

**CITY OF ALTOONA COUNCIL MEETING
MONDAY, NOVEMBER 15, 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, Amy Hill, City Attorney Bob Laden

Audience Present: Brent Culp, Dennis Keller, Hillory Stirler, Mark Jones, Jason Palmer

2. Perfecting and approval of the agenda

Mayor Tim Burget requested to approve the agenda as presented.

Roll Call Vote:

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

3. Approval of November 1 and 8, 2010 Council Minutes

Mayor Burget requested motion to approve minutes as presented.

Roll Call Vote:

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

4. Citizens request to address council

No one came forward to speak.

5. Public Hearing to consider selling a portion of right-of-way in the 1000 block of 8th Street SW (Parcel T) to LARLIN Properties, LLC.

Mayor Burget explained the developer of the property at 1005 8th Street SW is ready to proceed with the development of a new 6,000 square foot commercial retail building. City Administrator Jeff Mark explained last month council approved the vacation of Parcel T, a 0.19 acre parcel of the 8th Street SW right-of-way in front of the property. The developer is ready to proceed with the purchase of the parcel for one dollar (\$1.00) and legal fees.

Open Hearing at 6:32 pm

Public Comment: No one came forward to speak.

Closed Hearing at 6:33 pm

6. Resolution to approve the sale of Parcel T to LARLIN Properties, LLC

Resolution #11-15-2010 #01 TO APPROVE THE SALE OF PARCEL T TO LARLIN PROPERTIES, LLC

Roll Call Vote:

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

- 7. Public Hearing to consider vacating and selling Outlot B, Altoona Village Plat 1 (revised)**
Mayor Burget stated the City has received a request from John and Laurie Robinson, to purchase Outlot B adjacent to their property. Outlot B is at the SE corner of 17th Avenue NW and 4th Street NW. City Administrator Mark stated the parcel was originally deeded to the City when the property was platted. Outlot B is approximately 4,300 square feet in size. The Robinson's have been maintaining the property since they purchased their home in 2004. The homeowner would like to purchase the outlot for one dollar (1.00) and legal fees.
Open Hearing at 6:34 pm
Public Comment: No came forward to speak.
Closed Hearing at 6:35 pm
- 8. Resolution to approve the sale of Outlot B, Altoona Village Plat 1 (revised) to John J. and Laurie D. Robinson**
Resolution #11-15-2010 #02 TO APPROVE THE SALE OF OUTLOT B, ALTOONA VILLAGE PLAT 1 (REVISED) TO JOHN J. AND LAURIE D. ROBINSON
Roll Call Vote:
Y Mertz Y Sloan Y Riding 1 Warren 2 Nolin (5-0)
- 9. Public Hearing to consider approving amended and restated 28E agreement with Central Iowa Regional Drinking Water Commission (CIRDWC)**
Mayor Burget stated this public hearing is to consider the amended and restated 28E Agreement with the Central Iowa Regional Drinking Water Commission (CIRDWC). City Administrator Mark stated the most significant change is that the agreement establishes dues for Governing Members. The rate per member is \$100 plus 1 cent per retail customer. A schedule of the dues is attached to the 28E Agreement. The City of Altoona's dues will total \$149 per year.
Open Hearing at 6:35 pm
Public Comment: No one came forward to speak.
Closed Hearing at 6:36 pm
- 10. Consider approving Central Iowa Regional Drinking Water Commission amended and restated 28E agreement**
Roll Call Vote:
Y Mertz Y Sloan Y Riding 1 Warren 2 Nolin (5-0)
- 11. Consider waiver of architectural design standards request from Betty Yount – Yountville property**
Mayor Burget explained the City has received a request from Betty Yount for a waiver of the Architectural Design Standards for her commercial property located at 807 17th Avenue SW, (Yountville). Mrs. Yount is not present to explain the request. Council Member Joe Riding motioned to table the vote. Council Member Kyle Mertz seconded the motion.
Roll Call Vote:
2 Mertz Y Sloan 1 Riding Y Warren Y Nolin (5-0)

12. Consider approving trademark and copyright license and agreement for use of Central Iowa Trails Signage Logos and Designs between the City of Des Moines and Central Iowa Communities

Mayor Burget stated the Central Iowa Trails Committee has established signage logos and designs to be utilized by all member communities for trails that are part of the Central Iowa Trails System. The City of Des Moines owns the rights, title and interest, including the trademark and copyright interest, in the Central Iowa Trails logos shown in the attached exhibit A, to the agreement. A copy of the agreement is in your packet. There is no cost to the City of Altoona contained in the agreement other than the City of Altoona would have to pay for the signs and their installation.

