

**CITY OF ALTOONA COUNCIL MEETING  
MONDAY, NOVEMBER 16, 2015, 6:30 P.M.  
AT THE ALTOONA CITY HALL**

**1. CALL TO ORDER**

Roll Call at 6:30 pm

Mayor Conkling – present

Boka – present

Harmeyer – present

Mertz- absent

O'Connor – present

Sloan- present

**City Officials Present:** Jeff Mark, Randy Pierce, Jerry Whetstone, John Shaw, Vern Willey, Jon Hanson, Scott Atzen, Jason Ferguson, Amy Hill, City Attorney Bob Laden

**Audience Present:** Betty Yount-Perry, Darcy Yount, John McMaster, Kim McMaster, Sherry Crall, Dennis Crall, Linda Hardwick, Brant Anderson, Jeff Wangsness, Bob Hall, Clarissa Merschman, Brant Anderson, Paul Moritz

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

Mayor Skip Conkling requested to approve the agenda as presented.

**Roll Call Vote:**

1 Boka Y Harmeyer A Mertz Y O'Connor 2 Sloan (4-0)

**3. Approval of November 2, 2015, Council Minutes**

**Roll Call Vote:**

Y Boka Y Harmeyer A Mertz 1 O'Connor 2 Sloan (4-0)

**4. Citizens request to address council**

No one came forward to speak.

**5. Public Hearing to consider a rezoning request from McMaster's at 810 4<sup>th</sup> Street SW to rezone from M-1 (Limited Industrial) to R-2 (One and Two-family Residential)**

**Hearing opened:** 6:31pm

**Comments:** John McMaster, 810 4<sup>th</sup> St. SW, Altoona, explained he and his wife, Kimberly, are seeking to rezone their property to match the current use. The property is zoned M-1 (Limited Industrial) and has been that zoning designation for many years. The home was built in 1982 and the zoning was existing at that time. The zoning ordinance in 1982 allowed residential uses in industrial zones. Mr McMaster is concerned that it would be difficult for a future buyer to get a loan on the home under the current zoning. Mayor Conkling noted for the record that Randy Monk, owner of Artistic Manufacturing, which is the neighbor to this property submitted a letter in regards to the rezoning but was unable to attend the meeting.

**Hearing closed:** 6:33pm

**6. ORDINANCE NO. 11-16-2015 #01 (416) TO REZONE PROPERTY AT 810 4<sup>TH</sup> STREET SW FROM M-1 (LIMITED INDUSTRIAL) TO R-2 (ONE AND TWO-FAMILY RESIDENTIAL) (1<sup>ST</sup> READING)**

**Roll Call Vote (1<sup>st</sup> Reading):**

2 Boka Y Harmeyer A Mertz 1 O'Connor Y Sloan (4-0)

**7. Public Hearing to consider an ordinance amendment to Chapter 159.10 to allow banners on the pedestrian bridge**

Mayor Conkling explained this is a public hearing to consider an amendment to the sign ordinance, addressing the use of banner signs on the pedestrian bridge over 8<sup>th</sup> Street SW. The proposed language would allow for banner signs with Council approval when the event is open to the general public, in

support of a government body or not for profit organization operating in the interest of a government body or the Altoona Chamber of Commerce. Banner signs can be displayed for a period of 10 days.

**Hearing opened:** 6:35pm

**Comments:** No one came forward to speak.

**Hearing closed:** 6:36pm

8. **ORDINANCE NO. 11-16-2015 #02 (417 ) TO AMEND CHAPTER 159.10 SIGNS IN THE PUBLIC RIGHT-OF-WAY, TO ALLOW BANNERS ON THE PEDESTRIAN BRIDGE (1<sup>ST</sup> READING)**

