

**CITY OF ALTOONA COUNCIL MEETING
MONDAY, AUGUST 7, 2023, 6:30 P.M.
at Altoona City Hall Council Chambers**

1. Call to Order

Roll Call at 6:30 pm

Mayor O'Connor- present

Boka - present

Duer - absent

Dunwoody- present

Sloan - present

Willey - present

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

Audience Present: Phyllis Murphy, Mike Boeke, Alex Weigel, Alex Amadeo, Chad Ratashak, and Jeni Kadel

2. Perfecting and approval of the agenda

Mayor O'Connor requested to approve the agenda. One change, item number eight instead of reading 8th Street Widening Project should read Sam Wise Sports Complex Field Renovation Phase 3.

Councilmember Boka moved as amended.

Roll Call Vote:

1 Boka A Duer 2 Dunwoody Y Sloan Y Willey (4-0)

3. Approval of July 17, 2023 and July 24, 2023 Council Minutes

Mayor O'Connor requested to approve the minutes as presented.

Roll Call Vote:

2 Boka A Duer Abstention Dunwoody Y Sloan 1 Willey (3-0-1)

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

Mike Boeke, 513 18th Street SE, told the council about the follow up of 514 18th Street SE.

Mayor O'Connor states we have a couple of comments from Ben, I think they came from the emails that we have had previously. We will put those into the record unless he wanted to get on and speak otherwise we will just take his questions and they have been dealt with by the City or will be dealt with by the Police Chief. I have spoke with him.

18:31:23 From Ben to Everyone: Why is the Altoona Police refusing to issue any citation for my complaint against Robin Bagby, of 907 7th Ave SE Unit 1, for blaring loud noise into my residence. Ms. Bagby was literally recorded on a Police Body Camera admitting to doing the unlawful act. Could you please clarify why the City of Altoona is also refusing to issue a citation for this noise disturbance in accordance with the Altoona City Code? [Chapter 58–Noise Control, Ordinance No. 12-20-2021 #03 (597)] Why is the City of Altoona refusing to allow me to show the Body Camera footage of this incident at the City Council Meeting?

18:34:27 From Ben to Everyone: It has not been dealt with, that is why I am asking it here. Th City of Altoona has been ignoring my emails regarding this. Why are you not allowing me to speak?

18:41:05 From Ben to Everyone: This is wrong.

5. Public hearing to consider plans, specifications, and form of contract for the Sam Wise Sports Complex Field Renovation Phase 3 Project.

City Administrator Randy Pierce - This public hearing is for this project, Phase 3. Phase 3 will renovate two baseball and two softball fields. The city received bids on July 27. Total of five bids were submitted. Low bid was Iowa Sports Turf Management at \$1,118,305.00. Confluence our consultant has written a letter of support and staff would also recommend giving the winning bid to Iowa Sports Turf.

Open hearing: 6:34 pm

Comments: None

Closed hearing: 6:34 pm

6. Resolution to approve the plans, specifications, form of contract and estimated costs for the Sam Wise Sports Complex Field Renovation Phase 3 Project.

Roll Call Vote:

1 Boka A Duer 2 Dunwoody Y Sloan 2 Willey (4-0)

7. Resolution to approve the Contract and Bond for Sam Wise Sports Complex Field Renovation Phase 3 Project.

Councilmember Boka moved subject to review.

Roll Call Vote:

1 Boka A Duer 2 Dunwoody Y Sloan Y Willey (4-0)

8. Resolution making award of the Contract for Sam Wise Sports Complex Field Renovation Phase 3.

Councilmember Boka moved subject to review.

Roll Call Vote:

1 Boka A Duer 2 Dunwoody Y Sloan Y Willey (4-0)

9. Public hearing to consider a Public Improvement Project which may require acquisition of property for the 8th Street SW Road Project.

City Engineer John Dostart - There are three parcels on the next phase of 8th Street SW Reconstruction project, which runs from approximately 28th Ave. SW / Prairie Meadows Drive to east of the Iowa Interstate Railroad underpass.

