

**CITY OF ALTOONA COUNCIL MEETING  
MONDAY, AUGUST 2, 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- absent	Nolin- present
Riding- present	Sloan- present	Warren- present

**City Officials Present:** Jeff Mark, Randy Pierce, John Gray, Jerry Whetstone, Karen Oppelt, Chad Quick, Amy Hill, City Attorney Bob Laden

**Audience Present:** Susan Flesher, Marvin Barden, Adam McRoberts, Paula Winslow, Bob Hall, Lisa Stuart, Don Stromley, Mary Simon, Tom Duer, Sally Duer, Mattia Hansen, Krista Kielsmeier, Ruth O'Connor, Dennis Keller

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

Mayor Tim Burget requested a motion to approve agenda subject to item #26c being restated as, "Consider allowing temporary parking signs on 8<sup>th</sup> Avenue on August 28, 2010, for the AltoonaPalooza event."

Roll Call Vote:

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

**3. Approval of July 19, 2010, Council Minutes**

Mayor Burget requested motion to approve minutes as presented.

Roll Call Vote:

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

**4. Citizens request to address council**

No one came forward to speak

**5. Public hearing to consider amendments to City of Altoona City ordinances Chapters 69.08 (no parking zones) and 69.13 (no parking on north side of street) as it pertains to 4<sup>th</sup> Street NW near Village Park**

Mayor Burget explained this public hearing is for the proposed changes to improve the parking adjacent to Village Park, which is located north of 4<sup>th</sup> Street NW and east of 17<sup>th</sup> Avenue NW. Staff is recommending that parking be permitted on the north side of 4<sup>th</sup> Street NW from 17<sup>th</sup> Avenue NW, east to 14<sup>th</sup> Avenue NW. To improve visibility, staff is also recommending that parking be prohibited on the south side of 4<sup>th</sup> Street NW from 17<sup>th</sup> Avenue NW, east to 14<sup>th</sup> Avenue NW. Don Stromley, 1502 4<sup>th</sup> St. NW, shared his opinion about the parking issue. Lisa Stuart, 1404 4<sup>th</sup> St. NW, asked if the citizens on 4<sup>th</sup> St. NW were required to move the mailboxes. Community Services Director Vern Willey explained that the city would be paying to move the mailboxes. Director Willey also explained the Altoona Postmaster had approved the move and would be adjusting the mail route to accommodate the change.

Open Hearing at 6:32 pm

Public Comment: No one came forward to speak.

