

**CITY OF ALTOONA COUNCIL MEETING
MONDAY, OCTOBER 20, 2008, 6:30 P.M.
AT THE ALTOONA CITY HALL**

1. CALL TO ORDER

Roll Call at 6:31 p.m.

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

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

Audience Present: Brent Culp, Sarah Burnett, Helen Blaney, Dennis Keller, Bob Johnston, Bobby Colosimo, Becky Seidenkranz, Joe Seidenkranz, Dixie Baetsle, Jim Baetsle, Evelyn Versteeg, John Rullman, Lori Boehme, Lori Freeman, Robert Baetsle, Denise Baetsle, Andrew McGrean, Kelsie Bemisdarfer, Kelsey Williams, Muri Williams

2. Perfecting and approval of the agenda

City Clerk Randy Pierce stated that B2 under the Consent Agenda should reflect the total \$31,451.86. Council Member Joe Riding motioned approval of the agenda with the correction. Council Member Skip Conkling seconded the motioned.

Roll Call Vote:

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

3. Approval of October 6 and 13, 2008 Council Minutes

Roll Call Vote:

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

4. Citizens request to address council

*Bob Johnston, 109 8th Ave. SE, expressed his thanks to council in regards to getting his side of town cleaned up. He also requested the council consider passing an ordinance requiring reflectors on bicycles. Mayor Tim Burget said he would discuss the issue with Police Chief John Gray.

*Dixie Baetsle, 118 7th Ave. Ct. NE, Altoona, expressed concerns regarding a neighbor's property. Mayor Burget requested Building Official Jeff Harden update the council in regards to changing the nuisance ordinance. Building Official Harden stated that he and Community Development Director John Shaw were currently comparing the changes to other ordinances currently on the books to make sure the changes were not in conflict.

Council Member Stacey Warren arrived at 6:40

*Lori Boehme, 121 7th Ave. Ct. NE, Altoona, also stated concerns in regards to the neighbor's property.

*Denise Baetsle, 108 7th Ave. Ct. SE, Altoona, expressed similar concerns in regards to the neighbor's property.

*Becky Seidenkranz, 112 7th Ave. Ct. NE, Altoona, also stated concerns in regards to the neighbor's property.

5. Public Hearing to consider a request from Jantor, Inc. (8th Street Child Care Center) 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)

Mayor Burget stated this was a public hearing for the property located at 907 8th Street SW. City Administrator Jeff Mark explained the property is owned by Jantor, Inc. and is operated as 8th Street Childcare. The request to rezone is brought forward by the owner out of their desire for a new sign. They are requesting that the zoning be changed from its current R-2 (One and Two-family Residential) to C-2 (General Commercial). The property is currently a non-conforming use and will remain a non-conforming use under the zoning change. The designated zoning for daycare centers is R-3 (Multi-family Residential).

Open Hearing at 6:57 pm

Public Comment: no one came forward to speak

Close Hearing at 6:58 pm

6. Ordinance amendment 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)

ORDINANCE NO. 10-20-2008 #1 (290) AMENDMENT 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: (1st reading)

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

Roll Call Vote: (Waive 2nd & 3rd reading)

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

Roll Call Vote: (to publish)

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

7. Resolution to approve amendment to Solid Waste Collection Agreement

Resolution #10-20-2008 #01 RESOLUTION TO APPROVE AMENDMENT TO SOLID WASTE COLLECTION AGREEMENT

Mayor Burget stated the amendment was to address the fuel surcharge. City Administrator Mark explained that this resolution used the same format and standard language that was used in the MWA's resolution in regards to the recycling fuel surcharge. The amendment calls for a 19-cent increase per customer per month or a charge of \$8.22 per month. There is also a provision under section (4) Compensation, that states in the event the cost of diesel fuel declines to less than \$3.00 per gallon for 60 days, the City shall pay the Contractor the sum of \$8.03 per month. Thereby removing the fuel surcharge. This agreement expires on June 30, 2009. Future fuel surcharge provisions will have to be considered on a year-to-year basis. Back in June of this year Artistic brought forward the new rate increase proposal with an adjustment for fuel cost as part of the three-year extension. At that time the council chose to wait until MWA had made a decision regarding the fuel surcharge and to follow suite with MWA's results before agreeing to pay the fuel surcharge. Council Member Riding asked who would be keeping track of the 60 days and what if the on Day 63 the price of diesel rises to \$3.01? City Administrator Mark stated that City Clerk Randy Pierce and himself would be monitoring the cost of diesel. Bobby Colosimo, President of Artistic Waste, located at 1817 W. Euclid Ave., Des Moines, explained that Artistic was looking at the longer trends. They would wait until diesel prices were above \$3.00 for 60 days. Council Member Conkling motioned approval subject to adding the language in regards to diesel prices having to over \$3.00 for 60-days before the fuel surcharge would be charged to the citizens. Council Member Michelle Sloan seconded the motion.

