

**CITY OF ALTOONA COUNCIL MEETING  
MONDAY, MAY 18, 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 Gray, Jerry Whetstone, Jeff Harden, Jody Evans, Attorney Bob Laden

**Audience Present:** Brent Culp, Dennis Keller, Aaron Caulfield, Jacob Holloway, Andy Waskel, Trevor Zuck, Terry Zuck, and Ryan Barr.

**2. Perfecting and approval of the agenda**

Roll Call Vote:

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

**3. Approval of May 4 and 11, 2009, Council Minutes**

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

Roll Call Vote:

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

**4. Citizens request to address council**

Trevor Zuck, 409 22<sup>nd</sup> Avenue SW, Altoona, explained he entered the Haines Park film into the Iowa Film Festival. Mr. Zuck won an award for the film – Excellence in Student Production.

**5. EMS Week Proclamation**

Mayor Burget proclaimed May 17 - 23, 2009, EMS Week.

**6. Public Hearing for City Budget Amendment and Certification (Fiscal Year '08 -'09)**

Mayor Burget explained this public hearing was to amend the current city budget. City Clerk Randy Pierce stated the budget needed to reflect the grant given to the Altoona Economic Development Corporation for the Bass Pro Project. Also, the city had an increase in costs for salt, sand and overtime during snow removal operations.

Open Hearing at 6:34 pm

Public Comment: No one came forward to speak.

Close Hearing at 6:35 pm

**7. Resolution to approve City Budget Amendment and Certification (Fiscal Year '08 – '09)**

**RESOLUTION #5-18-2009 #01 RESOLUTION TO APPROVE CITY BUDGET AMENDMENT AND CERTIFICATION (FISCAL YEAR '08 – '09)**

Roll Call Vote:

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

**8. Public Hearing for an ordinance amending the Code of Ordinances of the City of Altoona, Iowa, 2004 by adding a new chapter pertaining to inspections of residential rental properties**

Mayor Burget stated this public hearing is for a proposed amendment to the Code of Ordinances, adding Chapter 162 pertaining to the inspections of residential rental property. Building Official Jeff Harden explained the provisions of this ordinance will apply to all residential rental properties

and their related accessory structures. These provisions shall constitute minimum requirements and standards for premises, structures, equipment, and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety from fire and other hazards, and for safe and sanitary maintenance.

Open Hearing at 6:35 pm

Public Comment: No one came forward to speak.

Close Hearing at 6:36 pm

**9. Ordinance amending the Code of Ordinances of the City of Altoona, Iowa, 2004 by adding a new chapter pertaining to inspections of residential rental properties (1<sup>st</sup> Reading)**

**ORDINANCE NO. 5-18-2009 # 1 (303) AMENDMENT TO THE CODE OF ORDINANCES OF THE CITY OF ALTOONA, IOWA, 2004 BY ADDING A NEW CHAPTER PERTAINING TO INSPECTIONS OF RESIDENTIAL RENTAL PROPERTIES (1<sup>ST</sup> READING)**

Mayor Burget explained this is the first reading of this ordinance. Staff has held an informational meeting for the owners of rental properties and answered the questions of those in attendance.

Roll Call Vote: (1<sup>st</sup> Reading)

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

**10. Public Hearing for Plans, Specifications, and form of contract for Civic Plaza Project**

Mayor Burget stated this is a public hearing for the plans, specifications, and form of contract for the Civic Plaza Project. City Administrator Jeff Mark explained the project site improvements include demolition, earthwork, utilities, pond and outlet structure, plaza pavement, trails, boardwalk, electrical services, lighting, entry fountain, pergola, kiosks, waterfall, floating fountain, plantings, mobilization, traffic control, and associated work, with three Add Alternates including trail lighting system, sanitary sewer main lining, and boulder wall. The Civic Plaza will serve as a focal point of the community and a gathering space. The project will provide park space, as well as being available for community celebrations and events.

Open Hearing at 6:38 pm

Public Comment: No one came forward to speak.

