

**CITY OF ALTOONA COUNCIL MEETING
MONDAY, OCTOBER 19, 2009, 6:30 P.M.
AT THE ALTOONA CITY HALL**

1. CALL TO ORDER

Roll Call at 6:31 p.m.

Mayor Burget-present	Conkling- present	Nolin- present
Riding- present	Sloan- present	Warren- absent

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

Audience Present: Brent Culp, Dennis Keller, Kirk Whalen, Kyle Mertz

2. Perfecting and approval of the agenda

Mayor Tim Burget requested a motion to approve the agenda.

Roll Call Vote:

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

3. Approval of October 5, 2009, Council Minutes

Mayor Burget requested a motion to approve minutes as presented.

Roll Call Vote:

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

**** Council Member Stacey Warren arrived 6:33pm**

4. Polk County Supervisor Tom Hockensmith to present an update

Supervisor Tom Hockensmith gave an update to council on the activities of Polk County.

5. Citizens request to address council

No one came forward to speak.

6. Ordinance to approve a new zoning district – C-7 Regional Commercial (3rd reading)

ORDINANCE NO. 9-21-2009 # 2 (309) APPROVE A NEW ZONING DISTRICT – C-7 REGIONAL COMMERCIAL

Mayor Burget explained this is the third reading of the new C-7 Regional Commercial ordinance. Community Development Director John Shaw stated the wording is still being adjusted and needed further time to finalize the ordinance with the developer. Council Member Warren moved to defer the 3rd Reading to November 2, 2009, Council Meeting. Council Member Skip Conkling seconded the motion.

Roll Call Vote:

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

7. Public Hearing to consider a rezoning request from Prairie Crossing Investment, Inc. to rezone approximately 173.4 acres from A-1 (Agricultural) to C-7 (Regional Commercial)

Mayor Burget stated this is a public hearing to consider the rezoning of 173.4 acres from A-1 (Agricultural) to C-7 (Regional Commercial). The property is owned by Prairie Crossing Investment, Incorporated.

Open Hearing at 6:37 pm

Council Member Warren moved to continue the public hearing until November 2, 2009, Council Meeting due to item #6 not being ready. Council Member Michelle Sloan seconded the motion.

Roll Call Vote:

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

8. **Ordinance amending the Code of Ordinances of the City of Altoona, Iowa, 2004 to rezone approximately 173.4 acres from A-1 (Agricultural) to C-7 (Regional Commercial) (1st Reading)**

ORDINANCE NO. 11-2-2009 # __ (____) AMENDING THE CODE OF ORDINANCES OF THE CITY OF ALTOONA, IOWA, 2004 TO REZONE APPROXIMATELY 173.4 ACRES FROM A-1 (AGRICULTURAL) TO C-7 (REGIONAL COMMERCIAL)

Mayor Burget requested a motion to defer this ordinance to November 2, 2009, council meeting due to item #6 not being ready. Council Member Conkling motioned the request. Council Member Gerald Nolin seconded the motion.

Roll Call Vote:

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

9. **Public Hearing to consider an ordinance amendment to the Architectural Design Standards (Chapter 171.01.2.K. (3)) to include the C-7 district in the list of commercial districts**

Mayor Burget explained this is a public hearing to add “C-7” to the list of all the other commercial districts that are applicable to the architectural design standards. Buildings within a C-7 zoning district will have to meet at a minimum the same building and architectural material standards as any other commercial building.

Open Hearing at 6:39 pm

Council Member Warren moved to continue the public hearing until November 2, 2009, Council Meeting due to item #6 not being ready. Council Member Conkling seconded the motion.

Roll Call Vote:

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

10. **Ordinance amending the Code of Ordinances of the City of Altoona, Iowa, 2004 by amending the Architectural Design Standards (Chapter 171.01.2.K. (3)) to include the C-7 district in the list of commercial districts (1st Reading)**

ORDINANCE NO. 11-2-2009 # __ (____) AMENDING THE CODE OF ORDINANCES OF THE CITY OF ALTOONA, IOWA, 2004 BY AMENDING THE ARCHITECTURAL DESIGN STANDARDS (CHAPTER 171.01.2.K. (3)) TO INCLUDE THE C-7 DISTRICT IN THE LIST OF COMMERCIAL DISTRICTS

Mayor Burget requested a motion to defer this ordinance to November 2, 2009, council meeting due to item #6 not being ready. Council Member Joe Riding motioned the request. Council Member Sloan seconded the motion.

Roll Call Vote:

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

11. **Public Hearing to consider an ordinance amendment to Chapter 156 – Mechanical Code**

Mayor Burget stated this is a proposed amendment to the Mechanical Code ordinance. The amendment will revise our licensing regulations so that we are in compliance with the adopted State Laws.

