

**CITY OF ALTOONA COUNCIL MEETING
TUESDAY, SEPTEMBER 2, 2008, 6:30 P.M.
AT THE ALTOONA CITY HALL**

1. **CALL TO ORDER**

Roll Call at 6:30 p.m.

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

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

Audience Present: Brent Culp, Sarah Burnett, Helen Blaney

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

The agenda needs to be corrected to reflect proper numbering. There are two number 10s.

Roll Call Vote:

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

3. **Approval of August 18, 2008 Council Minutes**

Roll Call Vote:

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

4. **Citizens request to address council**

Norman Johnson of 801 17th Avenue SW, Altoona, Iowa, came to express concern in regards to the railroad tie retaining wall on the north side of his property adjacent to the 8th St. SW sidewalk. Mr. Johnson believes the retaining wall is unsafe. City Administrator Jeff Mark stated that he spoke with Mr. Johnson several weeks ago. Mr. Mark explained he had staff evaluate the status of the wall. Staff expressed the wall is beginning to bow a little but is still safe. Staff believed at this time it did not need to be replaced. Community Services Director Vern Willey stated that the project is on the list but has not been a priority. Council Member Joe Riding asked if the property could be graded to slope so a retaining wall would not be required? Mr. Willey stated that was a possibility but permission of the landowner would be needed. Mr. Mark stated that city staff would get several quotes on the replacement of the retaining wall or grading and bring the information back to the council.

5. **Consider approval of ordinance amendment to Chapter 168.13.3 Permitted Conditional Uses in the M-1 District (2nd Reading)**

ORDINANCE NO. 8-18-2008 #1 (284) TO AMENDMENT CHAPTER 159.09.02 COMMON SIGNAGE PLAN

Mayor Pro-tem Stacey Warren stated this ordinance is proposing to add a permitted conditional use to the M-1 (Limited Industrial) district. It would allow indoor sports and recreation facilities as a permitted conditional use. The permitted conditional use criteria would require an interested party to present an application to the Board of Adjustment for their review and consideration. Mayor Pro-tem Warren stated that the 1st Reading passed at the previous council meeting. City Administrator Jeff Mark stated City Attorney Bob Laden and Community Development Director John Shaw met to discuss the provision in the ordinance that requires an application to the board of adjustments. They have determined that the appropriate process for the issuance of a permitted conditional use requires the applicant to appear before the Board of Adjustments. If the Board of Adjustments approves the request for this type of facility, a site plan for a facility would have to go through Planning and Zoning and the City Council for final approval.

Roll Call Vote: (2nd Reading)

N Conkling Y Sloan 1 Riding Y Warren 2 Nolin (4-1)

Roll Call Vote: (Waive 3rd reading)

 N Conkling 2 Sloan 1 Riding Y Warren Y Nolin (4-1)

Roll Call Vote: (to publish)

 N Conkling 1 Sloan Y Riding Y Warren 2 Nolin (4-1)

**6. Consider approval of resolution to approve the June 30, 2008, Road Use Report
Resolution #9-2-2008 #01 RESOLUTION TO APPROVE THE JUNE 30, 2008, ROAD USE REPORT**

Mayor Pro-tem Warren explained the Road Use Tax Report is a State Code required report that summarizes the receipts and disbursements of Road Use Taxes for the fiscal year. This report must be filed annually with the Iowa Department of Transportation by September 30th.

Roll Call Vote:

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

**7. Resolution to approve a final plat for Mulberry Meadows (County Plat)
Resolution #9-2-2008 #02 RESOLUTION TO APPROVE A FINAL PLAT FOR MULBERRY MEADOWS (COUNTY PLAT)**

Mayor Pro-tem Warren introduced this plat is located outside of the corporate limits of Altoona, but within our review area. The application proposes to plat a 5.33-acre parcel into two residential lots. One home already exists on what will be lot 1 and a new home is proposed on lot 2.

Roll Call Vote:

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

**8. Resolution to approve a plat of survey for Parcel “P” of Section 7, Township 79 North, Range 22 West of the 5th P.M. (part of the rail spur property)
Resolution #9-2-2008 #03 RESOLUTION TO APPROVE A PLAT OF SURVEY FOR PARCEL “P” OF SECTION 7, TOWNSHIP 79 NORTH, RANGE 22 WEST OF THE 5TH P.M. (PART OF THE RAIL SPUR PROPERTY)**

Mayor Pro-tem Warren stated this plat of survey is to plat a piece of property for the new rail spur that will serve the NE Industrial Park. This property is an extension of the rail spur parcel that was included in the Franzen plat. The parcel is 5.33-acres in size and is roughly 160 feet in width and will connect the rail spur to the industrial park and the rail line to the southeast.

