

**CITY OF ALTOONA COUNCIL MEETING
MONDAY, APRIL 6, 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: Brent Culp, Faith Gachii, Mackenzie McClure, Lance Wignall, Becky Procyk, Joe Procyk, Alyssa Swolley, Paul Leoper, Sherry Gillette, Ron Gillette III, Andrew McGrean, Allison Bruol, Dawn Buol, Jessica Fees, Katie Courtney, Sarah Howell, Miranda Wieden, Keaton Rieks, Cassie Franzen, Hanna Bedford, Caitlynn Daizark, Pa Cha Vang, Dalton Weatherly, Matthew Crowl, Skylar Walton, Denise Morey, Hannah Morey, Brittany Zimmerman, Karen Zimmerman, Jill Pudenz, Caitlyn Cashatt, Allison Schrauth, Krista Kielsmeier, Ernie Landwehr, Brad Jackson

2. Perfecting and approval of the agenda

No additions or corrections to agenda.

Roll Call Vote:

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

3. Approval of March 16, 2009, Council Minutes

Mayor Tim Burget requested a 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

*The following residents: Ernie Landwehr, 2106 Country Cove Lane, Altoona; Lancy Wignall, 1915 2nd Ave. SE, Altoona; Brad Jackson, 2114 Country Cove Lane, Altoona; Matthew Crowl, 1824 2nd Ave. SE, Altoona; Kevin Christian, 2117 3rd Avenue SE, Altoona; Duane Betz, 2003 2nd Avenue SE, Altoona, spoke in regards to Country Cove homeowners association transitioning from Hubbell's control to residents. Mayor Burget stated city staff can act as mediators for Country Cove residents but City Attorney Bob Laden stated that the City of Altoona was under no contractual obligation to maintain the areas created by the developer when Country Cove was platted.

5. Proclamation for Historical Preservation Month

Mayor Burget proclaimed May 2009 Historical Preservation Month in the City of Altoona.

6. Proclamation for Architecture Month

Mayor Burget proclaimed April 2009 Architecture Month in the City of Altoona.

7. **Public Hearing 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**
Mayor Burget explained this ordinance would set the speed limit on our new stretch of 24th Street SW.
Open Hearing at 7:05 pm
Public Comment: No one came forward to speak.
Close Hearing at 7:06 pm
8. **Ordinance amendment to Chapter 63 to set the 35 MPH speed zone for 24th Street SW from 1st Avenue South to the western limits of the street (1st Reading)**
ORDINANCE NO. 4-6-2009 # 1 (301) AMENDMENT TO CHAPTER 63 TO SET THE 35 MPH SPEED ZONE FOR 24TH STREET SW FROM 1ST AVENUE SOUTH TO THE WESTERN LIMITS OF THE STREET (1ST READING)
Roll Call Vote: (1st Reading)
Y Conkling 2 Sloan Y Riding 1 Warren Y Nolin (5-0)
Roll Call Vote: (Waive 2nd & 3rd Reading)
1 Conkling 2 Sloan Y Riding Y Warren Y Nolin (5-0)
Roll Call Vote: (to publish)
Y Conkling Y Sloan Y Riding 2 Warren 1 Nolin (5-0)
9. **Public hearing to consider purchase agreement with Donald A. MacKenzie**
Mayor Burget requested City Administrator Mark explain the purchase. City Administrator Mark stated the reason for purchasing this property is the result of the development of the Shoppes at Prairie Crossing. The wetlands were on the development property and IDNR regulations require that the wetlands be preserved or mitigated. Given the taxable value of the developed land at the Shoppes at Prairie Crossing, staff determined that it would be more cost effective to mitigate the wetlands. The Mackenzie property is located south of the Casebeer area and is approximately 7.40-acres. The agreed purchase price is \$44,400.
Open Hearing at 7:07 pm
Public Comment: No one came forward to speak.
Close Hearing at 7:08 pm
10. **Resolution approving purchase agreement with Donald A. MacKenzie**
Resolution #4-6-2009 #01 RESOLUTION TO APPROVE PURCHASE AGREEMENT WITH DONALD A. MACKENZIE
Council Member Riding requested that the owners of Prairie Crossing be made aware in writing about the cost incurred by the City of Altoona. City Administrator Mark stated he would forward a copy of the resolution to them.
Roll Call Vote:
2 Conkling Y Sloan Y Riding 1 Warren Y Nolin (5-0)