Close Hearing at 6:39 pm

**11. Resolution to approve the plans, specifications, form of contract and estimated costs for the City of Altoona Civic Plaza Project**

**RESOLUTION #5-18-2009 #02 RESOLUTION TO APPROVE THE PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATED COSTS FOR THE CITY OF ALTOONA CIVIC PLAZA PROJECT**

Mayor Burget stated the engineer's opinion of probable costs was \$2,423,250 including the add alternates. The total project has a budget of \$2,500,000, which includes construction cost and engineering.

Roll Call Vote:

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

**12. Resolution making award of the contract for the City of Altoona Civic Plaza Project**

**RESOLUTION #5-18-2009 #03 RESOLUTION TO APPROVE MAKING AWARD OF THE CONTRACT FOR THE CITY OF ALTOONA CIVIC PLAZA PROJECT**

Mayor Burget explained bids were opened on May 12, 2009. City Administrator Mark stated there were two bids received, with the low bid submitted by Larson and Larson Construction, LLC of Des Moines, Iowa in the amount of \$2,264,437. The add alternates had a combined price of \$120,000 for a total potential cost of \$2,384,437.

Roll Call Vote:

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

13. **Resolution to approve the contract and bond for the City of Altoona Civic Plaza Project  
RESOLUTION #5-18-2009 #04 RESOLUTION TO APPROVE THE CONTRACT AND  
BOND FOR THE CITY OF ALTOONA CIVIC PLAZA PROJECT**  
Roll Call Vote:  
  Y Conkling   2 Sloan   Y Riding   Y Warren   1 Nolin (5-0)
14. **Public Hearing to consider approving contract with Reilly Construction for Rail Spur Project**  
Mayor Burget explained this is the extension of the existing rail spur. City Administrator Mark stated funding for this project was provided through a \$1,160,000 federal rail grant. The eligible costs from the grant include the construction of the rail spur and land acquisition. Per the federal guidelines, the bids were let by the Iowa Department of Transportation. Reilly Construction Co., of Ossian, Iowa submitted the lowest responsible bid in the amount of \$695,686.40.  
Open Hearing at 6:44 pm  
Public Comment: No one came forward to speak.  
Close Hearing at 6:44 pm
15. **Resolution making award of the contract between the City of Altoona and Reilly Construction for Project RPD-FE08 (614) – 49-77 (Railroad Spur)  
RESOLUTION #5-18-2009 #05 RESOLUTION TO APPROVE MAKING AWARD OF THE  
CONTRACT BETWEEN THE CITY OF ALTOONA AND REILLY CONSTRUCTION  
FOR PROJECT RPD-FE08 (614) – 49-77 (RAILROAD SPUR)**  
Roll Call Vote:  
  2 Conkling   Y Sloan   Y Riding   1 Warren   Y Nolin (5-0)
16. **Public Hearing for a loan agreement in a principal amount not to exceed \$4,000,000**  
Mayor Burget stated this bond issue would be for the payment to Des Moines Waterworks for our share of the Southeast Water Tower (\$2,500,000). The remainder will be used for several other water projects. We will sell these bonds on June 1, 2009.  
Open Hearing at 6:45 pm  
Public Comment: No one came forward to speak.  
Close Hearing at 6:45 pm
17. **Resolution taking additional action to enter into a Loan Agreement and authorize sale of bonds  
RESOLUTION #5-18-2009 #06 RESOLUTION TO APPROVE TAKING ADDITIONAL  
ACTION TO ENTER INTO A LOAN AGREEMENT AND AUTHORIZE SALE OF BONDS**  
Roll Call Vote:  
  1 Conkling   2 Sloan   Y Riding   Y Warren   Y Nolin (5-0)
18. **Public Hearing on taking action for the issuance of not to exceed \$7,400,000 General  
Obligation Urban Renewal Corporate Purpose and Refunding Bonds, Series 2009A**  
Mayor Burget stated this bond issue would be used to refund two older bond series (2000 and 2001) for a total of \$1,745,000. The remainder of this issue will be for the Civic Plaza project (\$2,500,000) and for the Soccer Complex project (\$2,500,000). We will sell these bonds on June 1, 2009.  
Open Hearing at 6:47 pm  
Public Comment: No one came forward to speak.  
Close Hearing at 6:47 pm

