

**CITY OF ALTOONA COUNCIL MEETING
MONDAY, OCTOBER 2, 2023, 6:30 P.M.
at Altoona City Hall Council Chambers**

1. Call to Order

Roll Call at 6:30 pm

Mayor O'Connor- absent

Boka - present

Duer - present

Dunwoody- present

Sloan - present

Willey - present

City Officials Present: Randy Pierce, Greg Stallman, Jared Ogbourne, Scott Atzen, Dan Scott, John Dostart, John Shaw, Chad Quick, Lyndsay Nielsen, Jeff Bierl and Attorney Bob Laden

Audience Present: Phyllis Murphy, Mike Boeke, Korey Marsh, Alex Payne, Jerry Evans, Julie Stewart, Michael Mitchell, Chad Ratashak, Melissa Horton, Jeni Kadel, and Ben Ward

2. Perfecting and approval of the agenda

Mayor Pro Tem Boka requested to approve the agenda as presented.

Roll Call Vote:

Y Boka 1 Duer Y Dunwoody Y Sloan 2 Willey (5-0)

3. Approval of September 18, 2023, and September 25, 2023 Council Minutes

Mayor Pro Tem Boka requested to approve the minutes as presented.

Roll Call Vote:

Y Boka 1 Duer Y Dunwoody 2 Sloan Y Willey (5-0)

4. Citizens request to address Council on items not on the agenda.

Mayor Pro Tem Boka asked if there was anyone online? Online - Jeni Kadel we will note you are online. Ben Ward - we will copy and make notes and record your comments. Is there anything else you would like to add in? Is there anyone in the audience?

Melissa Horton, Altoona Chamber of Commerce at 119 2nd Street SE, Suite A, Altoona - shared concerns about construction and closures on 1st Avenue.

Online chat-

18:24:37 From Jeni Kadel to Everyone:

Is there a way to "sign in" when we aren't able to attend in person?

18:29:08 From City of Altoona to Everyone:

zoom would be the primary means when you can't attend in person. Thanks

18:30:28 From Jeni Kadel to Everyone:

I just noticed I wasn't shown as attending the last one

18:30:34 From Ben to Everyone:

On October 10, 2022 at 3:53PM, I called the Altoona Police Department to make a FOIA record request. A man who identified himself as Chief Stallman angrily answered the phone and yelled, "I am not going to provide you with anything" after which I ended the call. Afterwards, I sent a complaint against Chief Stallman to the Altoona Police Department.

18:30:41 From Ben to Everyone:

Now, the Altoona Police Records has stated that no complaint was ever recorded from that incident. In another FOIA response, the Altoona Police wrote that there have been "zero" complaints against Chief Stallman in the last year and a half.

18:30:49 From Ben to Everyone:

I also currently have an Iowa Civil Right Commission complaint opened against the Altoona Police (CP#05-23-79960) and the Police have officially responded to the ICRC. That complaint details multiple instances of wrongful conduct by Chief Stallman and the Police Department. Those specific complaints against Chief Stallman had been previously sent to the Police, and CC'd to the City, and

were either ignored or dismissed. Why is the Altoona Police refusing to record or acknowledge complaints from citizens?

5. Public hearing to consider plans, specifications, and form of contract for the Haines Park Splash pad Project.

City Administrator Randy Pierce - This public hearing is to consider the plans, specifications, and form of contract for the Haines Park Splash pad project. The City received two bids on September 26, 2023. The Henley Group has the lowest responsive bid at \$187,000.00. In your packet is a letter from our consultant, Confluence. They recommend awarding the bid to The Henley Group.

Open: 6:36 pm

Chad Ratashak, 1019 10th Avenue Place SE, Altoona - asked about the water treatment?

Councilmember Willey - stated the splash pad will have a drain and the water is treated.

Close: 6:38 pm

6. Resolution to approve the plans, specifications, form of contract and estimated costs for the Haines Park Splash Pad Project.

Councilmember Dunwoody asked if the project was within the budgeted amount?

City Administrator Randy Pierce stated yes it was within the amount budgeted.

Roll Call Vote:

Y Boka 2 Duer Y Dunwoody Y Sloan 1 Willey (5-0)

7. Resolution to approve the contract and bond for the Haines Park Splash Pad Project.

Councilmember Duer moved subject to legal review.

Roll Call Vote:

Y Boka 1 Duer 2 Dunwoody Y Sloan Y Willey (5-0)

8. Resolution making award of the contract for the Haines Park Splash Pad Project.

Councilmember Dunwoody moved subject to legal review.

Roll Call Vote:

Y Boka 2 Duer 1 Dunwoody Y Sloan Y Willey (5-0)

9. Residents to discuss bike trail expansion.

City Administrator Randy Pierce stated some residents from the Eagle Knolls development want to discuss when the bike trail will be installed in their neighborhood.

Michael Mitchell, 2402 14th Street SW, Altoona stated he wanted to turn in a petition for a request of a bike trail to be considered in the next budget process. Petition was accepted.

