

**CITY OF ALTOONA COUNCIL MEETING
MONDAY, FEBRUARY 2, 2009, 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, John Gray, Jerry Whetstone, Amy Hill, Attorney Bob Laden

Audience Present: Dennis Keller, Brent Culp, Jim Ralston, Craig Brown, Terrie Dillenback, Brooke Niemuth, Beth Niemuth, Mary Hamilton Ross, Chris Pudenz, Jill Pudenz

2. Perfecting and approval of the agenda

Mayor Tim Burget suggested that items #5 and #6 be reversed on the agenda. Council Member Joe Riding made a motion to approve agenda with the change of reversing #5 and #6.

Roll Call Vote:

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

3. Approval of January 19 and 26, 2009, Council Minutes

Motion to approve minutes as presented.

Roll Call Vote:

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

4. Citizens request to address council

No one came forward to speak.

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

Mayor Burget explained that city staff and the applicant were directed by the Council to prepare (and owner approve) a conditional zoning agreement. A part of agreement was the limitation of number and types of UHaul trucks/trailers that could physically fit on the small lot.

Open Hearing at 6:32 pm

Public Comment: Community Development Director John Shaw explained that this draft is similar to other Conditional M-1 rezoning requests, which the council has approved in the past. The property owners had approved of M-1 restrictions as stated in this ordinance. Jim Ralston, owner of DASO Coatings located at 295 9th Street NE, explained the diagram of the parking lot and how he would like to have the trucks stored. Dennis Keller, 401 9th Street NE, Altoona, Iowa, is a neighbor of the DASO Coatings and disagreed with allowing the U-Haul business at this location. Mr. Keller is concerned over the safety of children attending the dance studio next door, which shares the same driveway. Council Member Gerald Nolin asked to have the trucks limited to one in front. Community Development Director Shaw explained that Mr. Ralston's south parking lot cannot accommodate the any size of trucks and parking the trucks in the south parking lot is against regulations. Council Member Riding asked if Mr. Ralston understood this. Mr. Ralston stated he understood.

Close Hearing at 6:47 pm

- 6. Resolution to amend the comprehensive plan land use map from commercial to business park for property at 295 9th Street NE (DASO Coatings)**
Resolution #2-2-2009 #01 RESOLUTION TO AMEND THE COMPREHENSIVE PLAN LAND USE MAP FROM COMMERCIAL TO BUSINESS PARK FOR PROPERTY AT 295 9TH STREET NE (DASO COATINGS)
Mayor Burget stated this public hearing is to consider the conditional rezoning request for the property located at 295 9th Street NE (DASO Coatings).
Roll Call Vote:
Y Conkling 2 Sloan 1 Riding N Warren Y Nolin (4-1)
- 7. Ordinance to rezone Daso Coatings property at 295 9th Street NE from C-2 (General Commercial) to Conditional M-1 (Limited Industrial) (1st reading)**
ORDINANCE NO. #01-05-2009 # 1 (299) AMENDMENT TO REZONE DASO COATINGS PROPERTY AT 295 9TH STREET NE FROM C-2 (GENERAL COMMERCIAL) TO CONDITIONAL M-1 (LIMITED INDUSTRIAL) (1ST READING)
Council Member Skip Conkling asked City Attorney Bob Laden if additional language needed to be added in regards to the parking in the south lot. City Attorney Laden stated that no additional language was needed because parking the trucks in the south lot would not be permitted.
Roll Call Vote: (1st reading)
2 Conkling Y Sloan 1 Riding N Warren N Nolin (3-2)
Motion was made by Council Member Conkling to waive 2nd & 3rd Readings. Council Member Riding seconded the motion.
1 Conkling Y Sloan 2 Riding N Warren N Nolin (3-2) – DID NOT PASS
The motion did not pass because the vote was not a super majority. The Ordinance will be back on the agenda on February 16, 2009
- 8. Resolution to approve a final plat for Benda Subdivision (County Plat)**
Resolution #2-2-2009 #02 RESOLUTION TO APPROVE A FINAL PLAT FOR BENDA SUBDIVISION (COUNTY PLAT)
Mayor Burget explained that this is a two-lot plat on the SW corner of 1st Avenue South and NE 27th Avenue. One home was recently built. The plat includes the joint access easement and all notes staff requested.
Roll Call Vote:
Y Conkling 2 Sloan 1 Riding Y Warren Y Nolin (5-0)
- 9. Resolution to approve a final plat for Meadow Vista Townhomes Plat 3**
Resolution #2-2-2009 #03 RESOLUTION TO APPROVE A FINAL PLAT FOR MEADOW VISTA TOWNHOMES PLAT 3
Mayor Burget stated this is a re-plat of the southern ¾ of Meadow Vista Townhomes Plat 2. Originally, the plat was for five and six-plex buildings. Last spring, Regency re-platted into duplex style lots but never followed through as the approval coincided with their business ceasing to operate. Now, Hubbell is developing the property also into duplex style units. Andy Schrek of Civil Design Advantage, 5501 NW 112th Street, Suite G, Grimes, Iowa, stated that nine services will be disconnected at the main, as they are no longer needed with the reduction in units.
Roll Call Vote:
1 Conkling Y Sloan Y Riding Y Warren 2 Nolin (5-0)
- 10. Resolution to approve a site plan for Meadow Vista Townhomes Plat 3**
Resolution #2-2-2009 #04 RESOLUTION TO APPROVE A SITE PLAN FOR MEADOW VISTA TOWNHOMES PLAT 3
Mayor Burget explained this resolution would approve the site plan for Meadow Vista Townhomes Plat 3.