**Roll Call Vote (1<sup>st</sup> Reading):**

2 Boka Y Harmeyer A Mertz 1 O'Connor Y Sloan (4-0)

**Roll Call Vote (To waive 2<sup>nd</sup> & 3<sup>rd</sup> Reading):**

2 Boka Y Harmeyer A Mertz 1 O'Connor Y Sloan (4-0)

**Roll Call Vote (To publish):**

2 Boka Y Harmeyer A Mertz 1 O'Connor Y Sloan (4-0)

9. **Ordinance No. 11-2-2015 #01 (415) AMENDING THE CODE OF ORDINANCES OF CITY OF ALTOONA, IOWA, 2004, BY AMENDING CHAPTER 98, SECTION 10 (2<sup>nd</sup> Reading)**

Mayor Conkling explained this is the second reading to consider increasing the sewer rate per 1,000 gallons from \$6.71 to \$6.98 effective January 1, 2016. This increase was planned to cover debt service costs related to the Water Reclamation Authority (WRA) and the City's capital projects planned. He also explained after attending the last WRA that the federal government will be requiring more regulations in regards to waste water which could affect the rates in the future.

**Roll Call Vote (2<sup>nd</sup> Reading):**

Y Boka Y Harmeyer A Mertz 1 O'Connor 2 Sloan (4-0)

10. **Update on the Polk County Aviation Association**

Brant Anderson, 2204 9<sup>th</sup> St. SW, Altoona, Altoona's representative to the PCAA introduced Paul Moritz to give an update on the PCAA's activities. Mr. Moritz, Assistant City Manager of Ankeny, 410 West First St., Ankeny, shared information on the capital improvements the PCAA would like to make in the coming years.

11. **Marvin Berger from Martens and Company to present City of Altoona Audit report**

Council Member Dean O'Connor motioned to receive and file the report.

**Roll Call Vote:**

Y Boka Y Harmeyer A Mertz 1 O'Connor 2 Sloan (4-0)

12. **Resolution to approve preliminary plat for Shani Yount Estates Plat 1**

**Resolution 11-16-2015 #01 TO APPROVE PRELIMINARY PLAT FOR SHANI YOUNT ESTATES PLAT 1**

Darcy Yount, 801 17<sup>th</sup> Ave. SW, explained she and her mother, Betty Yount, are seeking preliminary plat approval for Shani Yount Estates Plat 1. This is a three-lot single-family plat located off of 15<sup>th</sup> Avenue SW. Council shared concerns about how to extend the road if the property is to be split into several lots. Sherry Krall, 707 15<sup>th</sup> Ave. SW, shared her family's history on the road leading to the properties and concern of the cost of road. City Engineer Jon Hanson presented two different options for extending the road to the properties. Darcy Yount and Betty Yount shared their concerns for the cost of the road extension and cost to them. Council Member Jeremy Boka motioned approval of the preliminary plat subject to the road being agreed upon by staff and property owners.

**Roll Call Vote:**

1 Boka Y Harmeyer A Mertz 2 O'Connor Y Sloan (4-0)

13. **Consider approval of a hold harmless agreement with Cinemark USA**

Community Development John Shaw explained staff has been working with Cinemark to locate their Interstate high rise pole sign. The island where Cinemark wants to place the sign has a sanitary sewer easement that a portion of the sign will encroach. The agreement stipulates that the sign and/or its base will get no closer than 10-feet to the sanitary sewer main. This agreement would stipulate that Cinemark agrees to protect the City of Altoona from and against any and all loses, costs, damages and expenses caused by the placement of the sign. Cinemark has not signed this agreement to date because they are looking for another solution that would eliminate the need for this agreement.