Close Hearing at 6:40 pm

6. **Ordinance to amend Chapter 69.08 No Parking Zones on the south side of 4<sup>th</sup> Street NW from 17<sup>th</sup> Avenue NW to the east side of the 14<sup>th</sup> Avenue NW intersection (1<sup>st</sup> Reading)**  
**ORDINANCE NO. 8-2-2010 #1 (323) AMENDING THE CODE OF ORDINANCES OF THE CITY OF ALTOONA, IOWA, 2004, BY AMENDING CHAPTER 69.08 NO PARKING ZONES ON THE SOUTH SIDE OF 4<sup>TH</sup> STREET NW FROM 17<sup>TH</sup> AVENUE NW TO THE EAST SIDE OF THE 14<sup>TH</sup> AVENUE NW INTERSECTION**  
Mayor Burget explained this is the first reading to remove parking on the south side of 4<sup>th</sup> Street NW from 17<sup>th</sup> Avenue NW, east to 14<sup>th</sup> Avenue NW.  
Roll Call Vote (1<sup>st</sup> Reading):  
   A Mertz    Y Sloan    1 Riding    2 Warren    Y Nolin (4-0)
7. **Ordinance to amend Chapter 69.13 no parking on north side of street, except along 4<sup>th</sup> Street NW from 17<sup>th</sup> Avenue NW to 14<sup>th</sup> Avenue NW (1<sup>st</sup> Reading)**  
**ORDINANCE NO. 8-2-2010 #2 (324) AMENDING THE CODE OF ORDINANCES OF THE CITY OF ALTOONA, IOWA, 2004, BY AMENDING CHAPTER 69.13 NO PARKING ON NORTH SIDE OF STREET, EXCEPT ALONG 4<sup>TH</sup> STREET NW FROM 17<sup>TH</sup> AVENUE NW TO 14<sup>TH</sup> AVENUE**  
Mayor Burget stated this is the first reading to allow parking on the north side of 4<sup>th</sup> Street NW from 17<sup>th</sup> Avenue NW, east to 14<sup>th</sup> Avenue NW.  
Roll Call Vote (1<sup>st</sup> Reading):  
   A Mertz    2 Sloan    Y Riding    1 Warren    Y Nolin (4-0)
8. **Public hearing to consider setting Storm Water Utility rates**  
Mayor Burget explained if approved, the Stormwater Utility fees would not go into effect until January 1, 2011. City Administrator Jeff Mark explained the basic rate will be \$3.00 per ERU. An ERU represents 4,000 square feet of impervious surface. Each residential property will be charged 1 ERU unit. Commercial property will have the amount of impervious surface measured and each ERU equaling 4,000 square feet will be charged a fee of \$3.00. The ordinance establishes increases in the rate for the next four fiscal years. The rate increases 50 cents each year until the FY 2014/15, when the rate caps out at \$5.00 per ERU. Any future increases of the Stormwater Utility rate or any adjustments to the calculation measuring the square foot size of an ERU would need to be approved by council in the form of an ordinance amendment.  
Open Hearing at 6:42 pm  
Public Comment: No one came forward to speak.  
Close Hearing at 6:43 pm
9. **Ordinance amending the Code of Ordinances of the City of Altoona, Iowa, 2004, by creating a stormwater service charge ordinance (1<sup>st</sup> Reading)**  
**ORDINANCE NO. 8-2-2010 #3 (325) AMENDING THE CODE OF ORDINANCES OF THE CITY OF ALTOONA, IOWA, 2004, BY CREATING A STORMWATER SERVICE CHARGE ORDINANCE**  
Council Member Joe Riding reminded the citizens that the rate will not go into effect until January 1, 2011. Council Member Stacey Warren reminded the citizens that this decision was the recommendation of a committee that consisted citizens, business owners, council member and staff.  
Roll Call Vote (1<sup>st</sup> Reading):  
   A Mertz    Y Sloan    2 Riding    Y Warren    1 Nolin (4-0)
10. **Public hearing to consider plans, specifications and form of contract for NE Hubbell Avenue Water Main Project**  
Mayor Tim Burget explained on Tuesday, July 27, 2010, the city accepted bids for the NE Hubbell Avenue Water Main Project. City Administrator Mark stated the improvements include the construction of a 12" water main crossing NE Hubbell Avenue just south of Adventureland Drive

and related work to abandon the existing failed 6" water main. A total of five bids were received with the base low bid submitted by Priority Excavating, LLC in the amount of \$97,770. The engineers estimate was approximately \$115,000. Staff does not recommend taking the alternate for a deduct of \$3,916.00. The alternate is to use PVC water main materials instead of ductile iron, given that there have been problems with fuel leakage in the area. The ductile iron is the DNR recommended material for working in petroleum contaminated soils.

Open Hearing at 6:46 pm

Public Comment: No one came forward to speak.

Close Hearing at 6:47 pm

**11. Resolution to approve the plans, specifications, form of contract and estimated costs for the Altoona NE Hubbell Avenue Water Main Improvement Project**

**Resolution #8-2-2010 #01 RESOLUTION TO APPROVE THE PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATED COSTS FOR THE ALTOONA NE HUBBELL AVENUE WATER MAIN IMPROVEMENT PROJECT**

Roll Call Vote:

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

**12. Resolution to approve the contract and bond for the Altoona NE Hubbell Avenue Water Main Improvement Project**

**Resolution #8-2-2010 #02 RESOLUTION TO APPROVE THE CONTRACT AND BOND FOR THE ALTOONA NE HUBBELL AVENUE WATER MAIN IMPROVEMENT PROJECT**

Council Member Stacey Warren motioned approval subject to attorney's approval of legal documents. Council Member Gerald Nolin seconded the motion.

