

**CITY OF ALTOONA COUNCIL MEETING
MONDAY, AUGUST 15, 2011, 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, Jerry Whetstone, John Shaw, Amy Hill, City Attorney Bob Laden

Audience Present: Brent Culp, Chris Brooks, Tom Dellopoulos, Denny Franzen, Gary Jones, James Sharp, Craig Menozzi, Dave Harmeyer

2. Perfecting and approval of the agenda

Mayor Tim Burget requested to approve the agenda as presented.

Roll Call Vote:

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

3. Approval of August 1 and 8, 2011 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

*Craig Menozzi, 5850 NE 96th Street, introduced himself to the council. He is the new superintendent of SEP school district.

*Denny Franzen came to represent Iowa Cold Storage, 612 Adventureland Drive, in regards to an addition planned and requesting TIF. Mayor Burget requested Iowa Cold Storage representatives to meet with City Clerk Randy Pierce to compare numbers before making a formal request to council.

5. Pubic Hearing to consider an ordinance amendment to remove a paragraph in Chapter 175.08.3.D.4 – Final Plat Requirements

Mayor Burget explained staff has discovered that the document from the Clerk of the District Court, establishing that land is free from all judgments, attachments, mechanics or other liens of record, is no longer required by the State Code for recording final plats. The title opinion document lists any judgments or liens against a property. City Administrator Jeff Mark stated staff is recommending that this language be deleted as part of the final platting process.

Open Hearing at 7:03 pm

Public Comment: No one came forward to speak

Closed Hearing at 7:04 pm

6. Ordinance amending the Code of Ordinances of the City of Altoona, Iowa, 2004, by removing Chapter 175.08.3.D.4 – Final Plat Requirements (1st Reading)

Ordinance No. 8-15-2011 #1 (336) AMENDING THE CODE OF ORDINANCES OF THE CITY OF ALTOONA, IOWA, 2004, BY REMOVING CHAPTER 175.08.3.D.4 – FINAL PLAT REQUIREMENTS

Roll Call Vote: (1st Reading)

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

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

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

Roll Call Vote: (To publish)

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

7. Public Hearing to consider an ordinance amendment to add Chapter 90.21 – Water Conservation Plan

Mayor Burget explained this ordinance, if enacted, will allow the City Council to declare by resolution, a public water watch, water warning, or water emergency, when a water shortage or equipment failure poses a potential threat to the ability of the water system to meet the needs of the public. City Administrator Mark explained section 90.21.(8) of the ordinance, pertaining to the Water Appeal Board, has been changed to reflect the council's direction to only include the mayor, the superintendent of the water system, and the city administrator.

Open Hearing at 7:05 pm

Public Comment: No one came forward to speak

Closed Hearing at 7:06 pm

8. Ordinance amending the Code of Ordinances of the City of Altoona, Iowa, 2004, by adding Chapter 90.21 – Water Conservation Plan (1st Reading)

Ordinance No. 8-15-2011 #2 (337) AMENDING THE CODE OF ORDINANCES OF THE CITY OF ALTOONA, IOWA, 2004, BY ADDING CHAPTER 90.21 – WATER CONSERVATION PLAN

Roll Call Vote: (1st Reading)

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

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

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

Roll Call Vote: (To publish)

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

9. Public hearing to consider an ordinance amendment to Chapter 76 - Bicycle Regulations

Mayor Burget explained this is the ordinance that was developed by the Metro Advisory Council (MAC). City Attorney Bob Laden stated a paragraph needed to be added.

Open Hearing at 7:07 pm

Public Comment: No one came forward to speak

Closed Hearing at 7:08 pm

10. Ordinance amending the Code of Ordinances of the City of Altoona, Iowa, 2004, by adding Chapter 76 - Bicycle Regulations (1st Reading)

Ordinance No. 8-15-2011 #3 (338) AMENDING THE CODE OF ORDINANCES OF THE CITY OF ALTOONA, IOWA, 2004, BY ADDING CHAPTER 76 - BICYCLE REGULATIONS

Roll Call Vote: (1st Reading)

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

11. Public hearing for plans, specs, form of contract for Altoona Control House & Water Main Improvement Project

Mayor Burget explained the city received bids for the Altoona Control House & Water Main Improvement Project on August 9, 2011. City Administrator Mark explained the improvements include construction of 5,477 feet of 16-inch open cut water main, 355 feet of 16-inch directionally drilled water main, a control building and site work along 1st Avenue South and NE 80th Street. There were nine proposals received ranging from a low of \$780,232.05 to a high of \$1,097,472. The low bid was submitted by Vanderpool Construction, Inc. of Indianola, Iowa. The engineer's opinion

of probable costs was \$936,369. It is our engineer's recommendation that the city award the bid to Vanderpool Construction pending the review of the contracts and bonds by Bob Laden.

