

CITY OF ALTOONA COUNCIL MEETING
MONDAY, MAY 17, 2010, 6:30 P.M.
AT THE ALTOONA CITY HALL

1. CALL TO ORDER

Roll Call at 6:30 p.m.

Mayor Burget- present Mertz- present Nolin- present
Riding- present Sloan- present Warren- present

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

Audience Present: Brent Culp, Dennis Keller, Bruce Thomsen, Dean Stump, Lois Stump, Mark Land

2. Mayoral Proclamations

- a) Emergency Medical Services Week – Mayor Tim Burget proclaimed May 16 – 22, 2010, Emergency Medical Services Week.
- b) Building Safety Month – Mayor Burget proclaimed May Building Safety Month.

3. Perfecting and approval of the agenda

Mayor Burget requested to approve the agenda as presented.

Roll Call Vote:

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

4. Approval of May 3 and 10, 2010, Council Minutes

Mayor Burget requested a motion to approve minutes as presented.

Roll Call Vote:

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

5. Citizens request to address council

No one came forward to speak

6. Public Hearing to consider vacating certain Public Utility Easements in Tuscany Plat 1

Mayor Burget explained Hubbell's desire to re-plat portions of Tuscany, some public utility easements need to be vacated and relocated. City Administrator Jeff Mark stated Hubbell has not yet been able to secure the sign-offs from the utility companies.

Open Hearing at 6:32 pm

Public Comment: No one came forward to speak.

Council Member Stacey Warren moved to continue the public hearing. Council Member Michelle Sloan seconded the motion.

Roll Call Vote:

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

7. Public Hearing to consider budget amendment to City of Altoona '09/10 Budget

Mayor Burget stated that City Clerk Randy Pierce had some adjustments to make to the '09/10 Budget. City Clerk Pierce explained the adjustments.

Open Hearing at 6:33 pm

Public Comment: No one came forward to speak.

Close Hearing at 6:34 pm

8. **Resolution amending the current budget for the fiscal year ending June 30, 2010**
Resolution #5-17-2010 #01 RESOLUTION AMENDING THE CURRENT BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2010
Roll Call Vote:
Y Mertz Y Sloan Y Riding 2 Warren 1 Nolin (5-0)
9. **Public Hearing to consider approving storm water utility**
Mayor Burget explained the purpose of the ordinance is to establish a stormwater utility to be responsible for stormwater management within the City of Altoona. This ordinance does not set or establish rates for the utility. A separate ordinance will be created (similar to how the water and sanitary sewer rates are set), to establish the stormwater utility rates. Mark Land of Snyder and Associates, 2727 Snyder Blvd., Ankeny, Iowa, presented the information obtained in conjunction with staff and a resource group made up of local residents, businesses and a council member to establish the content of the ordinance.
Open Hearing at 6:35 pm
Public Comment: No one came forward to speak.
Close Hearing at 6:40 pm
10. **Ordinance amending the Code of Ordinances of the City of Altoona, Iowa, 2004, by creating a stormwater utility ordinance (1st Reading)**
ORDINANCE NO. 5-17-2010 #1 (321) AMENDING THE CODE OF ORDINANCES OF THE CITY OF ALTOONA, IOWA, 2004, BY CREATING A STORMWATER UTILITY ORDINANCE
Roll Call Vote: (1st Reading)
Y Mertz 2 Sloan Y Riding 1 Warren Y Nolin (5-0)
11. **Ordinance amending the code of ordinances of the City of Altoona, Iowa, 2004, by amending provisions pertaining to public consumption of alcohol**
ORDINANCE NO. 5-3-2010 #1 (320) AMENDING THE CODE OF ORDINANCES OF THE CITY OF ALTOONA, IOWA, 2004, BY AMENDING PROVISIONS PERTAINING TO PUBLIC CONSUMPTION OF ALCOHOL
Mayor Burget explained this amendment will allow persons to consume beer or wine within a rental shelter or event area in a City park, provided they follow all applicable rules and regulations set forth by the Alcohol Responsibility Agreement. Dean Stump, 201 7th Street SE, Altoona, requested council to contact all homeowners within a reasonable distance of each of the park shelters regarding the possible ordinance change. Council Member Warren motioned to deny the ordinance change. Council Member Gerald Nolin seconded the motion to deny.
Roll Call Vote:
N Mertz N Sloan N Riding 1 Warren 2 Nolin (2-3)
Council Member Joe Riding requested that Mr. Stump's request be honored prior to the June 7, 2010 meeting.
12. **Resolution providing for prepayment of Sewer Revenue bonds, Series 2002**
Resolution #5-17-2010 #02 PROVIDING FOR PREPAYMENT OF SEWER REVENUE BONDS, SERIES 2002
Mayor Burget stated these bonds are now callable and funds are available in reserves to pay these off. City Clerk Pierce explained by prepaying these off the City will be saving approximately \$28,000.
Roll Call Vote:
Y Mertz Y Sloan 2 Riding 1 Warren Y Nolin (5-0)

13. Consider request from Central Iowa Ready Mix, Inc. to continue the temporary ready mix plant for a year

Mayor Burget explained a letter from the Skinner Law Office requesting an extension of the temporary use for the batch plant operated by Central Iowa Ready Mix, Inc. Council Member Warren motioned to deny the request. Council Member Sloan seconded the motion.