Roll Call Vote:

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

**13. Resolution making award of the contract for the Altoona NE Hubbell Avenue Water Main Improvement Project**

**Resolution #8-2-2010 #03 RESOLUTION TO AWARD THE CONTRACT FOR THE ALTOONA NE HUBBELL AVENUE WATER MAIN IMPROVEMENT PROJECT**

Mayor Burget stated the resolution is making award of the contract to Priority Excavating, LLC in the amount of \$97,770.

Roll Call Vote:

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

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

Mayor Burget explained the utility companies have now signed-off on the utility easements. Hubbell wants to re-plat Tuscany Plat 1. The relocating of the utility easements is necessary to ensure that both the utility companies and the property owners know where the easements are located.

Open Hearing at 6:48 pm

Public Comment: No one came forward to speak.

Close Hearing at 6:49 pm

**15. Resolution to vacate certain Public Utility Easements in Tuscany Plat 1**

**Resolution #8-2-2010 #04 RESOLUTION TO VACATE CERTAIN PUBLIC UTILITY EASEMENTS IN TUSCANY PLAT 1**

Roll Call Vote:

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

- 16. Resolution making award of the bid for self contained breathing apparatus equipment**  
**Resolution #8-2-2010 #05 RESOLUTION MAKING AWARD OF THE BID FOR SELF CONTAINED BREATHING APPARATUS EQUIPMENT**  
Mayor Burget stated the Fire Department received bids for the purchase of Self Contained Breathing Apparatus Equipment. City Administrator Mark explained the low bid was submitted by Ed M. Feld Equipment Co., Inc., in the amount of \$105,146.08 less the \$4,000 trade in allowance for the old equipment, for a net cost of \$101,146.08. The budget estimate was \$130,000.  
Roll Call Vote:  
A Mertz Y Sloan 2 Riding 1 Warren Y Nolin (4-0)
- 17. Resolution to consider a site plan for Downing Office Plaza**  
**Resolution #8-2-2010 #06 RESOLUTION TO APPROVE A SITE PLAN FOR DOWNING OFFICE PLAZA**  
Mayor Burget explained the owners and developer are proposing a new dentist office and pharmacy to be jointly housed in one building. The property is located at 950 28<sup>th</sup> Avenue, just west of the Great Western Bank. Council Member Riding motioned approval subject to deficiencies being met. Council Member Warren seconded the motion.  
Roll Call Vote:  
A Mertz Y Sloan 1 Riding 2 Warren Y Nolin (4-0)
- 18. Resolution to consider a preliminary plat for Altoona Crossing Plat 5**  
**Resolution #8-2-2010 #07 RESOLUTION TO APPROVE A PRELIMINARY PLAT FOR ALTOONA CROSSING PLAT 5**  
Mayor Burget stated the owners of Panda Express are requesting preliminary plat approval for Altoona Crossing Plat 5. This property is located at 3640 8<sup>th</sup> Street SW on the south side of 8<sup>th</sup> Street, just north of Lowe's. Council Member Warren motioned approval subject to deficiencies being met. Council Member Riding seconded the motion.  
Roll Call Vote:  
A Mertz Y Sloan 2 Riding 1 Warren Y Nolin (4-0)
- 19. Resolution to consider a final plat for Altoona Crossing Plat 5**  
**Resolution #8-2-2010 #08 RESOLUTION TO APPROVE A FINAL PLAT FOR ALTOONA CROSSING PLAT 5**  
Mayor Burget explained this is the final plat approval of the above described item. Council Member Warren motioned approval subject to deficiencies being met. Council Member Riding seconded the motion.  
Roll Call Vote:  
A Mertz Y Sloan 2 Riding 1 Warren Y Nolin (4-0)
- 20. Resolution to consider a site plan for Panda Express**  
**Resolution #8-2-2010 #09 RESOLUTION TO APPROVE A SITE PLAN FOR PANDA EXPRESS**  
Mayor Burget explained Panda Express is proposing a new restaurant at 3640 8<sup>th</sup> Street SW. The lot is 1.47 acres in size and is zoned C-2 (General Commercial). The building is 2,448 square feet in size and is a one-story structure. This is the first stand alone Panda Express in Iowa. There will be limited indoor and outdoor seating. Council Member Riding motioned approval subject to deficiencies being met. Council Member Warren seconded the motion.  
Roll Call Vote:  
A Mertz Y Sloan 1 Riding 2 Warren Y Nolin (4-0)

