

**CITY OF ALTOONA COUNCIL MEETING
MONDAY, MARCH 16, 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- absent	Nolin- present
Riding- present	Sloan- absent	Warren- present

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

Audience Present: Brent Culp, Dennis Keller, Jim O'Brien, Elizabeth White, LeRoy Rotert, Joan Rotern, Tom VandeBerg, Joy VandeBerg, Cindy Meyerdirk, Jim Meyerdirk, Ted Griffieon, Nancy Hamm, Thom Hamm, Logan Beighler, Krista Kielsmeier, Floyd Allen, Leo Engelbrecht, Bruce Mason

2. Perfecting and approval of the agenda

No additions or corrections to agenda.

Roll Call Vote:

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

3. Approval of March 2 and 9, 2009, Council Minutes

Mayor Tim Burget requested a motion to approve minutes as presented.

Roll Call Vote:

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

4. Citizens request to address council

*LeRoy Rotert, 1050 Lake Shore Drive SE, Altoona, spoke about water drainage issue in his yard.

*Tom VandeBerg, 1102 Lake Shore Drive SE, Altoona, spoke about water drainage issue in his yard.

Mayor Burget requested Community Services Director Vern Willey to provide an update. Community Services Director Willey stated that the staff has started working on the issue and will have information for council to consider soon.

5. Public Hearing to consider North I-80 Sanitary Sewer Connection District Fee

Mayor Burget stated this is a public hearing to establish the North I-80 Sanitary Sewer Connection District Fee. City Administrator Jeff Mark explained from the effective date of June 30, 2009, a connection fee of \$2,600 per acre of property served by the sewer facilities shall be imposed. Thereafter, the per-acre connection fee shall be annually adjusted as of July 1, of each year according to the schedule provided in the ordinance. The purpose of the connection fee is to recover the cost of constructing the sanitary sewer facilities.

Open Hearing at 6:41 pm

Public Comment:

*Floyd Allen, 6131 NE 62nd Avenue, Altoona, Iowa, asked if citizens in the district would get a vote on whether they had to pay. City Administrator Mark explained that you only paid if you are hooking up to the sanitary sewer. Residents in the district currently are not required to hook on to the service. This is set up for future developers.

*Ted Griffieon, 5200 NE 62nd Avenue, Altoona, asked if there were plans to annex the residents of the district in. Mayor Burget stated no.

* Leo Engelbrecht, 6101 NE 62nd Avenue, Altoona, Iowa, stated he was fine with the district fee as long as there were no annexation plans.

Close Hearing at 6:47 pm

6. Ordinance to establish the North I-80 Sanitary Sewer Connection Fee District and to adopt the connection fee (1st Reading)

ORDINANCE NO. #3-16-2009# 1 (300) TO ESTABLISH THE NORTH I-80 SANITARY SEWER CONNECTION FEE DISTRICT AND TO ADOPT THE CONNECTION FEE (1ST READING)

Roll Call Vote: (1st reading)

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

7. Public Hearing to consider vacating 33 feet of roadway easement of Adventureland Drive NW (Altoona Economic Development Corp.)

Mayor Burget explained this is a public hearing to consider vacating 33 feet of roadway easement of Adventureland Drive NW. The easement is on ground owned by the Altoona Economic Development Corporation. The easement is being replaced by right-of-way that the City acquired from AEDC at the March 2, 2009 council meeting.

Open Hearing at 6:48 pm

Public Comment: No one came forward to speak.

Close Hearing at 6:49 pm

8. Resolution vacating 33 feet of roadway easement of Adventureland Drive NW (Altoona Economic Development Corp.)

Resolution #3-16-2009 #01 RESOLUTION TO VACATE 33 FEET OF ROADWAY EASEMENT OF ADVENTURELAND DRIVE NW (ALTOONA ECONOMIC DEVELOPMENT CORP.)

Roll Call Vote:

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

9. Public Hearing to consider vacating 33 feet of roadway easement of Adventureland Drive NW (Prairie Crossing Investment Inc.)

Mayor Burget stated this is a public hearing to consider vacating 33 feet of roadway easement of Adventureland Drive NW. The easement is on ground owned by Prairie Crossing Investment, Inc. The easement is being replaced by right-of-way that the City acquired from Prairie Crossing at the March 2, 2009 council meeting.

Open Hearing at 6:49 pm

Public Comment: No one came forward to speak.

Close Hearing at 6:50 pm

10. Resolution vacating 33 feet of roadway easement of Adventureland Drive NW (Prairie Crossing Investment Inc.)

Resolution #3-16-2009 #02 RESOLUTION TO VACATE 33 FEET OF ROADWAY EASEMENT OF ADVENTURELAND DRIVE NW (PRAIRIE CROSSING INVESTMENT INC.)

Roll Call Vote:

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

11. Public hearing to consider approval of plans, specifications, form of contract for Hubbell Avenue & 34th Avenue NW Traffic Signal Project

Mayor Burget explained this is a public hearing to consider approval of plans, specifications, and form of contract for the Hubbell Avenue & 34th Avenue NW traffic signal project. City

Administrator Mark stated bids were received on March 10, 2009. Baker Electric, Inc. submitted the low bid of \$249,500. The engineer's estimate for this project was \$407,928. This project is part of the scheduled improvements for the Shoppes at Prairie Crossing. Council Member Joe Riding asked why the bid was so much lower than estimated. Snyder & Associates Engineer Brent Culp, 2727 SW Snyder Blvd., Ankeny, Iowa, stated that they reviewed the figures and has spoken with the company making the trusses. The company states the price of steel has gone down and they are providing the trusses at the cost stated by Baker Electric.

