

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

1. CALL TO ORDER

Roll Call at 6:30 p.m.

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

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

Audience Present: Brent Culp, Sarah Burnett, Helen Blaney, John Roach, Dennis Keller, Nick Newell, Mary Newell, Jill Pudenz, Chris Pudenz

2. Perfecting and approval of the agenda

Roll Call Vote:

 A Conkling 2 Sloan 1 Riding A Warren Y Nolin (3-0)

3. Approval of September 15, 2008 Council Minutes

Roll Call Vote:

 A Conkling 2 Sloan Y Riding A Warren 1 Nolin (3-0)

4. Citizens request to address council

John Roach, 200 7th Street NW, Altoona, requested that when council and staff acquire land for projects they begin thinking about establishing equine trails. The trails could be similar to the trails in NW Iowa at Bushy Creek where they are not maintained and provide couple of campgrounds along them. Mayor Tim Burget stated that council and staff would keep his idea in mind as future projects come forward.

** Council Member Stacey Warren arrived at 6:33pm**

5. Ordinance amendment to Chapter 57 Dangerous and Vicious Animals (2nd Reading)

ORDINANCE NO. 9-15-2008 #4 (289) AMENDMENT TO CHAPTER 57 DANGEROUS AND VICIOUS ANIMALS (2nd Reading)

Mayor Burget explained this was the 2nd reading of the amended ordinance section 57.08 which has been replaced with the model ordinance recommended by the Metro Advisory Council.

Roll Call Vote: (2nd reading)

 A Conkling Y Sloan 2 Riding 1 Warren Y Nolin (4-0)

Roll Call Vote: (Waive 3rd reading)

 A Conkling Y Sloan 1 Riding 2 Warren Y Nolin (4-0)

Roll Call Vote: (to publish)

 A Conkling Y Sloan Y Riding 2 Warren 1 Nolin (4-0)

6. Consideration of request for Waiver of Architectural Design Standards for Olde Town Tap, 121 2nd Street SE

Mayor Burget explained this item was tabled at the last council meeting. Motion made by Council Member Michelle Sloan to un-table the request for Waiver of Architectural Design Standards for Olde Town Tap. Council Member Gerald Nolin seconded the motion

Roll Call Vote:

 A Conkling 1 Sloan Y Riding Y Warren 2 Nolin (4-0)

City Administrator Jeff Mark explained there were no further questions or concerns received at City Hall in regards to the outdoor patio proposed by the owners of Old Towne Tap. Staff made there a recommendation for council as to how the exterior of the Old Town Tap could be improved to address both the request for the waiver of the Architectural Design Standard and to protect the property rights of the adjacent property owners.

Roll Call Vote:

A Conkling Y Sloan 1 Riding 2 Warren Y Nolin (4-0)

**7. Resolution to approve a preliminary plat for Prairie Crossing Plat 1 (Bass & Lifestyle Center)
Resolution #10-6-2008 #01 RESOLUTION TO APPROVE A PRELIMINARY PLAT FOR PRAIRIE CROSSING PLAT 1**

Mayor Burget stated this plat is for the construction of Bass Pro Drive. This plat will lay out the Bass Pro Shop property and the Shoppes at Prairie Crossing. It is a 201-acre, four-lot commercial subdivision. The main emphasis of this plat is street work for the construction of Bass Pro Drive and the improvements to Adventureland Drive.

Roll Call Vote:

A Conkling 2 Sloan Y Riding 1 Warren Y Nolin (4-0)

**8. Resolution to re-approve a final plat for Tuscany Plat 1
Resolution #10-6-2008 #02 RESOLUTION TO RE-APPROVE A FINAL PLAT FOR TUSCANY PLAT 1**

Mayor Burget explained this was a resolution to re-approve a final plat for Tuscany Plat 1. City Administrator Mark stated staff was contacted recently about a problem with the rear yard setback in Tuscany Plat 1, the Hubbell residential plat east of 14th Avenue SE and south of 8th Street SE. Although originally approved with the development plan as a 10-foot rear yard setback, when the final plat was presented in June the setback was shown at 25-feet. Now, Hubbell wants to go back to the original 10-foot rear yard setback and would like City Council to re-approve the final plat with that setback in mind.