21. **Resolution to consider a site plan addition for Caring Hands Outreach Center**  
**Resolution #8-2-2010 #10 RESOLUTION TO APPROVE A SITE PLAN ADDITION FOR CARING HANDS OUTREACH CENTER**  
Mayor Burget stated Caring Hands Outreach Center, Inc. is requesting site plan approval for their facility located at 201 9<sup>th</sup> Street NE. They are proposing a 528 square foot addition to the north side of the building for additional dry goods storage. A waiver of the architectural design standards is being requested to continue the steel siding as the main exterior and also for the trash enclosure. Staff thinks the request for the architectural design standards waiver is reasonable. Council Member Nolin motioned approval of the resolution and architectural design standard waiver for the trash enclosure. Council Member Michelle Sloan seconded the motion and waiver.  
Roll Call Vote:  
A Mertz 2 Sloan Y Riding Y Warren 1 Nolin (4-0)
22. **Polk County Master Gardeners request to hold a fund raising event at the Enabling Gardens**  
Mayor Burget explained the Master Gardeners is seeking council approval for the organization to hold a fund raising event at the Enabling Garden.  
Roll Call Vote:  
A Mertz Y Sloan 1 Riding 2 Warren Y Nolin (4-0)
23. **AltoonaPalooza Committee to give event update**  
Mayor Burget stated representatives of the AltoonaPalooza committee will update the council on the event. Adam McRoberts, 402 10<sup>th</sup> Ave. NW, shared updates on the August 28, 2010, AltoonaPalooza event. Mr. McRoberts requested an additional \$840 to cover the cost of off duty police officers who will be hired for security. Council Member Warren motioned approval of an additional \$840. Council Member Riding seconded the motion.  
Roll Call Vote:  
A Mertz Y Sloan 2 Riding 1 Warren Y Nolin (4-0)
24. **Consider Maintenance Agreement with Community Choice Credit Union**  
City Administrator Mark explained the maintenance agreement between the City of Altoona and Community Choice Credit Union for the development, grading, landscaping and grass cutting around the storm water retention pond that is on City property (Prairie Heritage Trail) but is for the benefit of the Credit Union. In turn, the City agrees to assume the responsibility and cost for any future landscaping, grading, or other improvements to the area. This arrangement was part of the approved site plan for the Community Choice Credit Union.  
Roll Call Vote:  
A Mertz Y Sloan 1 Riding 2 Warren Y Nolin (4-0)
25. **Consider proposal from Mowry Strategies for the Altoona Leadership Program**  
Mayor Burget explained the proposal from Mowry Strategies for the Altoona Leadership Program. The project fee for these services is \$7,500.  
Roll Call Vote:  
A Mertz Y Sloan 1 Riding 2 Warren Y Nolin (4-0)

26. **Consent Agenda**  
a) **Allow Bills**  
b) **Capitol Projects**  
    **B1) Pay App #6 – Adventureland Drive NW Phase 2 – Manatts, Inc. - \$1,579.07**  
c) **Consider allowing temporary parking signs on 8<sup>th</sup> Avenue on August 28, 2010, for the AltoonaPalooza event**  
d) **Consider approval of league lease with Altoona Campus for flag football**  
e) **Consider approval of Aspen Waste Systems for Waste Hauler**  
Roll Call Vote:  
  A   Mertz   Y   Sloan   Y   Riding   1   Warren   2   Nolin (4-0)
27. **Beer & Liquor Permits**  
a) **AltoonaPalooza – Class B (Beer & Wine Coolers – August 28, 2010 sales)**  
Roll Call Vote:  
  A   Mertz   2   Sloan   Y   Riding   1   Warren   Y   Nolin (4-0)
28. **General Business Items/Reports and Updates**  
\*Council Member Sloan shared that CIRDWC will be amending the organization’s 28E agreement.
29. **Adjourn**  
Roll Call Vote at 7:15 pm:  
  A   Mertz   2   Sloan   1   Riding   Y   Warren   Y   Nolin (4-0)

Attest to:

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Amy S. Hill, Secretary

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Timothy Burget, Mayor