Open Hearing at 6:50 pm

Public Comment: No one came forward to speak.

Close Hearing at 6:51 pm

12. Resolution to approve the plans, specifications, form of contract and estimated costs for the City of Altoona Hubbell Avenue and 34th Avenue NW Traffic Signal Project

RESOLUTION #3-16-2009 #03 RESOLUTION TO APPROVE THE PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATED COSTS FOR THE CITY OF ALTOONA HUBBELL AVENUE AND 34TH AVENUE NW TRAFFIC SIGNAL PROJECT

Mayor Burget stated the estimated cost for the project was \$407,928.

Roll Call Vote:

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

13. Resolution making award of the contract for the City of Altoona Hubbell Avenue and 34th Avenue NW Traffic Signal Project

RESOLUTION #3-16-2009 #04 RESOLUTION TO AWARD OF THE CONTRACT FOR THE CITY OF ALTOONA HUBBELL AVENUE AND 34TH AVENUE NW TRAFFIC SIGNAL PROJECT

Mayor Burget explained this resolution would award the contract to the low bidder, Baker Electric, Inc. in the amount of \$249,500.

Roll Call Vote:

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

14. Resolution to approve the contract and bond for the City of Altoona Hubbell Avenue and 34th Avenue NW Traffic Signal Project

RESOLUTION #3-16-2009 #05 RESOLUTION TO APPROVE THE CONTRACT AND BOND FOR THE CITY OF ALTOONA HUBBELL AVENUE AND 34TH AVENUE NW TRAFFIC SIGNAL PROJECT

Council Member Riding motioned approval subject to City Attorney Bob Laden's review and approval. Council Member Stacey Warren seconded the motion.

Roll Call Vote:

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

15. Consider Management Agreements for Altoona Aquatics Park with Greater Altoona Campus

Mayor Burget explained this agreement would allow Greater Altoona Campus to manage the Altoona Aquatics Park. Altoona Campus Director Bruce Mason, 1500 8th Street SW, Altoona, stated he approved of the agreement. Under the agreement, the pool will be open from the Saturday prior to Memorial Day through August 23, 2009, the Sunday prior to school starting.

Roll Call Vote:

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

16. Consider request from Greater Altoona Girl's Softball Association for lighting and scoreboard.

Mayor Burget stated per the league lease agreements, proposed improvements to the fields need to be approved by the City Council. The Greater Altoona Girl's Softball Association is proposing to add lighting to a second field and a scoreboard to their sixth field. They are not requesting financial assistance from the city.

Roll Call Vote:

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

17. Consent Agenda

a) **Allow Bills**

b) **Capital Projects**

B1) **Change Order #1 – Ironwood Park – Elder Corporation - \$2,725.00**

B2) **Pay App #2 – Ironwood Park – Elder Corporation - \$6,790.00**

B3) **Change Order #4 – Grading & Paving of Adventureland Dr. NE and 11th Ave. NE – Eco-Tech Construction, LLC. - (\$14,620.69)**

B4) **Pay App #6 – Grading & Paving of Adventureland Dr. NE and 11th Ave. NE – Eco-Tech Construction, LLC. - \$32,156.70**

B5) **Final Pay App – 34th Avenue SW Conduit Installation Project – Communications Technologies - \$10,108.10**

B6) **Pay App #8 – NW Commercial Area – Phase 1 Division 1 Improvements - McAninch Corporation - \$139.34**

c) **Resolution to approve tax abatement**

RESOLUTION #3-16-2009 #06 RESOLUTION TO APPROVE TAX ABATEMENT

d) **Consider agreement with PFM Asset Management LCC for Arbitrage Rebate Compliance Services**

e) **Consider 28E agreement with Polk County for the purpose of transferring authority for the prosecution of criminal charges categorized as motor vehicle violations and as simple misdemeanors under the Code of Iowa**

f) **Consider lease agreement with Altoona BAM BAM**

g) **Consider lease agreement with Greater Altoona Girl's Softball Association**

h) **Set Public Hearing for April 6, 2009 at 6:30 p.m. to consider an ordinance amendment to Chapter 63 to set the a 35 MPH speed zone for 24th Street SW from 1st Avenue South to the western limits of the street**

i) **Set a Public hearing for April 6, 2009 at 6:30 p.m. to consider purchase agreement with Donald A. MacKenzie**

Roll Call Vote:

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

18. General Business Items/Reports and Updates

*Mayor Burget stated he attended the Mayor Meeting and Iowa Vision presented.

19. Closed Session Per Iowa Code 21.5(j) – Purchase Real Estate

Mayor Burget requested Council members to make a motion to go into closed session to discuss purchase of real estate. Council Member Riding motioned for closed session. Council Member Warren seconded the motion.

Roll Call Vote:

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

20. Return to Regular Session-Motion to return to regular session

Roll Call Vote:

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

21. Consider making offer on real estate-Motion to make offer.

Roll Call Vote:

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

22. Adjourn

Roll Call Vote at 7:34 pm:

Roll Call Vote:

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

Attest to:

Amy S. Hill, Secretary

Timothy J. Burget, Mayor