

**CITY OF ALTOONA COUNCIL MEETING  
MONDAY, APRIL 17, 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

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, Kim Kietzman, City Attorney Bob Laden

**Audience Present:** Phyllis Murphy, Alex Payne, Chris Lynn, Chad Ratashak, and Shawntel Cooney.

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

Mayor Dean O'Connor requested to approve the agenda with amending item 14. Originally was written as "Facebook Data Center PCI 3-4" changed to "Facebook Data Center 5-6".

**Roll Call Vote:**

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

**3. Approval of April 3, 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 Y Willey (5-0)

**4. Citizens request to address council**

Shawntel Cooney, 365 NE 77<sup>th</sup> Ct, Pleasant Hill, Iowa, will be heading the Fourth of July Parade. She is excited and invited everyone to participate. Parade Applications are available now.

Chad Ratashak, 1019 10<sup>th</sup> Ave Pl SE, Altoona, Iowa resident would like council to look at a bike trail crossing on 1<sup>st</sup> Ave near Hy-Vee and the Enabling Garden.

**5. Trees Please Check Presentation - Mid American Energy - Katie Lord**

Katie Lord presented a check for \$1,000 for the Trees Please program.

**6 Public Hearing to consider plans, specifications, and form of contract for the 1<sup>st</sup> Ave Reconstruction Project**

Engineer John Dostart discussed this hearing for consideration of the final phase of the 1<sup>st</sup> Ave. reconstruction project. Although this project will widen 1<sup>st</sup> Ave., a primary goal of this phase is to upgrade the 4" and 6" waterline along 1<sup>st</sup> Ave. S to a 12" waterline. This contract will follow our standard template and incorporates Iowa Statewide Urban Design and Specifications (SUDAS) as its form of contract.

**Open: 6:42 pm - There were no comments from the public**

**Close: 6:42 pm**

**7. Resolution to Approve the Plans, Specifications, Form of Contract and Estimated Costs for the 1<sup>st</sup> Ave Reconstruction Phase 3 Project**

Council Member Duer requested to approve the contract and estimated Costs.

**Roll Call Vote:**

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

**8. Resolution to Approve the Contract and Bond for the 1<sup>st</sup> Avenue Reconstruction Phase 3 Project.**

Council Member Willey requested to approve the contract and bond subject to City Attorney's review.

**Roll Call Vote:**

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

**9. Resolution Making Award of the Contract for the 1<sup>st</sup> Avenue Reconstruction Phase 3 Project.**

Engineer John Dostart discussed that the City received two bids, Absolute Group for \$4,936,982.50 and Synergy Contracting for \$5,552,796.00. The Engineers estimate is \$4,960,911.45

Council Member Boka requested to approve the contract subject to City Attorney's review.

**Roll Call Vote:**

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

**10. Public Hearing to consider establishing the Muchikinock Creek Sanitary Sewer Connection Fee District**

Public Utilities Director Dan Scott discussed this new ordinance is for a new sanitary sewer connection fee district. This new district is located in the northwest part of Altoona with boundaries shown on the map included with ordinance. It consists of approximately 2800 acres and results in a connection fee of \$5100 per acre. This new connection fee would become effective July 1, 2023.

**Open: 6:44 pm - There were no comments from the public**

**Close: 6:45 pm**

**11. Ordinance to Establish the Muchikinock Creek Sanitary Sewer Connection Fee District #1 and to Adopt Connection Fees Therein**

Council Member Boka motioned to approve the Ordinance

**Roll Call Vote: 1<sup>st</sup> reading**

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

**Roll Call Vote: waive 2<sup>nd</sup> and 3<sup>rd</sup> reading**

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

**Roll Call Vote: to publish**

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

**12. Public Hearing to consider the vacating and selling of the land owned by the City of Altoona Consisting of Approximately 27,828 SF (0.64 acres) located south of Edwin W Skinner Parkway SE on the west side of 10<sup>th</sup> Ave SE**

Community Development Director John Shaw, commented that this is part of the land swap between the city and the developer which the city agreed to. The developer provided the city with some extra park space to the south. In exchange, the city is selling this piece of land to the developer.