Roll Call Vote:

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

**11. Resolution to approve a plat of survey for the Mackenzie property Parcels “D” and “E”
Resolution #2-2-2009 #05 RESOLUTION TO APPROVE A PLAT OF SURVEY FOR THE
MACKENZIE PROPERTY PARCELS “D” AND “E”**

Mayor Burget explained this resolution is to approve a plat of survey for potential purchase by the City of Altoona for wetland mitigation. The wetland mitigation is necessary as part of the Prairie Crossing project. The parcel located outside the current city limits, at the south end of Casebeer Drive.

Roll Call Vote:

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

12. Consider approval of Jill Pudenz to Parks Board

Mayor Burget is appointing Jill Pudenz to the Parks Board. She is a graduate of the Altoona Leadership Academy. The vacancy was created when Dean O’Connor decided not to serve a third term.

Roll Call Vote:

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

13. Consider request for funds for Special Olympics

Mayor Burget explained that Officer Melodee Tufts is a member of the Special Olympics Law Enforcement Torch Run Board. She has been assigned the task of gathering items for the “Altoona Experience” basket. Officer Tufts explained about the Special Olympics. City Administrator Jeff Mark explained in the past the city has donated an Aquatics Parks family season pass. Altoona Campus Executive Director Bruce Mason is offering to donate 10 guest passes. Officer Tufts explained that for \$2,500 the City would become a gold sponsor. Council Member Riding asked if there was an ability to pledge at the \$500 level? Officer Tufts stated that anything the council was willing to provide would be appreciated. Council Member Warren motioned approval for 1 family pass to the Altoona Aquatics Park and a pledge of \$500. Council Member Conkling seconded the motion.

Roll Call Vote:

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

14. Consent Agenda

a) **Allow Bills**

b) **Capital Project**

**B1) Pay App #5 – NW Commercial Area – Phase 1 Division 1 Improvements –
McAninch Corporation - \$120,806.67**

**B2) Pay App #15 – 1st Avenue South Reconstruction – Eco Tech Construction, LLC
- \$67,094.38**

Roll Call Vote:

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

15. Beer and Liquor Permits

a) **Anthony’s Lounge – Class C (Commercial)**

Police Chief John Gray stated that there was a violation on January 30, 2008, at this establishment for a violation of gambling regulations. Anthony’s Lounge paid \$1,000 fine and served a 7-day suspension of alcohol sales.

Roll Call Vote:

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

b) **Fareway – Class C (Beer)**

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

Roll Call Vote:

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

c) **Kum 'n Go – Class C (Beer)**

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)

16. General Business Items/Reports and Updates

Council Member Michelle Sloan stated MPO approved \$850 thousand for improvements to Adventureland Drive. City Administrator Mark stated it was a great group effort on the parts of Council Members Sloan and Conkling, Community Services Director Vern Willey, Snyder & Associates Engineer Brent Culp and Representative Tom Hockensmith.

17. Adjourn

Roll Call Vote at 7:15 pm:

Roll Call Vote:

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

Attest to:

Amy S. Hill, Secretary

Timothy J. Burget, Mayor