Roll Call Vote:

A Conkling Y Sloan 1 Riding 2 Warren Y Nolin (4-0)

9. Consider approval of development agreement with Iowa DOT for a Project Federal Transportation Funding Consolidation Act, 2008 (Railspur)

Mayor Burget introduced the proposed agreement with the IDOT for the Project Federal Transportation Funding Consolidation Act, 2008 in the amount of \$1,146,600. City Administrator Mark explained this is the federally earmarked funds for the extension of the railspur from its current terminus south of Merchants Warehouse, west to serve the Iowa Cold Storage facility. The funds from the federal government are awarded to the IDOT, which then is responsible for granting the funds to the City of Altoona. In an effort to receive final approval to proceed from the IDOT, the City of Altoona needs to approve the agreement so that the state can process the paperwork and issue a notice to proceed. Staff would recommend that the council consider the approval of the agreement subject to the council's approval of the development agreement with Iowa Cold Storage. If Iowa Cold Storage fails to sign the development agreement with the City of Altoona, we can contact IDOT and refuse the funds and stop the project from occurring. Council Member Warren motioned for approval subject to the development agreement being signed with Iowa Cold Storage. Council Member Nolin seconded the motion.

Roll Call Vote:

A Conkling Y Sloan Y Riding 1 Warren 2 Nolin (4-0)

**10. Consent Agenda
a) Allow Bills**

- b) **Resolution approving requests for Tax Abatement**
Resolution #10-6-2008 #03 RESOLUTION TO APPROVING REQUESTS FOR TAX ABATEMENT
- c) **Set Public Hearing for October 20, 2008 to consider a request from Jantor, Inc. for approximately 1.2 acres of ground at 907 8th Street SW to rezone from R-2 (One and Two-family Residential) to C-2 (General Commercial)**

Roll Call Vote:

A Conkling Y Sloan Y Riding 2 Warren 1 Nolin (4-0)

11. Beer and Liquor Permits

a) Old Town Tap (Class C – Commercial Liquor) – subject to inspections

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

Roll Call Vote:

A Conkling 2 Sloan 1 Riding Y Warren Y Nolin (4-0)

b) Hy-Vee (Class E – Carryout Beer & Liquor) – Transfer of Premise

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

Roll Call Vote:

A Conkling 2 Sloan Y Riding 1 Warren Y Nolin (4-0)

12. General Business Items/Reports and Updates

*Mayor Burget reminded council members, staff and audience there is to be a ribbon cutting ceremony at the new Hy-Vee on Tuesday at 10:00am. He also reminded council and staff that Rep. Leonard Boswell would be at a breakfast hosted at River Place (Polk County's new offices) Thursday at 7:30. Merchant Warehouse's ribbon cutting is planned for October 17th. Mayor Burget explained that Council Member Warren and he attended a "think tank" meeting at Southeast Polk in regards to the recent suicides. They will be bringing recommendations to the council in regards to the pedestrian bridge overpass. Mayor Burget stated he was appointing himself for the Eastern Polk County Aviation Board for the next couple months following death of our representative Ken Sands.

*Council Member Joe Riding stated he would also be interested in attending the meeting for the Aviation Board. Council Member Riding also stated that he had received a letter in regards to the trash left following the parade. He asked if staff or other council members had received any other complaints similar. Community Services Director Vern Willey stated that the street sweeper cleaned the route prior to and following the Homecoming parade. Council Member Warren stated when we have the Homecoming Parade again that maybe we can ask them to put on the flyers and advertisements to be respectful of the residents who live along the route by cleaning up after themselves. Mayor Burget stated he believed the parade was quite a success and really enjoyed it.

*Council Member Warren stated that the Metro Waste Authority's recommendation panel for single stream recycling had made a recommendation to MWA's board in regards to the vendor to perform the job. Single stream recycling has begun in Des Moines with very positive results. Currently, it appears that single stream will begin metro-wide in July 2009.

13. Adjourn

Roll Call Vote: at 7:10 p.m.

A Conkling 2 Sloan Y Riding 1 Warren Y Nolin (4-0)

Attest to:

Amy S. Hill, Secretary

Timothy J. Burget, Mayor