**Roll Call Vote:**

2 Boka Y Harmeyer A Mertz 1 O'Connor Y Sloan (4-0)

14. **Consider Consent Agenda**

a) **Allow Bills**

b) **Capital Projects**

B1) **Change Order #1 – Adventureland Drive NE Extension Franzen Plat 5 – Elder Construction – (\$10,245.15)**

B2) **Final Pay App - Adventureland Drive NE Extension Frazen Plat 5 – Elder Construction –\$30,913.95**

B3) **Resolution 11-16-2015 #03 ACCEPTING PUBLIC IMPROVEMENTS (ADVENTURELAND DRIVE NE EXTENSION FRAZEN PLAT 5)**

c) **Resolution 11-16-2015 #04 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 (CCRC OF ALTOONA - \$200,000.00)**

d) **Resolution 11-16-2015 #05 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 (BIG GAME ENTERPRISES - \$58,908.00)**

e) **Resolution 11-16-2015 #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 (ADVENTURELAND OF AMERICA, INC. - \$40,000.00)**

f) **Resolution 11-16-2015 #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 (ANNUAL APPROPRIATION URBAN RENEWAL TAX INCREMENT REVENUE BONDS, SERIES 2008 - \$4,107,500.00)**

g) **Resolution 11-16-2015 #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 (IOWA COLD STORAGE - \$301,685.00)**

h) **Resolution 11-16-2015 #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 (F&S ROSENBERGER, LLC. - \$48,857.00)**

i) **Resolution 11-16-2015 #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 (LB PROPERTIES VI - \$75,848.00)

- j) Resolution 11-16-2015 #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 (MIDWEST 1, LLC - \$100,000.00)
- k) Resolution 11-16-2015 #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 (F&S ROSENBERGER, LLC - \$127,034.00)
- l) Resolution 11-16-2015 #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 (FRANZEN I-80 - \$49,000.00)
- m) Resolution 11-16-2015 #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 (FRANZEN I-80 - \$33,600.00)
- n) Resolution 11-16-2015 #15 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 (PRAIRIE MEADOWS - \$200,000.00)
- o) Resolution 11-16-2015 #16 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 (WOODSONIA REAL ESTATE GROUP, INC. - \$70,000.00)
- p) Resolution 11-16-2015 #17 APPROVING THE TRANSFER OF FUNDS FOR BOND AND INTEREST PAYMENTS
- q) Resolution 11-16-2015 #18 APPROVING REQUESTS FOR TAX ABATEMENT
- r) Resolution 11-16-2015 #19 AUTHORIZING THE CITY OF ALTOONA TO SUBMIT AN APPLICATION FOR FUNDING FROM THE FEDERAL SURFACE TRANSPORTATION PROGRAM (STP) TO THE DES MOINES AREA METROPOLITAN PLANNING ORGANIZATION (MPO) FOR THE PARTIAL FUNDING OF THE CONSTRUCTION OF 8<sup>TH</sup> ST. SW FROM US 65 TO VENBURY DRIVE AND FURTHER APPROVING THE APPLICATION WHICH OBLIGATES THE CITY OF ALTOONA TO MATCHING FUNDS FOR THE CONSTRUCTION OF SAID PROJECT

Roll Call Vote:

Y Boka Y Harmeyer A Mertz 1 O'Connor 2 Sloan (4-0)

15. Beer & Liquor Permits

- a) Prairie Meadows - Class E Liquor License (LE) & Sunday Sales License #LE0000899, Class B Wine Permit (Carryout Wine – Includes Native Wine), Class C Liquor License (LC Commercial) & Sunday Sales, Catering Priviledge

Mayor Conkling stated there were no violations that this establishment.

**Roll Call Vote:**

Y Boka Y Harmeyer A Mertz 2 O'Connor 1 Sloan (4-0)

b) Pilot Flying J #913 - Class C Beer Permit (BC)

Mayor Conkling stated there were no violations that this establishment.

**Roll Call Vote:**

Y Boka Y Harmeyer A Mertz 2 O'Connor 1 Sloan (4-0)

**16. General Business Items/Reports and Updates**

\*Council Member O'Connor shared that staff and personnel of the Altoona Campus met to discuss the options for a sports league commission.

**17. Adjourn at 7:24pm**

**Roll Call Vote:**

Y Boka Y Harmeyer A Mertz 1 O'Connor 2 Sloan (4-0)

Attest to: \_\_\_\_\_  
Amy S. Hill, Secretary

\_\_\_\_\_  
J.M. Skip Conkling, Mayor