

CITY OF ALTOONA COUNCIL MEETING
MONDAY, JUNE 5, 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

Burns-Thompson - present

Dunwoody- present

Boka - present

Duer - present

Willey - absent

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

Audience Present: David Cusic, Phyllis Murphy, Jerry Lowe, Janet Lowe, Tyler Splinter, Chad Ratashak, Nathan Herman, Holly Solinger, and Alex Payne

2. Perfecting and approval of the agenda

Mayor O'Connor requested to approve the agenda - noted moving items 5 and 7 around.

Roll Call Vote:

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

3. Approval of May 15, 2023 and May 22, 2023 Council Minutes

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

Roll Call Vote:

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

4. Citizens request to address council on items not on the agenda. Tyler Splinter, 1309 7th Ave. SE, asked council to consider his request to amend Chapter 55.05 to allow for up to five backyard chickens in the City. Mayor O'Connor thanked Tyler for his research on this and the Council will read through the information he provided.

Mayor O'Connor states we have had Ben Ward online and we will go ahead and put his chat into the minutes as usual.

Ben Wards chat18:31:13. From Ben to Everyone: I am writing to document and file a complaint regarding the Altoona City Council's published record of the 5-15-23 Council Meeting Minutes. The City is now refusing to publish my Zoom chat questions again and instead they have only recorded their false narrative of how I participated in the Council Meeting in an attempt to justify their unlawful conduct. The City used my full name even though their published responses to me would be shown to be false if they had posted what I said in the Zoom chat, as they have done for the past two Council Meetings. The City even shows itself to be lying in the published minutes by writing, "Mr. Ben Ward has some chat online. We'll put that into the minutes as we usually do." Could the City please clarify why it is claiming that my chat was put into the minutes when it was not, in fact, put into the Minutes? Why is the City of Altoona treating one of its citizens this way? The Altoona Police is refusing to protect me and enforce the law and now the City of Altoona is ignoring my questions and falsely stating that they have been answered.

7. Mayor's Recognition for Officer Ong & Officer Shelburg for 2023 MADD Award

Mayor O'Connor presented Justin Shelburg with the 2023 MADD Award.

6. Mayor's Recognition for Detective David Lowe

Mayor O'Connor presented Detective David Lowe with the Enforcement Victims Service Award.

5. Mayor's Recognition for Elizabeth Burns-Thompson Council Service

Mayor O'Connor presented Councilperson Elizabeth Burns-Thompson a plaque thanking her for 3.50 years of service on the Altoona City Council.

8. **Public Hearing to Amend Chapter 92.10 for Utility Billing Deposit Amounts**
City Administrator Randy Pierce explained this public hearing deals with increasing the amount of a new utility customer deposit from \$100 to \$200 if no social security number is given.
Open hearing: 6:46pm
Comments: Chad Ratashak, 1019 10TH Place SE asked Council if this was something discussed in the past regarding a direct deposit item that would lower the billing? City Administrator Randy Pierce states a resident can sign up for automatic water payments but there is no discount. This only relates to new utility customer's deposit.
Closed hearing: 6:47pm
9. **Ordinance to Amend Chapter 92.10 for Utility Billing Deposits Amounts**
Roll Call Vote (1st Reading):
2 Boka Y Burns-Thompson 1 Duer Y Dunwoody A Willey (4-0)
10. **Public Hearing to Amend Chapter 98.12 for delinquent bill red tag fees**
City Administrator Randy Pierce explained this public hearing is to amend the fee amount for the service of hanging a delinquent red tag. The fee is increasing from \$10 to \$35. This fee has not been raised in over 15 years. The increase helps cover the staff time costs to hang the red tag.
Open hearing: 6:49pm
Comments: No one came forward to speak.
Closed hearing: 6:49pm
11. **Ordinance to Amend Chapter 98.12 for delinquent bill-red tag fees**
Roll Call Vote (1st Reading):
1 Boka Y Burns-Thompson 2 Duer Y Dunwoody A Willey (4-0)
12. **Public Hearing to Amend Chapter 92.06 for delinquent bill-red tag fees**
City Administrator Randy Pierce explained this public hearing covers the same fees as the above ordinance. Needed to change because it's listed in two different Chapters of our ordinance.
Open hearing: 6:51pm
Comments: No one came forward to speak.
Closed hearing: 6:51pm
13. **Ordinance to Amend Chapter 92.06 for delinquent bill-red tag fees**
Roll Call Vote (1st Reading):
1 Boka Y Burns-Thompson 2 Duer Y Dunwoody A Willey (4-0)
14. **Public Hearing on Proposed Development Agreement with Gateway East Business Center, LLC.**
City Administrator Randy Pierce explained this public hearing allows us to consider approving a development agreement with Gateway East Business Center.
Open hearing: 6:52pm
Comments: No one came forward to speak.
Closed hearing: 6:52pm
15. **Resolution Approving Development Agreement with Gateway East Business Center, LLC Authorizing Annual Appropriation Tax Increment Payments, and Pledging Certain Tax Increment Revenues to the Payment of the Agreement.**
Roll Call Vote:
1 Boka Y Burns-Thompson 2 Duer Y Dunwoody A Willey (4-0)
16. **Public Hearing on Proposed Amendment to a Development Agreement with I-80 Business Park, LLC.** City Administrator Randy Pierce explained this public hearing allows us to consider an amendment to a current development agreement with I -80 Business Park.