Open hearing: 6:37 pm

Comments: None

Closed hearing: 6:37 pm

10. Resolution authorizing Public Improvement which may require acquisition of agricultural land.

City Engineer John Dostart - This resolution authorizes the use of eminent domain, should the City not be able to reach an agreeable price for the necessary property rights with the current owners. Negotiations with the property owners will occur first and all reasonable attempts will be made to reach a voluntary agreement. The public hearing eliminates one possible concern that could arise at an eminent domain hearing.

Roll Call Vote:

1 Boka A Duer 2 Dunwoody Y Sloan Y Willey (4-0)

11. Public hearing for the Spring Creek Park South Pond Boat Ramp & Parking Lot.

City Administrator Randy Pierce - This public hearing is to consider the plans, specs, and form of contract for the Spring Creek Park South Pond Boat Ramp & Parking Lot Project. The city received bids on August 2. There was a total of ten bids submitted. Elder Corporation was the winning bid at \$260,532.00. Staff is recommending awarding the bid to Elder Corporation.

Open hearing: 6:40 pm

Comments: None

Closed hearing: 6:40 pm

12. Resolution to approve the plans, specifications, form of contract and estimated costs for the Spring Creek Park South Pond Boat Ramp & Parking Lot Project.

Roll Call Vote:

2 Boka A Duer 1 Dunwoody Y Sloan Y Willey (4-0)

13. Resolution to approve the Contract and Bond for the Spring Creek Park South Pond Boat Ramp & Parking Lot Project.

Councilmember Willey moved subject to review.

Roll Call Vote:

Y Boka A Duer 2 Dunwoody Y Sloan 1 Willey (4-0)

14. **Resolution making award of the Contract for the Spring Creek Park South Pond Boat Ramp & Parking Lot Project.**
Councilmember Boka moved subject to review.
Roll Call Vote:
1 Boka A Duer 2 Dunwoody Y Sloan Y Willey (4-0)
15. **Resolution to approve a final plat for Brookhaven Estates Plat 4.**
Erin Ollendike, 4121 NW Urbandale Drive, Urbandale, IA. Here for Jerry's Homes to request approval of final plat for Brookhaven Estates Plat 4. Construction is nearing completion.
Councilmember Dunwoody moved subject to deficiencies.
Roll Call Vote:
2 Boka A Duer 1 Dunwoody Y Sloan Y Willey (4-0)
16. **Resolution to approve a preliminary plat for Pine Tree Plaza Plat 2.**
Alex Amadeo, ISG 217 East 2nd Street, Des Moines, IA 50309. Here on behalf of Heart of America Group proposes to further develop the detention basin Lot 1 of Pine Tree Plaza Plat 1 known as Colby's Pine Tree Plaza. The proposed development will be called Hyper-Energy Bar—a drive-through coffee shop that will sell coffee and energy drinks.
Roll Call Vote:
1 Boka A Duer 2 Dunwoody Y Sloan Y Willey (4-0)
17. **Resolution to approve a final plat for Pine Tree Plaza Plat 2.**
Councilmember Boka moved subject to deficiencies.
Roll Call Vote:
1 Boka A Duer 2 Dunwoody Y Sloan Y Willey (4-0)
18. **Resolution to approve a site plan for Altoona Hyper Energy Bar.**
Councilmember Dunwoody moved subject to deficiencies.
Councilmember Willey requested the sidewalk be 5 feet like public sidewalks to meet ADA requirements.
Alex Amadeo, ISG 217 East 2nd Street, Des Moines, IA 50309 stated plans could be revised with five feet wide sidewalks.
Roll Call Vote:
2 Boka A Duer 1 Dunwoody Y Sloan Y Willey (4-0)
19. **Resolution authorizing and approving a Loan Agreement, providing for issuance of \$5,265,000 General Obligation Urban Renewal Bond, Series 2023 and providing for the levy of taxes to pay the same.**
City Administrator Randy Pierce - This is the final step for bonds that will pay for the road improvements along 1st Ave Phase 3 and 8th St SE widening.
Roll Call Vote:
1 Boka A Duer 2 Dunwoody Y Sloan Y Willey (4-0)
20. **Consider Consent Agenda**
a. Allow Bills
b. Pay Apps
B) 1 - Change Order 1 - Absolute Concrete Construction, Inc. - 1st Avenue Reconstruction-Phase III - \$22,119.02.
B) 2 - Pay App - Absolute Concrete Construction, Inc. - 1st Avenue Reconstruction-Phase III - \$333,416.21.
B) 3 - Pay App - Synergy Contracting LLC - 1st avenue Reconstruction Phase II - \$45,000.00.
B) 4 - Pay App - Jackson Creek Enterprises, Inc. - 2021 Water Main Replacement Project - \$5,000.00.
B) 5 - Pay App - Jackson Creek Enterprises, Inc. - 2022 Water Main replacement Project - \$110,980.20.

