

CITY OF ALTOONA COUNCIL MEETING
MONDAY, MAY 1, 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

Burns-Thompson - present
Duer - present

Dunwoody- present
Willey - present

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

Audience Present: Phyllis Murphy, Alex Payne, Chris Lynn, Chad Ratashak, and Dave Cusic

2. Perfecting and approval of the agenda

Mayor Pro-Tem Boka requested to approve the agenda with the removal of Item 12 (t)

Roll Call Vote:

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

3. Approval of April 17 & April 24, 2023 Council Minutes

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

Roll Call Vote:

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

4. Citizens request to address council - On Zoom, Mayor Pro-Tem Boka acknowledged Ben Ward, 907

7th Ave SE, Apt #9, Altoona Iowa was online with the following chat: " I am writing to submit a complaint against the Altoona City Council for harassment and intimidation. In the April 17,2023 Meeting Minutes, the City only recorded what I typed in the chat and did not include their replies And initial ignoring of my chat comment. In doing so, the City presented an out-of-context narrative of the meeting that portrays me in a negative light, thereby libeling me. This appears to be an attempt to punish me for my complaint and to discourage my attendance at future City Council meetings. The City also left out Police Chief Stallman's glib reply to their initial response to have him continue to "deal" with the situation. Due to this impropriety, I ask that the City republish that section in the April 17, 2023 Meeting Minutes and include all of the spoken comments surrounding their responses to me, or lack of response to me. If the City is unable to do so I ask that that section be redacted." Mayor Pro-Tem Boka replied, "Can we note that and have it corrected, and also Mr. Ward the City of Altoona's attorney Bob Laden will reach out to you tomorrow so we can get in front of this and try to get this issue rectified."

5. Public Hearing to Consider Amending Chapter 122 to Add Language for Mobile Food Vendors

Open: 6:33 pm - Chad Ratashak, 1019 10th Ave Pl SE, Altoona appreciates this ordinance change. He feels it brings a sense of community togetherness and added choices to the community. It is a fun way to bring neighbors together.

Close: 6:35 pm

6. Ordinance Adding Chapter 122.20 "Mobile Food Vending"

Council Member Duer motioned to approve the Ordinance for Mobile Food Vending

Roll Call Vote: 1st reading

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

Roll Call Vote: waive 2nd and 3rd reading

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

Roll Call Vote: to publish

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

7. Public Hearing to Consider Request for C-7 Zoning Amendment

Prairie Crossing Investment Inc. is requesting the City of Altoona consider amending the C-7 Regional Commercial District to allow automotive repair services as a principle permitted use. "The Shoppes of Prairie Crossing" is zoned C-7 and is located within the area designated as a Regional Commercial Center. This area is uniquely located near the intersection of Interstate 80, Highway 65 Bypass and Highway 965 (Hubbell Avenue) boasts prominent visibility and access for Central Iowa. Long term goal for this area is to develop retail that provides a regional type draw, restaurants, hotels, regional medical services and other similar uses that compliments existing entertainment/tourism uses and provides synergy to serve a population greater than just the local population of Altoona. Another goal of this area is to allow a mix use of high density residential. At the April 25th meeting, the Planning and Zoning Commission voted 4 to 1 to deny the request.

Open: 6:36 - Josh Trygstad, Civil Design Advantage, 4121 NW Urbandale Dr, Urbandale, Iowa. On behalf of the Prairie Crossing Investment, they would like you to consider amending the C-7 Regional Commercial District to allow automotive repair use. A little bit of background not in the memo is that Prairie Crossing Investments purchased 173 acres in 2009. Shortly after the C-7 Regional Commercial District was formed. In 2015 Prairie Crossing Investments purchased an additional 151 acres. 9 site plans have been developed and the assessed value on these properties is 82.9 million. There is still 125 acres that has been sitting vacant. They feel that this automotive repair business is a reputable business, and their buildings are very clean looking. They have an interest in keeping the development up to par.

Close: 6:38 pm.

8. Resolution to Approve/Deny Request to Amend the C-7 Ordinance Council Member Duer motioned to Deny amending the C-7 Ordinance.

Roll Call Vote:

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

9. Resolution to Approve the Preliminary Plat for the Atherton-Brown Family Trust Plat 1 Preliminary Plat (County Plat)

Terry Coady, Snyder & Associates, 2727 SW Snyder Blvd, Ankeny, Iowa, is representing the applicant, Kyle Carney, a trustee of the Jeraldine M. Brown estate, is proposing to separate the existing homestead from the agricultural land and create one additional parcel for a new homestead.