**Open: 6:46 pm - There were no comments from the public**

**Close: 6:46 pm**

**13. Ordinance to vacate and sell the land owned by the City of Altoona Consisting of Approximately 27,828 SF (0.64 acres) located south of Edwin W Skinner Parkway SE on the west side of 10<sup>th</sup> Ave SE**

Council Member Duer motioned to approve this ordinance.

Roll Call Vote: 1<sup>st</sup> reading

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

Roll Call Vote: waive 2<sup>nd</sup> and 3<sup>rd</sup> readings

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

Roll Call Vote: to publish

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

**14. Resolution To Re-Approve A Site Plan for Facebook Data Center PCI 3-4 and A Site Plan for Facebook Data Center PCI 5-6. \*\* Amended to - Resolution to R-Approve a Site Plan for Facebook Data Center PCI 5-6**

Community Development Director John Shaw, Meta is seeking re-approval of the site plan for the Facebook Data Center PCI 3-4 and Facebook Data Center PCI 5-6.

Council Member Boka motioned to approve the Resolution

Roll Call Vote:

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

**15. Consider extending the Client Service Agreement with The Creative Edge - Molly Johnson for the Carnival Event**

Community Development Director John Shaw discussed that The Arts and Culture Commission is requesting that Molly Johnson contract be extended an additional five months to have her assistance during the Carnival events happening throughout the summer.

Council Member Boka motioned to approve the extended contract for Molly Johnson

Roll Call Vote:

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

**16. Consider Consent Agenda**

a. Allow Bills

b. Pay Apps

B) 1 Granite Excavating - Townsend Park Watershed - \$655,418.07

B) 2 Iowa Sports Turf - #6 - Sam Wise Youth Complex - \$134,341.40

B) 3 Jackson Creek Enterprises - Heritage Homes Storm Water Improvements Phase 4 - \$66,818.255

c. Resolution Accepting Permanent Sidewalk Easement for Construction of the Roadway Improvements - 8<sup>th</sup> St SE Reconstruction Project - \$280.00 to Falcon Ridge Village Homeowners Association

d. Resolution Accepting Permanent Sidewalk Easement for Construction of the Roadway Improvements - 8<sup>th</sup> St SE Reconstruction Project - \$3,775.00 to Falcon Ridge Village Plat 2 Townhome Owners Association

e. Resolution Accepting Temporary Construction Easement For 8<sup>th</sup> St SE Reconstruction Project - \$1,015.00 to Falcon Ridge Village Homeowners Association

f. Resolution Accepting Temporary Construction Easement For 8<sup>th</sup> St SE Reconstruction Project - \$1,590.00 to Falcon Ridge Village Plat 2 Townhome Owners Association

g. Resolution for American Rescue Plan Act (ARPA) Allocation

h. Consider Approving Resolution for 28E Agreement for Funding of Emergency Management Administration

i. Resolution Accepting Public Improvements - Sam Wise Sports Complex Field Renovation

j. Resolution to Re-approve the Preliminary Plat for Brookhaven Estates

k. Resolution to Re-approve the Preliminary Plat for Prairie Landing Project Phase 2

l. Resolution Deleting Property from the Tax Increment Financing District for the Altoona Urban Renewal Area of the City of Altoona, Iowa Pursuant to Section 403.19 of the Code of Iowa

m. An Ordinance Deleting Property from the Tax Increment Financing District for the Altoona Urban Renewal Area of the City of Altoona, Iowa Pursuant to Section 403.19 of the Code of Iowa