Open Hearing at 6:41 pm

Public Comment: No one came forward to speak.

Close Hearing at 6:41:30 pm

12. **Ordinance amending the Code of Ordinances of the City of Altoona, Iowa, 2004 by amending Chapter 156 – Mechanical Code (1st Reading)**

ORDINANCE NO. 10-19-2009 # 1 (310) APPROVE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ALTOONA, IOWA, 2004 BY AMENDING CHAPTER 156 – MECHANICAL CODE

Roll Call Vote: (1st Reading)

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

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

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

Roll Call Vote: (to Publish)

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

13. Public Hearing to consider an ordinance amendment to Chapter 157 – Plumbing Code

Mayor Burget explained this is a proposed amendment to the Plumbing Code ordinance. The amendment will revise our licensing regulations so that we are in compliance with the adopted State Laws.

Open Hearing at 6:42 pm

Public Comment: No one came forward to speak.

Close Hearing at 6:42:30 pm

14. Ordinance amending the Code of Ordinances of the City of Altoona, Iowa, 2004 by amending Chapter 157 – Plumbing Code (1st Reading)

ORDINANCE NO. 10-19-2009 # 2 (311) APPROVE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ALTOONA, IOWA, 2004 BY AMENDING CHAPTER 157 – PLUMBING CODE

Roll Call Vote: (1st Reading)

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

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

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

Roll Call Vote: (Move to Publish)

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

15. Public Hearing to consider an ordinance amendment to Chapter 158 – Electrical Code

Mayor Burget stated this is a proposed amendment to the Electrical Code ordinance. The amendment will revise our licensing regulations so that we are in compliance with the adopted State Laws.

Open Hearing at 6:45 pm

Public Comment: No one came forward to speak.

Close Hearing at 6:45:30 pm

16. Ordinance amending the Code of Ordinances of the City of Altoona, Iowa, 2004 by amending Chapter 158 – Electrical Code (1st Reading)

ORDINANCE NO. 10-19-2009 # 3 (312) APPROVE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ALTOONA, IOWA, 2004 BY AMENDING CHAPTER 158 – ELECTRICAL CODE

Roll Call Vote: (1st Reading)

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

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

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

Roll Call Vote: (Move to Publish)

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

17. Public Hearing to consider an ordinance amendment to Chapter 160 – Contractor Licensing

Mayor Burget explained this is a proposed amendment to the Contractor Licensing Code ordinance. The amendment will revise our licensing regulations so that we are in compliance with the adopted State Laws.

Open Hearing at 6:46 pm

Public Comment: No one came forward to speak.

Close Hearing at 6:46:30 pm

18. Ordinance amending the Code of Ordinances of the City of Altoona, Iowa, 2004 by amending Chapter 160 – Contractor Licensing (1st Reading)

ORDINANCE NO. 10-19-2009 # 4 (313) APPROVE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ALTOONA, IOWA, 2004 BY AMENDING CHAPTER 160 – CONTRACTOR LICENSING

Roll Call Vote: (1st Reading)

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

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

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

Roll Call Vote: (Move to Publish)

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

19. Public Hearing to consider an ordinance amendment to Chapter 167 – Zoning Code General Regulations

Mayor Burget stated this is a public hearing to consider an ordinance amendment regarding swimming pools and hot tubs. Building Official Jeff Harden explained this amendment better defines the enclosure as a barrier rather than a fence. This will allow other materials to be utilized to create the enclosure around the swimming pool. The amendment also allows that hot tubs will be exempt from the barrier requirement, provided the hot tub utilizes a cover that meets the ASTM F1346-91 standards. City Administrator Jeff Mark explained the step was missed in sending this ordinance to Planning & Zoning Board first.

Open Hearing at 6:50 pm

Council Member Warren moved to continue the public hearing until November 2, 2009, Council Meeting. Council Member Sloan seconded the motion.

Roll Call Vote:

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

20. Ordinance amending the Code of Ordinances of the City of Altoona, Iowa, 2004 by amending Chapter 167 – Zoning Code General Regulations (1st Reading)

Mayor Burget requested a motion to defer this ordinance to November 2, 2009, council meeting. Council Member Nolin motioned the request. Council Member Warren seconded the motion.

Roll Call Vote:

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

21. Public Hearing to consider approving the Plans, Specs, Form of Contract, and Estimated Costs for the 2009 Venbury Fire Station Project

Mayor Burget stated this is a public hearing to consider the approval of the plans, specs, form of contract, and estimated cost for the Fire Station project. The project is a 747 square foot sleeping quarter's expansion to accommodate the full time Firefighter/Paramedics 24-hours on/ 48-hours off schedule. The budgeted estimated cost of the project was \$255,000.

