

**CITY OF ALTOONA COUNCIL MEETING
MONDAY, NOVEMBER 17, 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- present Nolin- present
Riding- present Sloan- present Warren- present

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

Audience Present: Brent Culp, Sarah Burnett, Helen Blaney, Dennis Keller, Robert Franks, Brant Anderson, Steve Mosley, Jeff Nolin, Andrew McGrean, Lynsey Tully, Cassie Lahmann, Noah Lahmann, Bob Johnston

2. Perfecting and approval of the agenda

Roll Call Vote:

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

3. Approval of November 3 and 10, 2008 Council Minutes

Roll Call Vote:

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

4. Citizens request to address council

Helen Blaney, 106 2nd Street SE, spoke in regards to “Christmas in Olde Town”. She asked for assistance from the Altoona Police Department for traffic control during the Santa parade. Mrs. Blaney also stated that “Christmas in Olde Town” may need financial assistance with advertising for the event. Mayor Tim Burget stated that if financial assistance was needed to please bring the request back up to the City Council.

5. Public Hearing to consider an ordinance amendment to Chapter 171.01.2.K to add 50% brick or stone requirement for other permitted uses in residential zoning districts

Mayor Burget explained staff recently noticed that the Architectural Design Standards do not clearly state a minimum material percentage for non-residential buildings in residential zones. Non-residential structures should be required to incorporate 50% brick, stone, or “architecturally designed” concrete tilt-up panels, similarly to multiple family structures in R-3 and R-5 districts.

Open Hearing at 6:33 pm

Public Comment: no one came forward to speak

Close Hearing at 6:34 pm

6. Consider ordinance amendment to Chapter 171.01.2.K to add 50% brick or stone requirement for other permitted uses in residential zoning districts

ORDINANCE NO. 11-17-2008 #1 (293) AMENDMENT TO ORDINANCE CHAPTER 171.01.2.K TO ADD 50% BRICK OR STONE REQUIREMENT FOR OTHER PERMITTED USES IN RESIDENTIAL ZONING DISTRICTS (1ST READING)

Roll Call Vote: (1st Reading)

 1 Conkling Y Sloan Y Riding 2 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. **Public Hearing to consider a comprehensive plan land use map amendment for 1.517 acres to change the use from commercial to medium-density residential (125 24th Street SE – NE corner of 1st Ave. S & 24th St. SE)**

Mayor Burget stated the developer of this property has asked that this public hearing be continued, as he is out of town on tonight. Council Member Stacey Warren motioned to continue the hearing until Monday, December 1, 2008, at 6:30pm. Council Member Skip Conkling seconded the motion. Roll Call Vote:

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

8. **Public Hearing to consider a rezoning request for 1.517 acres to rezone from C-2 (General Commercial) to Conditional R-3 (Multi-family Residential) (125 24th Street SE – NE corner of 1st Ave. S & 24th St. SE)**

Mayor Burget stated the developer of this property has asked that this public hearing be continued, as he is out of town on tonight. Council Member Gerald Nolin motioned to continue the hearing until Monday, December 1, 2008, at 6:30pm. Council Member Warren seconded the motion.

Roll Call Vote:

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

9. **Public Hearing to consider resolution on loan agreement and guarantee in the principal amount of \$99,406.49**

Mayor Burget stated this public hearing is to consider a resolution on loan agreement and guarantee in the principal amount of \$99,406.49.

Open Hearing at 6:37 pm

Public Comment: Cassie Lahmann, resident at 412 25th Avenue SW and president of Class Act Production, presented the council with an update of participants, shows and attendance.

Close Hearing at 6:39 pm

10. **Marvin Berger, Martens & Company, CPA, LLP, to present FY 2007-2008 City of Altoona Annual Audit Report.**

Mayor Burget introduced Marvin Berger. Mr. Berger of Martens & Company, 4949 Pleasant St., West Des Moines, presented the council with the FY 2007-2008 City of Altoona Annual Audit Report. Mayor Burget stated citizens can view the audit at City Hall or copies will be available at the library.

11. **Consider Resolution to approve a site plan amendment for Bass Pro Shops
Resolution #11-17-2008 #01 RESOLUTION TO APPROVE A SITE PLAN AMENDMENT
FOR BASS PRO SHOPS**

Mayor Burget explained Bass Pro Shops is proposing three amendments to their Site Plan. City Administrator Jeff Mark stated the first change is to their rear elevation. They are proposing to extend the clear story ceiling element in the retail portion of the building throughout the remainder of the building and “bump” it out an additional 10 feet on the south wall to enhance the south elevation. This is a 10-foot extension in the 25-foot setback. The extension will help break up an already long wall. City Administrator Mark explained the second change was for a variance to the Architectural Design Standards. The original site plan called for concrete tip up panels. Due to winter construction, Bass Pro Shops is requesting an EFIS exterior wall. Mr. Mark stated the final change was shifting the bowling alley/restaurant area to the north side of the building.

Council Member Conkling motioned to approve subject to the lease being amended with the Corp. to read that Bass Pro Shops will be responsible for the exterior maintenance for the duration of the lease agreement. Council Member Warren seconded the motion.