Open hearing: 6:54pm
Comments: No one came forward to speak.
Closed hearing: 6:54pm

17. Resolution Approving Amended Development Agreement with I-80 Business Park, LLC, Authorizing Tax Increment Payments, and Pledging Certain Tax Increment Revenues to the Payment of the Agreement. This would need to be subject to recording documents.
Roll Call Vote:
1 Boka Y Burns-Thompson Y Duer 2 Dunwoody A Willey (4-0)
18. Resolution to Approve the Brown Family Farm (Plat of Survey).
Cody Weaver, Civil Engineering Consultants explained this is a Plat of Survey to split a parcel of land into two parts. This plat of survey is in Altoona's two mile review area. Bondurant has approved it, Des Moines has waived, and Polk County has no other requirements.
Roll Call Vote:
1 Boka Y Burns-Thompson 2 Duer Y Dunwoody A Willey (4-0)
19. Resolution to Approve Preliminary Plat for the Otter Mountain Apartments Plat 1.
Cody Weaver, Civil Engineering Consultants explained this is a preliminary plat for creating a lot. Evergreen Partners, LLC. is proposing a preliminary plat to construct market-rate apartments.
Roll Call Vote:
1 Boka 2 Burns-Thompson Y Duer Y Dunwoody A Willey (4-0)
20. Resolution to Approve Final Plat for the Otter Mountain Apartments Plat 1.
Cody Weaver, Civil Engineering Consultants explained this is the final plat. Subject to outstanding deficiencies.
Roll Call Vote:
1 Boka 2 Burns-Thompson Y Duer Y Dunwoody A Willey (4-0)
21. Consider Consent Agenda
 - a. Allow Bills
 - b. Pay Apps
 - B) 1 - Change Order No. 14 Synergy Contracting Inc. -1st Avenue Reconstruction PH 2 - \$3,080.00.
 - B) 2 - Pay App. Number 24 Synergy Contracting L.L.C. -1st Avenue Reconstruction Phase II - \$231,942.32.
 - B) 3 - Pay App. Number 12 Landmark Structures - \$108,574.55.
 - B) 4 - Pay App. Number 004 Granite Excavating LLC - Townsend Park Watershed Improvements-Phase I - \$346,530.01.
 - B) 5- Pay App. Number 13 Graff Excavating, Inc. - Muchikinock Creek Trunk Sewer - \$561,037.46.
 - c. Resolution to Approve the 28E Agreement Between the City of Altoona and other Metro Cities for the Funding and Operations of a Mobile Ventilation Unit.
 - d. Resolution to Accept Permanent Public Utility Easement for Construction of DM Industrial 34th Ave NW.
 - e. Resolution to Accept Temporary Construction Easement for Construction of DM Industrial 34th Ave NW.
 - f. Resolution to Accept Permanent Sanitary & Water Easement for Construction of DM Industrial 34th Ave. NW.
 - g. Resolution setting the date for public hearing and additional action on proposal to enter into an Urban Renewal Loan Agreement and to borrow money thereunder.
 - h. Consider Approving Agreement for Cooperative Public Service between Polk County and City of Altoona.
 - i. Set a Public Hearing for June 19, 2023, to consider plans, specifications, and form of contract for the 8th Street SE Widening Project.

- j. Set a Public Hearing for June 19, 2023 to consider Amendment to Chapter 177, Flood Plan Management.
- k. Set a Public Hearing for June 19, 2023 to consider plans, specifications, and form of contract for the Public Works Entrance Driveway Project.
- l. Set a Public hearing for June 19th, 2023 to consider a rezoning request from Opus Development Company, LLC to rezone 78.48 acres from A-1 (Agricultural District) to M-1 (Light Industrial).
- m. Consider Approval of Waste Hauler Permits
- n. Consider Approval of Cigarette/Tobacco Permits
- o. Consider Event Request Summit Products 4th of July Celebration - July 3rd, 2023, at 5:00 pm.
- p. Consider Hawk Heaven Tavern Events - 06/01/23, 06/11/23, 06/17/23, 06/18/23, 07/06/23, 07/15/23, 07/23/23, 08/03/23, 08/05/23, 08/06/23, 09/07/23, 09/09/23.
- q. Beer and Liquor Permits
 - P1) Uncle Bucks - Class C Retail Alcohol License, Sunday & Outdoor Sales
 - P2) Za-Ga-Zig Temple(Oasis) - Class C Retail Alcohol License, Sunday & Outdoor Sales
 - P3) HyVee Fast & Fresh - Class B Retail Alcohol License (LG)
 - P4) Burger Shed - Class C Retail Alcohol License, Catering, Sunday & Outdoor Sales

Roll Call Vote:

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

22. Department Head Reports & Updates

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

23. General Business

24. Adjourn

Council Member Dunwoody motioned to adjourn at 7:07 pm.

Roll Call Vote:

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

Attest to:

 Randy Pierce, City Clerk

 Dean O'Connor, Mayor