Council Member Duer motioned to approve the Preliminary Plat for the Atherton-Brown Family.

Roll Call Vote:

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

10. Resolution Accepting Administrative Settlement for the Muchikinock Creek Trunk Sewer

Public Utilities Director Dan Scott, stated that the Lindstrom's own property along the Muchikinock Creek Sewer Project, which they use for boarding horses and pasture space. As a result of the sewer construction activities, the Lindstrom's were required to turn away requests for boarding horses and several horses that were boarded terminated their agreements because of the restricted pasture space. Losing these horse boarding customers has caused the Lindstrom's to incur costs. This agreement has been negotiated as a settlement of this issue.

Council Member Willey motioned to approve the Administrative Settlement.

Roll Call Vote:

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

11. Consider waiving late charges for Altoona Nursing and Rehab. \$856.93

The City received a letter from Altoona Nursing & Rehabilitation Community asking for their late fee of \$856.93 to be waived.

Council Member Willey motioned to deny the request to waive late charges.

Roll Call Vote:

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

12. Consider Consent Agenda

a. Allow Bills

b. Pay Apps

B) 1 Pay App - AVR Excavating Inc. - Spring Creek Park South Bank Stabilization Project 2023 - \$163,649.05

B) 2 Pay App - Graff Excavating Inc. - Muchikinock Creek Trunk Sewer - \$379,616.20

B) 3 Pay App - Landmark Structures - North Water Tower - \$46,882.50

c. Resolution Accepting Permanent Sidewalk Easement for Construction of the Roadway Improvements - 8th St SE Reconstruction Project

d. Resolution Accepting Temporary Construction Easement for 8th St SE Reconstruction Project

e. Resolution Accepting Temporary Construction Easement & Administrative Settlement for 9th Street NE Reconstruction Project

f. Resolution to Purchase Land by Warranty Deed for 9th Avenue NE Reconstruction Project

g. Resolution Accepting Permanent Public Utility Easement for 9th Street NE Reconstruction Project

h. Resolution Accepting Permanent Sanitary Sewer Easement for the Prairie Landing Plat 1

i. Resolution Accepting Temporary Construction Easement for the Prairie Landing Plat 1 Project

j. Hy-Vee Ladies Night - Sept 8, 2023 at Civic Plaza

k. Great Stake Smoke Off - June 17th Haines Park/Haines Stage

l. CAP Theater Summer Classic -July 12 - 30th Haines Stage

m. ARC Oktoberfest - 6K October 7th Prairie Heritage Trail

n. Democratic Party Root beer Float - June 25th & Aug 27th Haines Park

o. Law Enforcement Recruiting Event - May 13th - Bass Pro Parking Lot

p. Set a Public Hearing for Monday, May 15, 2023 at 6:30 pm to consider an ordinance for RAGBRAI 2023, July 27, 2023

q. Set a Public Hearing for Monday, May 15, 2023 at 6:30 pm to consider approval of Fiscal Year 2023 Budget Amendment

r. Consider approving Agreement between the Altoona Police Department and Southeast Polk Community School District for the School Resource Officer Program

s. Work Order Request with JCG Land Services for the City Project -Griffieon Farms Sanitary Sewer - ROW Acquisition Services - Not to Exceed \$7,600

t. Consider Agreement for Professional Services for McCreary Site Traffic Impact Study

u. Resolution Approving the Population Count for the Altoona Voluntary Annexation NC22-44

v. Beer and Liquor Permits

V1) Hy-Vee Clubroom - Special Class C Retail Alcohol License, Sunday & Outdoor

Council Member Duer requested to approve the consent agenda (with item 12 (t) removed.)

Roll Call Vote:

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

13. Department Head Reports & Updates

a) Police Department - Greg Stallman

b) Fire Department - Jared Ogbourne

c) Public Utilities - Dan Scott

- d) Public Works - Scott Atzen - absent
- e) Engineering - John Dostart
- f) Community Development - John Shaw
- g) Economic Development - Chad Quick
- h) Library - Kim Kietzman - absent
- i) IT - Jeff Bierl

14. General Business

15. Adjourn

Council Member Burns-Thompson motioned to adjourn at 6:52 pm.

Roll Call Vote:

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

Attest to: _____
Randy Pierce, City Clerk

Jeremy Boka, Mayor Pro-Tem