Roll Call Vote:

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

9. Consider request for rental of Enabling Gardens for Art Show on September 6 – 7, 2008

Mayor Pro-tem Warren stated the council has received a request from Paul Dennis, an Altoona resident, to hold an art sale at the Enabling Gardens. Paul Dennis of 401 15th Avenue SW addressed the council in regards to using the Enabling Gardens to hold an art show. He is hoping to raise money to send his daughter and granddaughter to Europe through a SEP program. Mr. Dennis would like to sell his artwork, refreshments and his son’s book. City Administrator Mark stated that the City does not currently have a policy to handle this request. Typically, we do not allow commercial ventures on publicly owned property. However, other cities do have a process or policy for events where sales are transacted. Council Member Skip Conkling stated that in the past the City has been very restrictive in using public buildings for commercial ventures. Council Member Gerald Nolin said he would like to support something like “Art in the Park” and the Enabling Gardens are a nice backdrop but he is unsure whether to proceed without having a chance to create a policy. Council Member Riding said he was unaware that the proceeds would go to help fund his granddaughter’s travel to Europe and believed that it would okay to have it this one time. Council Member Conkling stated that as a business owner he receives several requests a year to help fund student travel abroad and that we need to be fair when allowing public spaces to be used to raise

funds. Mayor Pro-tem Warren asked Mr. Dennis if this was for a commercial venture. Mr. Dennis explained that if people liked his artwork he would hope to be able to sell his photography when he retires. Mayor Pro-tem Warren stated that there were commercial buildings that could be used for this commercial venture. She asked the council what their motion was. Council Member Riding motioned to approve the request. Council Member Michelle Sloan seconded the motion.

Roll Call Vote:

N Conkling 2 Sloan 1 Riding N Warren N Nolin (2-3)

10. Consent Agenda

a) Allow Bills

b) Capital Project

B1) Pay App #22 – 2006 Altoona Campus Expansion – Russell Construction - \$13,264.73

c) Resolution approving a transfer from the Library Trust Fund to the General Fund

Resolution #9-2-2008 #04 RESOLUTION TO APPROVE A TRANSFER FROM THE LIBRARY TRUST FUND TO THE GENERAL FUND

d) Consider approval of professional services agreement with Gensus/RDG for Joint Youth Sports Complex between Altoona and Pleasant Hill.

e) Set Public Hearing for September 15, 2008 at 6:30 p.m. to consider an ordinance amendment to Chapter 63 for a 25 MPH speed limit on Center Place SW

f) Set Public Hearing for September 15, 2008 at 6:30 p.m. to consider an ordinance amendment to Chapter 63 to create a special 30 MPH speed zone for 11th Avenue NE

g) Set Public Hearing for September 15, 2008 at 6:30 p.m. to consider an ordinance amendment to Chapter 65 Stop Signs to place approximately 83 stop signs at existing intersections, mainly throughout the SE and SW quadrants of the City

h) Set Public Hearing for September 15, 2008 at 6:30 p.m. to consider an ordinance amendment to Chapter 57 Dangerous and Vicious Animals

i) Set joint meeting with Pleasant Hill City Council for Tuesday, September 16, 2008 at Pleasant Hill City Hall

Roll Call Vote:

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

11. Beer and Liquor Permits

a) Super Stop – Class E (Hard Liquor)

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

Roll Call Vote:

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

12. General Business Items/Reports and Updates

Council Member Conkling updated the council on the DART funding issues.

Council Member Sloan stated she had attended a meeting at Des Moines Water Works in regards to pricing for water in the future from them. She said she would compile the information for review at a council work session.

Council Member Nolin said he attended the first Altoona Leadership Program session. He stated there were fifteen great participants and the program went very well the first night.

City Administrator Mark reminded council members of the joint meeting with Pleasant Hill City Council on Tuesday, September 16, 2008, to discuss you Joint Youth Complex.

13. Adjourn

Roll Call Vote: at 7:06 p.m.

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

Attest to:

Amy S. Hill, Secretary

Stacey Warren, Mayor Pro-tem