

**CITY OF ALTOONA COUNCIL MEETING
MONDAY, DECEMBER 15, 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- present

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, Dennis Keller, Bruce Mason, Joan Nolin, Ryan Nolin, Tyler Grant, Jim Hurley, Brant Anderson, Jen Anderson, Jeff Nolin, Blaise Nolin, Jim Ralston, Lyndsey Tully

2. Perfecting and approval of the agenda

Mayor Tim Burget stated that item #15 would be removed from the agenda.

Roll Call Vote:

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

3. Approval of December 1, 2008 Council Minutes

Roll Call Vote:

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

4. Citizens request to address council

No one came forward to speak.

5. Public hearing to consider approval for water rate increase

Mayor Burget stated this public hearing is to consider increasing the water rate per 1000 gallons from \$4.78 to \$5.18 effective January 1, 2009.

Open Hearing at 6:32 pm

Comments: no one came forward to speak

Close Hearing at 6:33 pm

6. Ordinance amending the Code of Ordinances of the City of Altoona, Iowa, 2004, by amending Chapter 92, Section 02

ORDINANCE NO. 12-15-2008 #1 (294) AMENDMENT TO THE CODE OF ORDINANCES OF THE CITY OF ALTOONA, IOWA, 2004, BY AMENDING CHAPTER 92, SECTION 02

Roll Call Vote: (1st reading)

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

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

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

Roll Call Vote: (to publish)

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

7. Public hearing to consider approval for sewer rate increase

Mayor Burget stated this public hearing is to consider increasing the sewer rate per 1000 gallons from \$ 4.73 to \$ 5.13 effective January 1, 2009.

Open Hearing at 6:34 pm

Comments: no one came forward to speak

Close Hearing at 6:35 pm

8. **Ordinance amending the Code of Ordinance of the City of Altoona, Iowa, 2004, by amending Chapter 98, Section 10**
ORDINANCE NO. 12-15-2008 #2 (295) AMENDMENT TO THE CODE OF ORDINANCE OF THE CITY OF ALTOONA, IOWA, 2004, BY AMENDING CHAPTER 98, SECTION 10
Roll Call Vote: (1st reading)
A Conkling 2 Sloan N Riding 1 Warren Y Nolin (3-1)
Roll Call Vote: (Waive 2nd & 3rd reading)
A Conkling Y Sloan 2 Riding 1 Warren Y Nolin (4-0)
Roll Call Vote: (to publish)
A Conkling 2 Sloan Y Riding 1 Warren Y Nolin (4-0)

9. **Public hearing to consider a rezoning request to rezone Casey's at 407 8th Street SW from C-1 (Transitional Commercial) to C-2 (General Commercial)**
Mayor Burget explained the Casey's on the northeast corner of 8th Street SW and 5th Avenue SW is proposing to rezone from C-1 to C-2. The correct zoning for a convenience store is C-2 and this will get the property into compliance with zoning regulations. The prompting for the rezoning is due to signage.
Open Hearing at 6:37 pm
Comments: no one came forward to speak
Close Hearing at 6:38 pm

10. **Ordinance to rezone Casey's at 407 8th Street SW from C-1 (Transitional Commercial) to C-2 (General Commercial)**
ORDINANCE NO. 12-15-2008 #3 (296) AMENDMENT TO REZONE CASEY'S AT 407 8TH STREET SW FROM C-1 (TRANSITIONAL COMMERCIAL) TO C-2 (GENERAL COMMERCIAL)
Roll Call Vote: (1st reading)
A Conkling Y Sloan Y Riding 1 Warren 2 Nolin (4-0)
Roll Call Vote: (Waive 2nd & 3rd reading)
A Conkling Y Sloan 1 Riding 2 Warren Y Nolin (4-0)
Roll Call Vote: (to publish)
A Conkling 2 Sloan Y Riding 1 Warren Y Nolin (4-0)

Ed Skinner of Skinner Law Office located at 160 Adventureland Drive NW, Altoona, was representing the interests of Casey General Store. His client believed that once they rezoned they would be able to put up the sign they had proposed. City Administrator Jeff Mark explained that they still do not meet the total signage requirements. Mr. Skinner commented that they would continue to work with staff.

11. **Public hearing to consider a request from Daso Coatings for their property at 295 9th Street NE to amend the comprehensive plan land use map from commercial to business park**
Mayor Burget stated the owner of this property, Jim Ralston, would like to legally operate a U-Haul business on the property. The property is currently zoned C-2 and truck rental is only allowed in the M-1 zoning district.
Open Hearing at 6:43 pm
Comments: Jim Ralston, owner of Daso Coatings located at 295 9th Street NE, stated he was requesting the rezoning. Council Member Gerald Nolin stated he was concerned with the parking situation being tight due to the large trucks. He also stated his concern in regards to the dance studio next door. Mr. Ralston explained he had a letter from the owner of the dance studio stating she was not concern about the trucks because Mr. Ralston's business closed prior to her classes starting in the evenings. Mr. Ralston stated he would continue to work with staff to figure out a

parking lot plan to be installed in the spring. Mr. Ralston also stated he would work with his truck vendor to limit the amount of trucks and sizes until he was able to put in the additional parking.