Roll Call Vote:

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

13. Consent Agenda

a) **Allow Bills**

b) **Capitol Projects**

B1) **Pay App #11 – Altoona Soccer Park – Phase 1 - \$22,200.53**

B2) **Pay App #5 – Altoona Soccer Park – Phase 2 - \$646,419.88**

B3) **Change Orders #19 – 28 – NE 56th Street Project – Polk County - \$61,151.93**

B4) **Change Order #1 – NE Hubbell Water Main Improvements – Priority Excavating, LLC – (\$2,564.50)**

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

Resolution #11-15-2010 #03 TO APPROVE TAX ABATEMENT REQUESTS

d) **Resolution approving the transfer of funds for Bond and Interest Payments**

Resolution #11-15-2010 #04 APPROVING THE TRANSFER OF FUNDS FOR BOND AND INTEREST PAYMENTS

e) **Resolution approving an amendment to the Urban Revitalization Plan by extending the Tax Abatement application deadline**

Resolution #11-15-2010 #05 APPROVING AN AMENDMENT TO THE URBAN REVITALIZATION PLAN BY EXTENDING THE TAX ABATEMENT APPLICATION DEADLINE

f) **Resolution obligating funds from the Urban Renewal Tax Revenue Fund for appropriation to the payment of annual appropriation tax increment financed obligations which shall come due in the next succeeding fiscal year (Venbury Square, LLC - \$25,857.10)**

Resolution #11-15-2010 #06 OBLIGATING FUNDS FROM THE URBAN RENEWAL TAX REVENUE FUND FOR APPROPRIATION TO THE PAYMENT OF ANNUAL APPROPRIATION TAX INCREMENT FINANCED OBLIGATIONS WHICH SHALL COME DUE IN THE NEXT SUCCEEDING FISCAL YEAR (VENBURY SQUARE, LLC - \$25,857.10)

g) **Resolution obligating funds from the Urban Renewal Tax Revenue Fund for appropriation to the payment of annual appropriation tax increment financed obligations which shall come due in the next succeeding fiscal year (Midwest 1, LLC - \$100,000)**

Resolution #11-15-2010 #07 OBLIGATING FUNDS FROM THE URBAN RENEWAL TAX REVENUE FUND FOR APPROPRIATION TO THE PAYMENT OF ANNUAL APPROPRIATION TAX INCREMENT FINANCED OBLIGATIONS WHICH SHALL COME DUE IN THE NEXT SUCCEEDING FISCAL YEAR (MIDWEST 1, LLC - \$100,000)

h) **Resolution obligating funds from the Urban Renewal Tax Revenue Fund for appropriation to the payment of annual appropriation tax increment financed obligations which shall come due in the next succeeding fiscal year (Franzen Altoona I-80- \$33,600)**

Resolution #11-15-2010 #08 OBLIGATING FUNDS FROM THE URBAN RENEWAL TAX REVENUE FUND FOR APPROPRIATION TO THE PAYMENT OF ANNUAL APPROPRIATION TAX INCREMENT FINANCED OBLIGATIONS WHICH SHALL COME DUE IN THE NEXT SUCCEEDING FISCAL YEAR (FRANZEN ALTOONA I-80- \$33,600)

- i) **Resolution obligating funds from the Urban Renewal Tax Revenue Fund for appropriation to the payment of annual appropriation tax increment financed obligations which shall come due in the next succeeding fiscal year (Franzen Altoona I-80- \$49,000)**

Resolution #11-15-2010 #09 OBLIGATING FUNDS FROM THE URBAN RENEWAL TAX REVENUE FUND FOR APPROPRIATION TO THE PAYMENT OF ANNUAL APPROPRIATION TAX INCREMENT FINANCED OBLIGATIONS WHICH SHALL COME DUE IN THE NEXT SUCCEEDING FISCAL YEAR (FRANZEN ALTOONA I-80- \$49,000)

- j) **Resolution obligating funds from the Urban Renewal Tax Revenue Fund for appropriation to the payment of annual appropriation tax increment financed obligations which shall come due in the next succeeding fiscal year (F&S Rosenberger, LLC - \$127,034)**

Resolution #11-15-2010 #10 OBLIGATING FUNDS FROM THE URBAN RENEWAL TAX REVENUE FUND FOR APPROPRIATION TO THE PAYMENT OF ANNUAL APPROPRIATION TAX INCREMENT FINANCED OBLIGATIONS WHICH SHALL COME DUE IN THE NEXT SUCCEEDING FISCAL YEAR (F&S ROSENBERGER, LLC - \$127,034)

