a) **Allow Bills**
 - b) **Capital Project**
 - B1) **Change Order #4 – Greenway Park Sanitary Trunk Sewer – Holland Contracting - \$-23,750.00**
 - B2) **Pay App #11 - Greenway Park Sanitary Trunk Sewer – Holland Contracting - \$22,170.94**
 - c) **Resolution approving offer to purchase the ROW and/or easement for North I-80 Utility Extension Project (Anderson Family Farm, LP)**
Resolution #2-18-2008 #04 RESOLUTION TO CONSIDER APPROVING OFFER TO PURCHASE THE ROW AND/OR EASEMENT FOR NORTH I-80 UTILITY EXTENSION PROJECT (ANDERSON FAMILY FARM, LP)
 - d) **Resolution approving offer to purchase the ROW and/or easement for North I-80 Utility Extension Project (Floyd A. Allen and Renee A. Allen)**
Resolution #2-18-2008 #05 RESOLUTION TO CONSIDER APPROVING OFFER TO PURCHASE THE ROW AND/OR EASEMENT FOR NORTH I-80 UTILITY EXTENSION PROJECT (FLOYD A. ALLEN AND RENEE A. ALLEN)
 - e) **Resolution approving offer to purchase the ROW and/or easement for North I-80 Utility Extension Project (Griffieon Family Farms, LLC)**
Resolution #2-4-2008 #06 RESOLUTION TO CONSIDER APPROVING OFFER TO PURCHASE THE ROW AND/OR EASEMENT FOR NORTH I-80 UTILITY EXTENSION PROJECT (GRIFFIEON FAMILY FARMS, LLC)
 - f) **Request from Council Member Skip Conkling to attend the Greater Des Moines Partnership Washington DC trip - \$1,875.00.**
 Roll Call Vote:
Y Conkling 2 Sloan Y Riding 1 Warren Y Nolin (5-0)
24. **Beer and Liquor Permits**
- a) **Claxon’s – Class C (Commercial Liquor License)**
Police Chief John Gray stated that there were no violations at this establishment.
 Roll Call Vote:
Y Conkling 2 Sloan Y Riding 1 Warren Y Nolin (5-0)
 - b) **Fireside – Class C (Commercial Liquor License)**
Police Chief Gray stated that there were no violations at this establishment.
 Roll Call Vote:
Y Conkling 2 Sloan Y Riding 1 Warren Y Nolin (5-0)
 - c) **Fareway – Class C (Beer & Wine Only)**
Police Chief Gray stated that there were no violations at this establishment.
 Roll Call Vote:
Y Conkling 1 Sloan Y Riding Y Warren 2 Nolin (5-0)

d) Git n Go – Class C (Beer Only)

Police Chief Gray stated that there were no violations at this establishment.

Roll Call Vote:

Y Conkling 2 Sloan Y Riding Y Warren 1 Nolin (5-0)

e) Super Stop 2 – Class C (Beer Only)

Police Chief Gray stated that there were no violations at this establishment.

Roll Call Vote:

1 Conkling 2 Sloan Y Riding Y Warren Y Nolin (5-0)

25. General Business Items/Reports and Updates

Council Member Conkling stated that the DART Express Route for Altoona will continue at Hy-Vee. Hy-Vee will be redesigning their parking lot to accommodate the DART riders' needs during Hy-Vee's construction.

Council Member Riding stated he took some time on Saturday to travel to some local communities to view the road conditions compared to Altoona's. He wanted to express thanks to the staff snow plowing who are doing an excellent job keeping Altoona's streets clear.

Mayor Burget that he attended the Iowa League meeting where it was discussed which proposal seemed to have a chance making it to legislature. He stated that Wednesday, February 20th is the Legislative Day for the Iowa League.

26. Adjourn

Roll Call Vote: at 6:59 p.m.

1 Conkling Y Sloan Y Riding 2 Warren Y Nolin (5-0)

Attest to:

Amy Hill, Secretary

Timothy J. Burget, Mayor