Close Hearing at 6:55 pm

12. Resolution to amend the comprehensive plan land use map from commercial to business park for property at 295 9th Street NE

Council Member Nolin made a motion to continue the resolution until January 5, 2009 at 6:30pm. Council Member Stacey Warren seconded the motion.

Roll Call Vote:

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

13. Public hearing to consider a rezoning request from Daso Coatings to rezone their property at 295 9th Street NE from C-2 (General Commercial) to M-1 (Limited Industrial)

Open Hearing at 6:56 pm

Motion to continue the public hearing until January 5, 2009 at 6:30pm made by Council Member Warren. The motion was seconded by Council Member Nolin.

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

14. Ordinance to rezone Daso Coatings property at 295 9th Street NE from C-2 (General Commercial) to M-1 (Limited Industrial)

Council Member Michelle Sloan motioned to continue until January 5, 2009 at 6:30pm. Council Member Nolin seconded the motion.

Roll Call Vote:

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

**** Council Member Skip Conkling arrived at 6:56pm****

15. Item removed from the agenda

16. Consider Resolution appointing the review committee for Chapter 57 of the Code of Ordinances

Resolution #12-15-2008 #01 RESOLUTION TO APPROVE APPOINTING THE REVIEW COMMITTEE FOR CHAPTER 57 OF THE CODE OF ORDINANCES

Mayor Burget explained Darcy Emehiser has agreed to serve on the Dog Review Committee as the representative fulfilling the dog professional requirement of the ordinance. Ms. Emehiser is the owner/operator of Rovers Ranch, LLC. a dog training and boarding operation located at 200 SE 108th Street, Runnells, Iowa.

Roll Call Vote:

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

17. Consider Resolution appointing the City of Altoona's representation to the MPO

Resolution #12-15-2008 #02 RESOLUTION TO APPROVE APPOINTING THE CITY OF ALTOONA'S REPRESENTATION TO THE MPO

Mayor Burget stated the only change from the current MPO representation is the appointment of Gerald Nolin to replace Geri Huser as the alternate representative.

Roll Call Vote:

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

Mayor Burget also stated that Stacey Warren would be reappointed as our representative to Metro Waste Authority and she will also be chairing the board.

18. Consent Agenda

- a) **Allow Bills**
- b) **Capital Project**
 - B1) **Pay App #3 – 24th St. SW & 3rd Ave. SW – Ironwood, LLC - \$208,157.00**
 - B2) **Change Order #2 – 1st Avenue North Landscaping Improvements – Concrete Technologies, Inc. – (\$5,250.00)**
 - B3) **Final Pay App - 1st Avenue North Landscaping Improvements – Concrete Technologies, Inc. - \$9,270.81**
 - B4) **Change Order # 2 - Center Place SW – Elder Corporation - \$600.00**
 - B5) **Change Order # 3 - Center Place SW – Elder Corporation – (\$1,384.00)**
 - B6) **Pay App # 4 - Center Place SW – Elder Corporation - \$20,326.20**
 - B7) **Change Order #1 – NW Commercial Area – Phase 1 Division 1 Improvements – McAninch Corporation - \$2,365.00**
 - B8) **Pay App #2 – NW Commercial Area – Phase 1 Division 1 Improvements – McAninch Corporation - \$387,841.64**
- c) **Set Public Hearing for January 5, 2009 at 6:30 p.m. to consider an amendment to Chapter 69.08 No Parking Zones to clarify language for parking on 8th Avenue SE**
- d) **Set Public Hearing for January 5, 2009 at 6:30 p.m. to consider an amendment to Chapter 69.08 No Parking Zones to add no parking on Adventureland Drive NW and Adventureland Drive NE**

Roll Call Vote:

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

19. Beer & Liquor Permits

- a) **Prairie Meadows – Class E (Beer & Hard Liquor) – Subject to DRAM Shop approval**

Police Chief John 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)

- b) **Prairie Meadows – Class C (Commercial Carryout, Wine & Catering) – Subject to DRAM Shop Approval**

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)

- c) **Altoona Floral – Class B (Native Wine Only)**

Police Chief John 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)

20. General Business Items/Reports and Updates

*Council Member Conkling stated he will provide a DART update at Monday, December 22nd work session.

*Mayor Burget stated Jolly Holiday lights sent a thank you in regards to our contribution. The display looks very nice this year. The City of Altoona is the only one of two cities that contributes to Jolly Holiday Lights on a consistent basis, which besides raising funds for a good cause provides us with a nice advertising opportunity.

21. Recognition to graduates of the first Altoona Leadership Program

Mayor Burget introduced Tina Mowry-Hadden who organized the Altoona Leadership Program. The mayor extended his congratulations to the graduates of the first Altoona Leadership Program. The graduates were Brant Anderson, Robert Hall, Mattia Hansen, Chris Lynn, Andrew McGrean, Ann Moyna, Stephen Moyna, Jeff Nolin, Chris Pudenz, Jill Pudenz, Kate Sand, Mary Simon, Wendy Todd, Lyndsey Tully, and Stacey Ward.

22. Adjourn

Roll Call Vote: at 7:15 p.m.

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

Attest to:

Amy S. Hill, Secretary

Timothy J. Burget, Mayor