Roll Call Vote:

N Mertz 2 Sloan N Riding 1 Warren Y Nolin (3-2)

14. Consider request for Fireside Grille to host a motorcycle show on June 6, 2010, from 12:00 (noon) – 4:30pm with a rain date of June 13, 2010

Mayor Burget stated we have a request from Stanley Doug Armstrong (working with the Fireside Grille) to hold a motorcycle show at the Fireside on Sunday, June 6th from noon to 4:30 pm.

Roll Call Vote:

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

15. Consider a request from Bosselman Inc. to reapprove a waiver of the architectural design standards for a renovation of the restaurant portion of the building using a substituted exterior material

Mayor Burget explained in January of this year, the council granted Bosselman's a waiver for their remodel of the Grandma Max's restaurant. At that time Bosselman's proposed to use black and white glazed tiles for their exterior finish. While tiles are not specifically mentioned in the ordinance, staff, and in-turn the council, determined that the proposed material was acceptable. Charlie Bossleman, owner, 3123 West Stolley Park Rd, Grand Island, NE, explained Bosselman's is requesting to substitute the glazed tiles with aluminum panels that will be covered with a black and white sticker to give the exterior a checker board finish. Gus Patsios of Bosselman Contractor Services, Inc., 4705 Juergen Rd., Grand Island, NE, explained the product being used to create the checkerboard appearance.

Roll Call Vote:

1 Mertz Y Sloan 2 Riding N Warren N Nolin (3-2)

16. Consider approval of professional services agreement with Snyder and Associates for Adventureland Drive NW Sanitary Sewer Relief Project 2010

Mayor Burget stated this is the sewer line that staff has been working on with Prairie Meadows to serve the hotel. Currently, the city and Prairie Meadows are still working out the details. Council Member Kyle Mertz motioned approval of the professional services agreement subject to no work being performed or billed under the services agreement until the details are worked out. Council Member Sloan seconded the motion.

Roll Call Vote:

1 Mertz 2 Sloan Y Riding N Warren Y Nolin (4-1)

17. Consent Agenda

a) **Allow Bills**

B1) **Pay App #7 – Altoona Soccer Park – Elder Corporation - \$455,798.53**

B2) **Pay App #2 – 2009 Sanitary Sewer Lining Project – Insituform Technologies USA, Inc. - \$287,420.14**

B3) **Pay App #4 – Adventureland Drive NW Phase 2 – Manatts, Inc. - \$30,670.91**

c) **Resolution to approve requests for tax abatement**

Resolution #5-17-2010 #03 APPROVING REQUESTS FOR TAX ABATEMENT

d) **Resolution to approve the transfer of funds for bond and interest payments**

Resolution #5-17-2010 #04 APPROVING THE TRANSFER OF FUNDS FOR BOND AND INTEREST PAYMENTS

- e) **Set a public hearing for Monday, June 7, 2010, at 6:30pm for an amendment to City of Altoona Code of Ordinances for Fats, Oils and Grease requirements**
- f) **Consider waiving late payment fees of \$66.46 for Townsend Industries on their utility bill**

Council Member Riding motioned approval subject to all businesses being contacted that will be effected by item # f. Council Member Mertz seconded the motion.

Roll Call Vote:

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

18. Beer & Liquor Permits

- a) **Pizza Hut – Class B (Beer)**

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

Roll Call Vote:

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

- b) **Casey's – 3348 8th St. SW – Class C (Beer)**

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

Roll Call Vote:

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

19. General Business Items/Reports and Updates

*Council Member Mertz explained the MAC meeting which discussed the residential wind energy ordinance

*Council Member Sloan shared that the Library would be present for the Music on the Plaza event this Friday.

*Council Member Riding shared an issue the citizen had in regards to utility bill due dates.

*Mayor Burget explained that Jeff Schott from U of I spoke to their group

*City Administrator Mark reminded everyone present that the Civic Plaza ribbon cutting is Friday, May 21st at 5pm with Music on the Plaza to follow.

20. Adjourn

Roll Call Vote at 7:21 pm:

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

Attest to:

Amy S. Hill, Secretary

Timothy Burget, Mayor