Roll Call Vote:

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

12. **Consider request from Alan Lander for temporary waiver of sidewalk and driveway approach requirements**

Mayor Burget explained the owners of the property located at 914 1st Street East, are requesting temporary waivers of the sidewalk requirement and the driveway approach requirement. Bob Johnston, 109 8th Avenue SE, spoke as a representative for Mr. Lander would could not be in attendance tonight. Council Member Conkling move to table the decision until Monday, December 1, 2008, at 6:30pm. Council Member Michelle Sloan seconded the motion.

Roll Call Vote:

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

13. **Consent Agenda**

a) **Allow bills**

b) **Capital Project**

B1) **Pay App #5 – 1st Avenue North Landscape – Concrete Technologies, Inc. - \$7,025.25**

B2) **Pay App #8 – North I-80 Utility Extension – Division 1 – H&W Contracting, LLC. - \$8,968.95**

B3) **Change Order #3 – North I-80 Utility Extension – Division 1 – H&W Contracting, LLC. – (-\$23,278.02)**

c) **Consider Resolution approving the transfer of funds for bond and interest payments
Resolution #11-17-2008 #02 RESOLUTION TO APPROVE THE TRANSFER OF FUNDS FOR BOND AND INTEREST PAYMENTS**

d) **Consider Resolution approving a transfer from the General Fund & Road Use Tax Fund to the Equipment Replacement Fund
Resolution #11-17-2008 #03 RESOLUTION TO APPROVE A TRANSFER FROM THE GENERAL FUND & ROAD USE TAX FUND TO THE EQUIPMENT REPLACEMENT FUND**

e) **Consider Resolution obligating funds from the Urban Renewal Tax Revenue Fund for appropriation to the payment of annual appropriation tax increment financed obligations which shall come due in the next succeeding fiscal year (Iowa Cold Storage)
Resolution #11-17-2008 #04 RESOLUTION TO APPROVE OBLIGATING FUNDS FROM THE URBAN RENEWAL TAX REVENUE FUND FOR APPROPRIATION TO THE PAYMENT OF ANNUAL APPROPRIATION TAX INCREMENT FINANCED OBLIGATIONS WHICH SHALL COME DUE IN THE NEXT SUCCEEDING FISCAL YEAR (IOWA COLD STORAGE)**

f) **Consider Resolution obligating funds from the Urban Renewal Tax Revenue Fund for appropriation to the payment of annual appropriation tax increment financed obligations which shall come due in the next succeeding fiscal year (F&S Rosenberger, LLC.)**

Resolution #11-17-2008 #05 RESOLUTION TO APPROVE OBLIGATING FUNDS FROM THE URBAN RENEWAL TAX REVENUE FUND FOR APPROPRIATION TO THE PAYMENT OF ANNUAL APPROPRIATION TAX INCREMENT FINANCED OBLIGATIONS WHICH SHALL COME DUE IN THE NEXT SUCCEEDING FISCAL YEAR (F&S ROSENBERGER, LLC.)

g) **Consider Resolution obligating funds from the Urban Renewal Tax Revenue Fund for appropriation to the payment of annual appropriation tax increment financed obligations which shall come due in the next succeeding fiscal year (LB Properties VI)**

Resolution #11-17-2008 #06 RESOLUTION TO APPROVE OBLIGATING FUNDS FROM THE URBAN RENEWAL TAX REVENUE FUND FOR APPROPRIATION TO THE PAYMENT OF ANNUAL APPROPRIATION TAX INCREMENT FINANCED OBLIGATIONS WHICH SHALL COME DUE IN THE NEXT SUCCEEDING FISCAL YEAR (LB PROPERTIES VI)

- h) Consider Resolution obligating funds from the Urban Renewal Tax Revenue Fund for appropriation to the payment of annual appropriation tax increment financed obligations which shall come due in the next succeeding fiscal year (Tax Increment Revenue Bonds, Series 2008)

Resolution #11-17-2008 #07 RESOLUTION TO APPROVE OBLIGATING FUNDS FROM THE URBAN RENEWAL TAX REVENUE FUND FOR APPROPRIATION TO THE PAYMENT OF ANNUAL APPROPRIATION TAX INCREMENT FINANCED OBLIGATIONS WHICH SHALL COME DUE IN THE NEXT SUCCEEDING FISCAL YEAR (TAX INCREMENT REVENUE BONDS, SERIES 2008)

Roll Call Vote:

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

20. Beer and Liquor Permits

- a) Kin Folks Texas Style BBQ – Class C (Beer & Wine only)

Police Sergeant Jary Bowie stated that there were no violations at this establishment.

Roll Call Vote:

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

21. General Business Items/Reports and Updates

*Council Member Warren stated a memo giving the timeline for MWA implementation of the new single stream recycling containers had been sent to all the council members and mayor.

*Council Member Conkling gave an update on DART and MPO.

*Mayor Burget attended the National League of Cities conference in Florida.

*City Administrator Mark stated that Sheri Morrissey would be unable to take part on the Dog Review Committee.

22. Adjourn

Roll Call Vote: at 7:19 p.m.

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

Attest to:

Amy S. Hill, Secretary

Timothy J. Burget, Mayor