- B) 6 - Pay App - Jackson Creek Enterprises, Inc. - Heritage Homes Storm Water Improvements-Phase 3 - \$5,000.00.
- B) 7 - Pay App - Jackson Creek Enterprises, Inc. - Heritage Homes Storm Water Improvements-Phase 4 - \$12,078.25.
- B) 8 - Pay App - Landmark Structures - 1748-1748 Altoona, IA - \$62,985.00.
- B) 9 - Pay App - Granite Excavating LLC - Townsend Park Watershed Improvements-Phase 1 - \$380,766.08.
- B) 10 - Pay App - Graff Excavating, Inc. - Muchikinock Creek Trunk Sewer - \$348,062.90
- c. Set a Public hearing for August 21, 2023, to consider a request from Graham Group, Inc, RDB Trust, and Robert A. Brown to amend the Altoona Comprehensive Plan Land Use Map to change the land use of the 73.3 acres from Medium-Density Residential to Light Industrial/Office Park.
- d. Set a Public hearing for August 21, 2023, to consider a request from Graham Group, Inc, RDB Trust, and Robert A. Brown to rezone approximately 73.3 acres from A-1 (Agricultural District) to M-1 (Limited Industrial).
- e. Set a Public hearing for August 21, 2023, to consider a rezoning request from David Stubbs to rezone 20 acres from A-1 (Agricultural) to R-5 (Planned Unit Development).
- f. Set a Public hearing for August 21, 2023, to consider a Meadow Brook Ridge Development Plan approval request from David Stubbs to develop 20 acres of land with low and medium-density residential development.
- g. Resolution appointing Planning and Zoning Commission member Dan Dove.
- h. Resolution to approve Granting an electrical easement to MidAmerican Energy Company as part of the City of Altoona Water Tower Project
- i. Resolution approving writing off of rescue fees from 4-2023 thru' 6-30-2023.
- j. Consider approving Standard Agreement for Consulting Services with McClure Engineering.
- k. Consider approving CDL Training Agreement
- l. Consider approving Agreement Between Hawkeye Land Co. and City of Altoona for an easement.
- m. Consider approving application for Polk County Betterment Grant for Sam Wise Sports Complex Phase III.
- n. Consider Event Request
 - 1. - Jolly Holiday Lights - Outlets of Des Moines Nov 17, 2023, Kickoff
- o. Beer and Liquor Permits
 - E1) Altoona Palooza - Class B Beer Permit 8-26-23
 - E2) Guadalajara Mexican Restaurant - new location moving license.
 - E3) Kwik Trip Inc. #1186 - Class E Retail Alcohol License
 - E4) Hampton Inn & Suites by Hilton Altoona - New Special Class C Retail Alcohol License

Roll Call Vote:

 2 Boka A Duer 1 Dunwoody Y Sloan Y Willey (4-0)

21. Department Head Reports & Updates

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

22. General Business

23. Adjourn

Councilmember Dunwoody motioned to adjourn at 6:56 pm.

Roll Call Vote:

 2 Boka A Duer 1 Dunwoody Y Sloan Y Willey (4-0)

Attest to:

Randy Pierce, City Clerk

Dean O'Connor, Mayor