

**CITY OF ALTOONA COUNCIL MEETING
TUESDAY, SEPTEMBER 7, 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, Jerry Whetstone, John Shaw, Vern Willey, Karen Oppelt, Amy Hill, City Attorney Tim Pearson

Audience Present: Brent Culp, Tom Dellopoulos, Ray Dennis, Mildred Dennis, Bob Engdahl, George Lawrence, Bob Johnston, Mark Jones, Krista Kielsmeier

2. Perfecting and approval of the agenda

Mayor Tim Burget requested to approved the agenda as presented.

Roll Call Vote:

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

3. Approval of August 16, 2010, Council Minutes

Mayor Burget requested motion to approve minutes as presented.

Roll Call Vote:

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

4. Citizens request to address council

*Tom Dellapoulos – 400 6th St. NW, Altoona, Iowa – questioned the high water and sewer rates.

*Bob Johnston – 109 8th Ave. SE, Altoona, Iowa; George Lawrence – 713 2nd St. SE, Altoona, Iowa; Bob Engdahl – 808 1st St. E, Altoona, Iowa – expressed their concerns in regards to the rain events that occurred on August 9 – 11, 2010, where the residents received water or sewer in their basements. Mayor Burget explained that the council will be holding meetings starting in about 2 weeks to discuss the options that are available to help alleviate the storm water control issues in areas of town where residents tile footings are connected to the sanitary sewer because there was no secondary sewer installed when the developments were created.

5. Ordinance amending the Code of Ordinances of the City of Altoona, Iowa, 2004, by creating a stormwater service charge ordinance (3rd 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

Mayor Burget explained the Stormwater Utility fees would not go into effect until January 1, 2011. He stated this is the third and final reading. 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.

Roll Call Vote (3rd Reading):

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

Roll Call Vote (To publish):

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

6. **Melissa Horton to present information on Altoona Chamber of Commerce's tourism brochure**
Melissa Horton, Altoona Chamber of Commerce Executive Director, expressed her appreciation for the monies the city donated to the Chamber to help cover the costs of the tourism brochure. The brochure will be distributed throughout the state and locally.

7. **Resolution to approve a site plan addition for Casey's General Store at 3348 8th Street SW**
Resolution #9-7-2010 #01 RESOLUTION TO APPROVE A SITE PLAN ADDITION FOR CASEY'S GENERAL STORE AT 3348 8TH STREET SW
Mayor Burget stated Casey's is requesting site plan approval for their store located at the corner of 8th Street SW and 34th Avenue SW. They are proposing a 520 square foot addition to add new restrooms, storage, and walk-in cooler/freezer. City Administrator Mark explained Casey's is proposing to extend the metal wall panels on the back side of the building with the addition. The front and side elevations will be mainly brick. They are seeking a waiver of the Architectural Design Standards. Council Member Joe Riding motioned approval subject to waiving the Architectural Design Standards. Council Member Kyle Mertz seconded the motion.
Roll Call Vote:
2 Mertz Y Sloan 1 Riding Y Warren Y Nolin (5-0)

8. **Resolution making award of the bid for fire department rescue truck**
Resolution #9-7-2010 #02 RESOLUTION TO MAKING AWARD OF THE BID FOR FIRE DEPARTMENT RESCUE TRUCK
Mayor Burget explained the city recently received bids for the purchase of a Rescue/Pumper Truck and trade-in of the existing Rescue Truck and Grass Truck. City Administrator Mark stated three bids were received with the low bid submitted by Toyne, Inc. for a total price after trade-in of \$383,955. However, Toyne did not comply with many of the specified bid items. The next lowest bid was submitted by Ed M. Feld for a total price after trade-in of \$429,854. The Ed M. Feld truck did comply with the truck specifications. The total price difference including trade-in is \$45,899. Staff reviewed the bids with City Attorney Bob Lادن who stated the council had two options to consider: 1. Accept the bid price with trade-in from Ed M. Feld, thereby rejecting the Toyne, Inc. bid for failure to comply with the specifications. 2. Reject all bids and start the process over. Dale Derner, representing Toyne, Inc. at 104 Granite Avenue, Breda, Iowa, spoke in regards to the non-conforming issues on their bid. Council Member Joe Riding requested Chief Whetstone to express what his preference was. Chief Gerald Whetstone informed the council he would prefer to go with the first option listed, which is to accept the bid with trade-in from Ed M. Feld. Council Member Joe Riding motioned to accept the bid price with trade-in from Ed M. Feld and reject the Toyne, Inc. bid for failure to comply with specifications. Council Member Kyle Mertz seconded the motion.
Roll Call Vote:
2 Mertz Y Sloan 1 Riding Y Warren Y Nolin (5-0)

9. **Consider approving release and settlement between City of Altoona and Robert A. Brown and Anderson Family Farms, LLC**
Mayor Burget stated a Release and Settlement Agreement between the City of Altoona and Robert Brown/Anderson Farms. Brown and Anderson Farms have claimed they suffered crop damage as a result of the city's sanitary sewer project along the east side of 34th Avenue NE, (56th Street in the county). This project provided sanitary sewer service to the Ambrose development. The agreement requires the city to pay Brown and Anderson Farms the sum of \$5,423.10.
Roll Call Vote:
P Mertz 2 Sloan 1 Riding Y Warren Y Nolin (4-0-1)

10. **Consent Agenda**
a) **Allow Bills**

- b) **Capitol Projects**
 B1) **Pay App #5 – Grading & Iowa Cold Storage Rail Spur Construction – Midwest I, LLC - \$20,520.14**
- c) **Resolution approving requests for tax abatement**
Resolution #9-7-2010 #03 RESOLUTION TO APPROVE REQUESTS FOR TAX ABATEMENT
- d) **Consider approval of professional engineering services agreement with Snyder and Associates, Inc. for N.E. Trail Connector**
- e) **Set public hearing Monday September 20, 2010 to consider a rezoning request from Adventurelands of America to rezone approximately 2.56 acres of property from A-1 (Agricultural) to C-6 (Commercial Entertainment/Recreation) for newly acquired property. The land is legally described as Lots 1, 2 and 14, Wayside Acres (land generally located south of the new water park)**
- f) **Set public hearing Monday September 20, 2010 to consider amending Mud Creek Sewer Line 28E agreement with WRA and City of Bondurant**
- g) **Set public hearing Monday September 20, 2010 to consider amending Chapter 95.07 of the City of Altoona Code of Ordinances, 2004**

Council Member Riding requested the residents be informed about the upcoming public hearing in regards to the Adventureland rezoning. Community Development Director John Shaw stated they would be and had been for the Planning and Zoning Meeting.

Roll Call Vote:

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

11. General Business Items/Reports and Updates

*City Administrator Mark shared that 38th Avenue was now open to traffic.

12. Adjourn

Roll Call Vote at 7:28 pm:

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

Attest to:

 Amy S. Hill, Secretary

 Timothy Burget, Mayor