Open Hearing at 7:09 pm

Public Comment: No one came forward to speak

Closed Hearing at 7:10 pm

- 12. Resolution to approve the plans, specifications, form of contract and estimated costs for the Altoona Control House & Water Main Improvement Project**
Resolution #8-15-2011 #01 TO APPROVE THE PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATED COSTS FOR THE ALTOONA CONTROL HOUSE & WATER MAIN IMPROVEMENT PROJECT
Mayor Burget explained the estimated cost of the project was \$936,369.
Roll Call Vote:
2 Mertz Y Sloan Y Riding 1 Warren Y Nolin (5-0)
- 13. Resolution to approve the contract and bond for the Altoona Control House & Water Main Improvement Project**
Resolution #8-15-2011 #02 TO APPROVE THE CONTRACT AND BOND FOR THE ALTOONA CONTROL HOUSE & WATER MAIN IMPROVEMENT PROJECT
Council Member Stacey Warren motioned approval subject to City Attorney Bob Laden review of the contract and bond subject to Bob Laden's review.
Roll Call Vote:
Y Mertz Y Sloan Y Riding 1 Warren 2 Nolin (5-0)
- 14. Resolution making the award of the contract for the Altoona Control House & Water Main Improvement Project**
Resolution #8-15-2011 #03 MAKING THE AWARD OF THE CONTRACT FOR THE ALTOONA CONTROL HOUSE & WATER MAIN IMPROVEMENT PROJECT
Mayor Burget explained Snyder & Associates, Inc., the city's engineer, recommends that the council award the bid to Vanderpool Construction, Inc. in the amount of \$780,232.05.
Roll Call Vote:
Y Mertz Y Sloan Y Riding 2 Warren 1 Nolin (5-0)
- 15. Public Hearing to consider an ordinance amendment to Chapter 3.02 Voting Precincts**
Mayor Burget explained there is a 1.7 acre piece of property inside Altoona that is not annexed. It is part of unincorporated Polk County. City Administrator Mark explained the property is the old farm house on the east side of 1st Avenue South, located in the middle of the Country Cove development. The Memorandum of Agreement with Polk County creates a joint voting precinct with Polk County which will allow the residents of this property to vote at Altoona Precinct 4. This saves money for both the city and county by not requiring Polk County to set up a precinct just for these people. Council will need to approve the first reading and waive the 2nd and 3rd readings as the plan is due to the Secretary of State by September 1, 2011.
Open Hearing at 7:12 pm
Public Comment: No one came forward to speak
Closed Hearing at 7:13 pm
- 16. Ordinance amending the Code of Ordinances of the City of Altoona, Iowa, 2004, by amending Chapter 3.02 Voting Precincts (1st Reading)**
Ordinance No. 8-15-2011 #4 (339) AMENDING THE CODE OF ORDINANCES OF THE CITY OF ALTOONA, IOWA, 2004, BY AMENDING CHAPTER 3.02 VOTING PRECINCTS
Roll Call Vote: (1st Reading)

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

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

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

Roll Call Vote: (to Publish)

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

17. Resolution to approve a Memorandum of Agreement with Polk County for a joint voting precinct

Resolution #8-15-2011 #04 TO APPROVE A MEMORANDUM OF AGREEMENT WITH POLK COUNTY FOR A JOINT VOTING PRECINCT

Mayor Burget explained this is the Memorandum of Agreement with Polk County for a joint voting precinct.

Roll Call Vote:

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

**18. Resolution to approve changing the name of a street from Rutherford Drive to 24th Street SW
Resolution #8-15-2011 #05 TO APPROVE CHANGING THE NAME OF A STREET FROM RUTHERFORD DRIVE TO 24TH STREET SW**

Mayor Burget explained when Brookfield Estates was platted in 2002, the street name Rutherford Drive was given to the primarily east/west boulevard. City Administrator Mark explained at the time, 24th Street had not been planned. The comprehensive plan for the City of Altoona has since been amended to reflect this roadway being designated as 24th Street. Currently, no properties are located on Rutherford Drive. With the Meadow Vista South development, the roadway will be utilized and staff would recommend making the change prior to any property being assigned an address.

Roll Call Vote:

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

19. Consent Agenda

a) **Allow Bills**

b) **Capitol Projects**

B1) **Final Pay App – Prairie Heritage Civic Plaza – Phase 1 – Larson & Larson Construction - \$22,074.00**

B2) **Pay App # 15 - Altoona Soccer Park Phase 1 - Elder Corporation - \$5,130.00**

B3) **Pay App # 12 – Altoona Soccer Park Phase 2 – Elder Corporation - \$145,112.02**

c) **Resolution approving requests for tax abatement**

Resolution #8-15-2011 #06 TO APPROVING REQUESTS FOR TAX ABATEMENT

d) **Resolution to approve the addition of UBS Financial Services as a provider of Deferred Compensation Plan Services**

Resolution #8-15-2011 #07 TO APPROVE THE ADDITION OF UBS FINANCIAL SERVICES AS A PROVIDER OF DEFERRED COMPENSATION PLAN SERVICES

e) **Consider moving first council meeting of September to Tuesday, September 6, 2011, at 6:30pm**

f) **Set Public Hearing for Tuesday, September 6, 2011 at 6:30 pm to consider a request from Altoona Christian Church to rezone their property from A-1 (Agricultural) to R-1 (Single-family Residential)**

g) **Set Public Hearing for Tuesday, September 6, 2011 at 6:30 pm to consider bids for fire department pumper apparatus**

Roll Call Vote:

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

20. Beer & Liquor Permits

a) **Patrick's Depot – Class C liquor, LC Commercial, Outdoor service, catering privilege
(Subject to final Inspection)**

Roll Call Vote:

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

21. General Business Items/Reports and Updates

*Council Member Kyle Mertz explained that he has begun discussing the grant to be one of the ten communities to take part as the healthiest state consideration.

22. CLOSED SESSION Per Iowa Code 21.5(c)

To go into closed session:

Roll Call Vote:

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

To return to open session:

Roll Call Vote:

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

23. Adjourn at 7:35 p.m.

Roll Call Vote:

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

Attest to:

Amy S. Hill, Secretary

Timothy J. Burget, Mayor