- n. Resolution Setting Date for Public Hearing on Designation of the Expanded Altoona Urban Renewal Area and on Urban Renewal Plan Amendment
- o. Set a Public Hearing for Monday, May 1, 2023 at 6:30 pm to Consider Amending Chapter 122 to Add Language for a Mobile Food Vendor
- p. Set a Public Hearing for Monday, May 1, 2023 at 6:30 pm to Consider request for C-7 Zoning amendment
- q. Resolution Approving Writing off of Rescue Fees \$132,474.86
- r. Resolution Approving Payment of Judgement to Prairie Crossing Investments (“PCII”)
- s. Resolution to Approve the 28E Agreement between the City of Altoona and other Metro Cities for the Partial Funding of Homeland Security Services Within the Metropolitan Area
- t. Hope 5K Run (2<sup>nd</sup> Annual) May 13, 2023 9:00 am - 1:00 pm - Prairie Heritage Trail
- u. Brews and Bites - Outlets of Des Moines - April 29, 2023 - 11:00 am - 7:00 pm
- v. Cystic Fibrosis “Great Strides” Walk - Outlets of Des Moines - May 20, 2023 10:00 am

#### Beer and Liquor Permits

- W) 1 - Casey’s #1938 - Class E Retail Alcohol License & Sunday Sales
- W) 2 - Casey’s #6 - Class E Retail Alcohol License & Sunday Sales
- W) 3 - Johnny’s Italian Steakhouse - Class C Retail License, Catering & Sunday Sales
- W) 4 - Walgreens #09791 - Class E Retail Alcohol License & Sunday Sales

Council Member Boka motioned to approve the Consent Agenda

#### Roll Call Vote:

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

#### 17. Department Head Reports & Updates

- a) **Police Department - Greg Stallman**  
More discussion on the bike trail crossing by the enabling garden
- b) **Fire Department - Jared Ogbourne**  
Wanted to Thank the Carpenters Union - they built a water mapping prop with funds the FD secured from the State Fire Marshall. It is now at the FD training facility.
- c) **Public Utilities - Dan Scott**
- d) **Public Works - Scott Atzen - not present**
- e) **Engineering - John Dostart**
- f) **Community Development - John Shaw**
- g) **Economic Development - Chad Quick**
- h) **Library - Kim Kietzman**  
Ribbon Cutting was Friday and Open house went well with 150 attending.
- i) **IT - Jeff Bierl**
- j) **Administration - Randy Pierce**  
Electronic payroll system is now up and working good. Thanks to all the department heads for helping make this a successful transition.

#### 18. General Business

Council member Boka invited Ben Ward to come in and visit with the council members and staff to work through the issues and settle them. On Zoom Ben Ward, 907 7<sup>th</sup> Ave. SE, Apt #9, Altoona, Iowa said the following: at 6:33 pm “Hi. I am writing to publicly submit a complaint against the City of Altoona, Iowa, the City Council, including the Mayor, Council Members, and City Administrator have all ignored my emails regarding the harmful actions of the City against me. And now, it appears that the City Council is falsifying records by not recording my public statements made at previous City Council meetings Minutes. This is unlawful behavior.” Then at 6:39 pm “Could you clarify how you are “dealing” with it when this is the first time I have brought this issue to the attention of the City Council?”, “Hello” Then at 6:44 pm “I am documenting the City’s refusal to acknowledge my complaint and I will be submitting it to the Iowa Ombudsman.”. Then at 7:07 pm “I am unable to do so. Could you please clarify why you will not respond to my emails and

instead are requiring me to come in person?"

Council member Duer was impressed with the Library Open House, it went really well. Thank you to the Altoona Fire department provided Mutual aid with Runnells for a house fire, and was there very quickly.

Mayor O'Connor was also at the Library Open House and thought they did a great job. He also attended the Meta grant awards ceremony and it was nice to see new faces and was a nice event.

**19. Adjourn**

Council Member Burns-Thompson motioned to adjourn at 7:09 pm.

Roll Call Vote:

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

Attest to: \_\_\_\_\_  
Randy Pierce, City Clerk

\_\_\_\_\_  
Dean O'Connor, Mayor