Roll Call Vote:

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

8. Ralph and Alice McKay to address council in regards to fence ordinance

Mayor Tim Burget stated Ralph McKay has requested to appear before the City Council to discuss his fence issue. Mr. McKay presented information in regards to placing a fence on his property.

Mayor Burget stated that council would review the information and have something ready to decide on by the November 3, 2008, council meeting.

9. Consent Agenda

- a) **Allow Bills**
- b) **Capital Project**
 - B1) Change Order #2 – Grading & Paving of Adventureland Dr. NE & 11th Ave. NE – Eco Tech Construction, LLC. - \$8,500**
 - B2) Pay App #4 – Grading & Paving of Adventureland Dr. NE & 11th Ave. NE – Eco Tech Construction, LLC. - \$31,451.86**
 - B3) Pay App #2 – 34th Ave. SW Conduit Installation Project – Communications Technologies, Inc. - \$94,487.95**
 - B4) Pay App #7 – North I-80 Utility Extension – Division 1 – H&W Contracting, LLC. - \$11,288.79**
 - B5) Pay App #3 – Center Place SW – Elder Corporation - \$137,987.95**
- c) **Resolution approving writing off of rescue fees for bad debt accounts – Medicare-Medicaid-CMS collection fees from 07-01-08 thru’ 09-30-2008**
Resolution #10-20-2008 #02 RESOLUTION APPROVING WRITING OFF OF RESCUE FEES FOR BAD DEBT ACCOUNTS – MEDICARE-MEDICAID-CMS COLLECTION FEES FROM 07-01-08 THRU’ 09-30-2008
- d) **Resolution to approve an application to the Trees Please! Grant Program and to contribute matching funds**
Resolution #10-20-2008 #03 RESOLUTION TO APPROVE AN APPLICATION TO THE TREES PLEASE! GRANT PROGRAM AND TO CONTRIBUTE MATCHING FUNDS
- e) **Consider additional professional services with Snyder & Associates, Inc. for Grading & Paving of Adventureland Dr. NE & 11th Ave. NE - \$4,161.50**
- f) **Consider professional services agreement with Snyder & Associates, Inc. for 8th St. & Adventureland Dr. Planting Plan - \$3,300**
- g) **Consider professional services agreement with Snyder & Associates, Inc. for Prairie Heritage Civic Center – Phase 1 Improvements - \$176,900**
- h) **Set a Public Hearing for Monday, November 3, 2008 at 6:30pm to consider adoption to Ordinance Chapter 149 - Post Construction Storm Water Management**
- i) **Set a Public Hearing for Monday, November 3, 2008 at 6:30pm to consider amendment to Ordinance Chapter 155.22 (Accessory Structures)**
- j) **Set a Public Hearing for Monday, November 3, 2008 at 6:30pm to consider approval of the plans, specifications, form of contract and estimated costs for the NW Commercial Ave. – Phase I, Division I Improvement Project**

Roll Call Vote:

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

10. General Business Items/Reports and Updates

*Council Member Conkling stated that DART progressing.

*Council Member Warren stated she would be chairing the BRAVO subcommittee on a new fund raising effort. She also stated that MWA approved the recommendation for the vendor on the single stream recycling that the review committee had chosen. MWA is scheduled to begin single stream recycling on July 1, 2009.

*Council Member Gerald Nolin state he had received a Certificate of Completion for the Municipal Leadership Academy.

*Mayor Burget stated that Merchants Warehouse/White Van Lines had a open house last Friday. He also stated that he had toured the new Polk County Jail.

11. Adjourn

Roll Call Vote: at 7:45 p.m.

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

Attest to:

Amy S. Hill, Secretary

Timothy J. Burget, Mayor