10. Resolution to approve a plat of survey for parcel #2023-146 (0.31 acres) and parcel #2023-147 (0.30 acres).

Community Development John Shaw stated there are three lots and the request is to split Lot 10 of Eagle Knoll Estates Plat 1 between Lot 9 and Lot 11. This will create two new parcels to be recorded as parcel #2023-146 which is 0.31 acres and parcel #2023-147 which is 0.30 acres. Staff would recommend approval.

Roll Call Vote:

Y Boka 1 Duer 2 Dunwoody Y Sloan Y Willey (5-0)

11. Resolution to approve a plat survey for parcel #2023-118 (6.92 acres) and parcel #2023-119 (1.78 acres).

Community Development John Shaw stated Ziegler Realty LLC is requesting to split Outlot Z of Ziegler Industrial Plat 2 into two new parcels with the intention of selling one parcel to the Iowa DOT for additional right-of-way. The two new parcels are to be recorded as Parcel #2023-118 (6.92 acres) and Parcel #2023-119 (1.78 acres). Staff would recommend approval.

Roll Call Vote:

Y Boka 1 Duer 2 Dunwoody Y Sloan Y Willey (5-0)

12. Resolution approving the preliminary plat for Ziegler Industrial Park Plat 2

Roll Call Vote:

Y Boka 1 Duer 2 Dunwoody Y Sloan Y Willey (5-0)

13. Resolution approving the final plat for Ziegler Industrial Park Plat 2

Roll Call Vote:

Y Boka 1 Duer Y Dunwoody Y Sloan 2 Willey (5-0)

14. Consider request from Berkey Homebuilders, Inc. for relief of sewer fees in the amount of \$319.24.

City Administrator Randy Pierce stated Berkey Homebuilders, Inc has built a home at 3103 Lakeview Dr. SE and had sod laid. They watered the sod and are now asking for the sewer portion of that bill to be waived. No irrigation meter was installed.

Mayor Pro Tem Boka motioned to deny.

Roll Call Vote:

1 Boka 2 Duer Y Dunwoody Y Sloan Y Willey (5-0)

15. Consider Consent Agenda

a. Allow Bills

b. Pay Apps

B) 1 - Change Order #7 - Veenstra & Kimm, Inc. - Muchikinock Creek Trunk Sewer-Phase 1 - \$133,376.00.

B) 2 - Pay App - Iowa Sports Turf - Sam Wise Sports Complex Renovation Phase #3 - \$245,488.55.

B) 3 - Pay App #16 - Landmark Structures - North Water Tower - \$11,119.75.

B) 4 - Pay App #17 - Graff Excavating, Inc. - Muchikinock Creek Truck Sewer - \$170,296.71.

B) 5 - Pay App - Absolute Concrete Construction, Inc. - 1st Avenue Reconstruction-Phase III - \$615,217.30.

c. Resolution Approving Requests for Tax Abatement.

d. Resolution to approve granting an electrical easement to MidAmerican Energy Company as part of the City of Altoona Booster Station Project.

e. Resolution Setting Date for Public Hearing on Designation of the Expanded Altoona Urban Renewal Area and on Urban Renewal Plan Amendment.

f. Set up a public hearing to consider a rezoning request from JDH Investments, LLC and Signature Commercial Real Estate to rezone 13.58 acres from A-1 (Agricultural District) to M-1 (Light Industrial).

g. Set up a public hearing to consider a rezoning request from High Pointe Church to rezone 5.23 acres from A-1 (Agricultural District) to R-1 (Single-Family Residential).

h. Consider Agreement with Iowa DOT for funding surface crossing improvements over the Iowa Interstate Railroad track line at 5th AVE. SW.

i. Consider Event Request

1. - None

j. Beer and Liquor Permits

1) - Texas Roadhouse - Class C Retail Alcohol License, Sunday & Outdoor Sales

2) - Thirsty Pigs LLC - Special Class C Retail License (BW) - 5 day Outlets of Des Moines

Roll Call Vote:

Y Boka 1 Duer Y Dunwoody Y Sloan 2 Willey (5-0)

16. Department Head Reports & Updates

The following gave updates: Police Department-Greg Stallman, Fire Department-Jared Ogbourne, Community Development-John Shaw, Public Works-Scott Atzen, Public Utilities-Dan Scott, Engineering-John Dostart, Economic Development-Chad Quick, HR-Lyndsay Nielsen, IT-Jeff Bierl, and City Administrator-Randy Pierce.

17. General Business

Councilmember Willey gave updates on Dart Budget and Online Forum for Candidates.

18. Adjourn

Councilmember Dunwoody motioned to adjourn at 6:56 pm.

Roll Call Vote:

Y Boka 2 Duer 1 Dunwoody Y Sloan Y Willey (5-0)

Attest to:

Randy Pierce, City Clerk

Mayor Pro Tem - Jeremy Boka