- k) **Resolution obligating funds from the Urban Renewal Tax Revenue Fund for appropriation to the payment of annual appropriation tax increment financed obligations which shall come due in the next succeeding fiscal year (City's Annual Appropriation Urban Renewal Tax Increment Revenue Bonds, Series 2008 - \$3,304,375)**

Resolution #11-15-2010 #11 OBLIGATING FUNDS FROM THE URBAN RENEWAL TAX REVENUE FUND FOR APPROPRIATION TO THE PAYMENT OF ANNUAL APPROPRIATION TAX INCREMENT FINANCED OBLIGATIONS WHICH SHALL COME DUE IN THE NEXT SUCCEEDING FISCAL YEAR (CITY'S ANNUAL APPROPRIATION URBAN RENEWAL TAX INCREMENT REVENUE BONDS, SERIES 2008 - \$3,304,375)

- l) **Resolution obligating funds from the Urban Renewal Tax Revenue Fund for appropriation to the payment of annual appropriation tax increment financed obligations which shall come due in the next succeeding fiscal year (Iowa Cold Storage - \$301,685)**

Resolution #11-15-2010 #12 OBLIGATING FUNDS FROM THE URBAN RENEWAL TAX REVENUE FUND FOR APPROPRIATION TO THE PAYMENT OF ANNUAL APPROPRIATION TAX INCREMENT FINANCED OBLIGATIONS WHICH SHALL COME DUE IN THE NEXT SUCCEEDING FISCAL YEAR (IOWA COLD STORAGE - \$301,685)

- m) **Resolution obligating funds from the Urban Renewal Tax Revenue Fund for appropriation to the payment of annual appropriation tax increment financed obligations which shall come due in the next succeeding fiscal year (F&S Rosenberger, LLC- \$48,857)**

Resolution #11-15-2010 #13 OBLIGATING FUNDS FROM THE URBAN RENEWAL TAX REVENUE FUND FOR APPROPRIATION TO THE PAYMENT OF ANNUAL APPROPRIATION TAX INCREMENT FINANCED OBLIGATIONS WHICH SHALL COME DUE IN THE NEXT SUCCEEDING FISCAL YEAR (F&S ROSENBERGER, LLC- \$48,857)

- n) **Resolution obligating funds from the Urban Renewal Tax Revenue Fund for appropriation to the payment of annual appropriation tax increment financed obligations which shall come due in the next succeeding fiscal year (LB Properties VI - \$75,848)**

Resolution #11-15-2010 #14 OBLIGATING FUNDS FROM THE URBAN RENEWAL TAX REVENUE FUND FOR APPROPRIATION TO THE PAYMENT OF ANNUAL APPROPRIATION TAX INCREMENT FINANCED OBLIGATIONS WHICH SHALL COME DUE IN THE NEXT SUCCEEDING FISCAL YEAR (LB PROPERTIES VI - \$75,848)

- o) **Resolution to fix a date for a Public Hearing for December 6th at 6:30 pm on a lease-purchase agreement in the principal amount of \$346,354 for the purpose of acquiring equipment for the fire department**

Resolution #11-15-2010 #15 TO FIX A DATE FOR A PUBLIC HEARING FOR DECEMBER 6TH AT 6:30 PM ON A LEASE-PURCHASE AGREEMENT IN THE PRINCIPAL AMOUNT OF \$346,354 FOR THE PURPOSE OF ACQUIRING EQUIPMENT FOR THE FIRE DEPARTMENT

Roll Call Vote:

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

14. Beer & Liquor Permits

- a) a) **Kinfolks BBQ – subject to DRAM shop approval**

Police Chief John 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)

15. General Business Items/Reports and Updates

*Mayor Burget explained he attended the recent Mayors' Meeting and was allowed to express his concerns about the state budget to the representative in attendance.

*City Administrator Mark reminded mayor, council and audience about the upcoming legislative lunch being promoted by the Altoona Chamber on Friday, November 19th at noon. The cost is \$20 for chamber members and the lunch takes place at the new Bondurant-Farrar High School in Bondurant.

16. CLOSED SESSION Per Iowa Code 21.5(c) – pending litigation

Motion made by Council Member Stacey Warren to go to closed session

Roll Call Vote:

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

Motion made by Council Member Gerald Nolin to go to return to open session

Roll Call Vote:

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

17. Adjourn

Roll Call Vote at 7:37 pm:

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

Attest to:

Amy S. Hill, Secretary

Timothy Burget, Mayor