19. **Resolution determining to proceed with the sale and issuance of \$5,295,000 General Obligation Urban Renewal Corporate Purpose Bonds, Series 2009A and \$1,745,000 General Obligation Urban Renewal Refunding Bonds, Series 2009A**  
**RESOLUTION #5-18-2009 #07 RESOLUTION TO APPROVE DETERMINING TO PROCEED WITH THE SALE AND ISSUANCE OF \$5,295,000 GENERAL OBLIGATION URBAN RENEWAL CORPORATE PURPOSE BONDS, SERIES 2009A AND \$1,745,000 GENERAL OBLIGATION URBAN RENEWAL REFUNDING BONDS, SERIES 2009A**  
Roll Call Vote:  
Y Conkling 2 Sloan Y Riding Y Warren 1 Nolin (5-0)
20. **Resolution to approve a plat of survey for Lots 12 and 13, Ironwood Plat 4**  
**RESOLUTION #5-18-2009 #08 RESOLUTION TO APPROVE A PLAT OF SURVEY FOR LOTS 12 AND 13, IRONWOOD PLAT 4**  
Mayor Burget explained this plat of survey is on Stonegate Court SW in Ironwood Plat 4. The owner is proposing to split Lot 13 so that the west half will be tied to Lot 12, and the east half will be tied to and sold to the current owner of Lot 53, Ironwood Plat 3. Newly created Parcel B will be tied to Lot 53 to make sure it cannot be sold as a separate parcel. Parcel B is also unbuildable as an addition to the principal home on Lot 53 due to a 5' utility easement on the western five feet of Lot 53. The unused service lines for Lot 13 will have to be capped at the mains. Approval was made subject to Parcel B being tied to Lot 53 after the sale and common ownership is achieved, and with the capping of the service lines.  
Roll Call Vote:  
Y Conkling 2 Sloan Y Riding 1 Warren Y Nolin (5-0)
21. **Resolution to approve the Fiscal Year '09 – '10 salary amounts for full time staff of the City of Altoona**  
**RESOLUTION #5-18-2009 #09 RESOLUTION TO APPROVE THE FISCAL YEAR '09 – '10 SALARY AMOUNTS FOR FULL TIME STAFF OF THE CITY OF ALTOONA**  
Mayor Burget stated the resolution list of salaries and wages reflects the amounts for the FY 2009-10 budget. These are base salaries and wages only. The amounts do not reflect longevity. The pay matrixes for the Union contract, wage scale and salary scale were adjusted for the union approved 4% cost of living. Step increases will be given based on merit pending a successful evaluation.  
Roll Call Vote:  
N Conkling Y Sloan Y Riding 1 Warren 2 Nolin (4-1)
22. **Consent Agenda**  
a) **Allow Bills**  
b) **Capital Projects**  
    B1) **Pay App #3 – Ironwood Park – Elder Corporation - \$12,901.00**  
    B2) **Pay App #12 – NW Commercial Area – Phase 1 Division 1 Improvements – McAninch Corporation - \$201,062.68**  
c) **Resolution to approve transfer of funds**  
    **RESOLUTION #5-18-2009 #10 RESOLUTION TO APPROVE TRANSFER OF FUNDS**  
Roll Call Vote:  
Y Conkling 2 Sloan Y Riding 1 Warren Y Nolin (5-0)
23. **Beer and Liquor Permits**  
a) **Pizza Hut – Class B Beer (includes wine coolers)**  
    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)
- b) **Casey's – 3348 8<sup>th</sup> St. SW – 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)
- c) **Olde Town Tap – Outdoors service event day May 30, 2009**  
Police Chief John Gray stated that there were no violations at this establishment  
Roll Call Vote:  
  Y Conkling   Y Sloan   Y Riding   2 Warren   1 Nolin (5-0)

**24. General Business Items/Reports and Updates**

Council Member Riding asked if staff had contacted the U-Haul dealership in Altoona. John Shaw stated that a letter had been sent to them with a copy of the council meeting minutes along with dates and a time line of June 30, 2009, but staff has not heard back from them.

**25. Adjourn**

Roll Call Vote at 6:56 pm:

Roll Call Vote:

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

**Attest to:**

\_\_\_\_\_  
**Jody Evans, Secretary**

\_\_\_\_\_  
**Timothy J. Burget, Mayor**