Open Hearing at 6:52 pm

Public Comment: No one came forward to speak.

Close Hearing at 6:52:30 pm

22. **Resolution to approve the plans, specifications, form of contract and estimated costs for the City of Altoona 2009 Venbury Fire Station Project**
Resolution #10-19-2009 #01 RESOLUTION TO APPROVE THE PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATED COSTS FOR THE CITY OF ALTOONA 2009 VENBURY FIRE STATION PROJECT
Roll Call Vote:
Y Conkling 2 Sloan 1 Riding Y Warren Y Nolin (5-0)
23. **Resolution to approve the contract and bond for the City of Altoona 2009 Venbury Fire Station Project**
Resolution #10-19-2009 #02 RESOLUTION TO APPROVE THE CONTRACT AND BOND FOR THE CITY OF ALTOONA 2009 VENBURY FIRE STATION PROJECT
Roll Call Vote:
Y Conkling 2 Sloan Y Riding Y Warren 1 Nolin (5-0)
24. **Resolution making award of the contract for the City of Altoona 2009 Venbury Fire Station Project**
Resolution #10-19-2009 #03 RESOLUTION TO AWARD OF THE CONTRACT FOR THE CITY OF ALTOONA 2009 VENBURY FIRE STATION PROJECT
Mayor Burget explained Ball Construction Services, LLC is providing the city with construction management services for this project and recommends Edge Commercial, LLC with the base bid of \$144,950. There were also two add alternates requested. Add alternate #1, is for lockers and storage cabinets at a cost of \$3,630. Add alternate #2, is for retrofitting the existing fire department with an automatic fire sprinkler system at a cost of \$32,700. Both add alternates for a total bid price of \$181,280. Council Member Nolin moved approval to include both add alternates. Council Member Conkling seconded the motion.
Roll Call Vote:
2 Conkling Y Sloan Y Riding Y Warren 1 Nolin (5-0)
25. **Consent Agenda**
- a) **Allow Bills**
 - b) **Capital Projects**
 - B1) **Pay App #10 – North I-10 Utility Extension – Division 1 – H&W Contracting, LLC - \$45,564.92**
 - B2) **Pay App #22 – NW Commercial Area – Phase 1 Division 1 Improvements – McAninch Corporation - \$22,277.50**
 - B3) **Change Order #1 – Adventureland Drive NW Phase 2 – Manatts, Inc. - \$4,297.22**
 - B4) **Pay App #1 - Adventureland Drive NW Phase 2 – Manatts, Inc. - \$109,907.29**
 - c) **Resolution approving the purchase of right-of-way and temporary easements for construction for the Altoona Soccer Park Project**
Resolution #10-19-2009 #04 RESOLUTION TO APPROVE THE PURCHASE OF RIGHT-OF-WAY AND TEMPORARY EASEMENTS FOR CONSTRUCTION FOR THE ALTOONA SOCCER PARK PROJECT
 - d) **Resolution to approve tax abatement**
Resolution #10-19-2009 #05 RESOLUTION TO APPROVE TAX ABATEMENT
 - e) **Consider professional services agreement with Snyder & Associates for Sam Wise Youth Complex Master Plan**
 - f) **Consider cooperative agreement with Iowa DOT**
Roll Call Vote:
Y Conkling Y Sloan 1 Riding Y Warren 2 Nolin (5-0)

26. General Business Items/Reports and Updates

*Council Member Nolin shared that Council Member Conkling, Community Services Director Willey and he attended a meeting with IDOT to discuss exit 142 off of I-80 (Hubbell & Hwy. 65).

*Council Member Warren reminded council members to please review the BRAVO information. Mayor Burget requested Council Member Warren to please pass on the Historical Society's appreciation for the \$1200 grant.

*Council Member Sloan shared the library director applicants have been narrowed to 4-6 who will be interviewed by the current Library Director Dan Bakke. City Administrator Jeff Mark and City Clerk Randy Pierce will take part in the final interview process. The hope is to have the new library director on staff in December prior to Mr. Bakke retiring.

*Council Member Conkling shared about the IDOT meeting also. He also discussed that Don Coates is willing to help write grants but needs help from the Altoona Chamber to get the information needed from area businesses.

27. CLOSED SESSION Per Iowa Code 21.5(c) – Fire Fighters Union Contract

Council Member Riding motioned for council to begin closed session. Council Member Sloan seconded the motion.

Roll Call Vote:

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

Return to Regular Session-Motion to return to regular session

Roll Call Vote:

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

28. Adjourn

Roll Call Vote at 7:39 pm:

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

Attest to:

Amy S. Hill, Secretary

Skip Conkling, Mayor Pro-tem