11. **Ordinance to establish the North I-80 Sanitary Sewer Connection Fee District and to adopt the connection fee (2nd Reading)**
ORDINANCE NO. 3-16-2009# 1 (300) ESTABLISH THE NORTH I-80 SANITARY SEWER CONNECTION FEE DISTRICT AND TO ADOPT THE CONNECTION FEE (2ND READING)
Mayor Burget explained this is the second reading of an ordinance to establish the North I-80 Sanitary Sewer Connection District fee. 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.
Roll Call Vote: (2nd Reading)
Y Conkling Y Sloan 1 Riding Y Warren 2 Nolin (5-0)
Roll Call Vote: (Waive 3rd Reading)
1 Conkling 2 Sloan Y Riding Y Warren Y Nolin (5-0)
Roll Call Vote: (to publish)
Y Conkling Y Sloan Y Riding 2 Warren 1 Nolin (5-0)
12. **Resolution to approve a preliminary plat for Gulling Estates Plat 1 (County Plat)**
Resolution #4-6-2009 #02 RESOLUTION TO APPROVE A PRELIMINARY PLAT FOR GULLING ESTATES PLAT 1 (COUNTY PLAT)
Mayor Burget stated this is two-lot rural subdivision located SE of Altoona. It is adjacent to NE 27th Avenue, east of NE 80th Street. The plat uses two larger parcels to reach the 35-acre minimum for construction of a new home.
Roll Call Vote:
Y Conkling 2 Sloan 1 Riding Y Warren Y Nolin (5-0)
13. **Resolution to approve a site plan for Midwest Wholesale Nursery**
Resolution #4-6-2009 #03 RESOLUTION TO APPROVE A SITE PLAN FOR MIDWEST WHOLESALE NURSERY
Mayor Burget explained this property is north of I-80 on the east side of 34th Avenue/NE 56th Street. City Administrator Mark explained the owners, Doug and Jill Leonard rezoned the property a year ago and desire to move their business here. The owners are seeking two concessions from the City that are not typical. The first is the use of a gravel driveway. The gravel drive is approximately 500 feet long. The approach off of 34th Avenue will be constructed to SUDAS standards. The second is the use of a sanitary septic system. Sanitary sewer is not available close to this property. Council Member Conkling motioned approval with the following conditions: the owners must connect to the sewer when it becomes available in their area and asphalt millings must be used for the driveway. Council Member Nolin seconded the motion.
Roll Call Vote:
1 Conkling Y Sloan Y Riding Y Warren 2 Nolin (5-0)
14. **Resolution to approve a Memorandum of Understanding with Polk County**
Resolution #4-6-2009 #04 RESOLUTION TO APPROVE A MEMORANDUM OF UNDERSTANDING WITH POLK COUNTY.
Mayor Burget stated this is a Memorandum of Understanding between the County of Polk, and the City of Altoona, (as well as the other cities located in Polk County and listed in the agreement), for the allocation of the Recovery Act: 2009 Justice Assistance Grant (JAG) program award. The allocation for the City of Altoona is \$18,060. Chief John Gray is recommending using these funds to replace an existing department vehicle.
Roll Call Vote:
1 Conkling 2 Sloan Y Riding Y Warren Y Nolin (5-0)

15. Resolution to approve agreement for Shared use of Water Facilities with the City of Pleasant Hill and City of Des Moines Board of Water Works Trustees

Resolution #4-6-2009 #05 RESOLUTION TO APPROVE AGREEMENT FOR SHARED USE OF WATER FACILITIES WITH THE CITY OF PLEASANT HILL AND CITY OF DES MOINES BOARD OF WATER WORKS TRUSTEES

Mayor Burget explained this agreement covers the construction of the 2 million gallon water tower, booster station, and feeder mains that are being built and jointly shared by Des Moines Water Works, Pleasant Hill, and Altoona.

Roll Call Vote:

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

16. Consent Agenda

a) Allow Bills

- b) B1) Change Order #3 – NW Commercial Area – Phase 1 Division 1 Improvements – McAninch Corporation - \$880.00**
- B2) Pay App #9 – NW Commercial Area – Phase 1 Division 1 Improvements – McAninch Corporation - \$182,965.20**

c) Consider Professional Services Agreement with Snyder & Associates for Altoona Adventureland Drive NW Improvements – Phase 2 Project

**d) Resolution approving a transfer from the DEA fund to the General fund
Resolution #4-6-2009 #06 RESOLUTION TO APPROVE A TRANSFER FROM THE DEA FUND TO THE GENERAL FUND**

e) Consider lease agreement with Altoona Adult Softball League

f) Consider rate increase for Altoona Aquatics Park – Child Care Provider Pass

g) Set a Public Hearing on April 20, 2009, at 6:30PM for Plans, Specifications, and form of contract for Altoona Campus Parking Lot Expansion Project

Roll Call Vote:

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

17. Beer and Liquor Permits

a) Big Steer – Class C (Commercial Liquor)

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

Roll Call Vote:

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

b) Hy-Vee – Class E (Carry-out Liquor)

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

Roll Call Vote:

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

c) Altoona Adult Softball League – Class B (Beer and Wine Coolers)

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)

18. General Business Items/Reports and Updates

*Council Member Conkling stated DART has changed the Altoona route due to construction at Hy-Vee. He is working on the new eastern route extension to come all the way to Prairie Meadows and, eventually, Bass Pro Shops. He also shared information on his recent trip to Washington, D.C. Council Member Conkling explained that MPO was doing gross scenario planning to 2035.

*Council Member Michelle Sloan stated that AAU12 from Beaverdale will be using the fields at Sam Wise Youth Complex due to damage to Beaverdale's fields.

*Council Member Riding stated he was able to tour the Bass Pro site with city staff last week and "Wow".

*Council Member Warren stated that the MWA annual meeting will be held on April 15th.

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 Nolin motioned for closed session. Council Member Warren seconded the motion.

Roll Call Vote:

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

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

Roll Call Vote:

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

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

Roll Call Vote:

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

22. Adjourn

Roll Call Vote at 8:12 pm:

Roll Call Vote:

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

Attest to:

Amy S. Hill, Secretary

Timothy J. Burget, Mayor