

REGULAR MEETING NO. 15
Council Chambers, City Hall

May 7, 2019
5:30 O'Clock P.M.

The meeting was called to order at 5:32 P.M.

Present were Council Member Dalbey, Roe, Stevens, Streeby, Berg and Mayor Lazio.

Roe moved, seconded by Stevens to approve the following consent agenda items and pulling Item B-17, Res. No. 95-2019, approving the contract, bond, and certificate of insurance for the Beach Ph. 3, Sound System Replacement Proj. to vote on separately: Mins. from Reg. Mtg. No. 13 on April 16, 2019 and Special Mtg. No. 14 on April 18, 2019 as presented; Acknowledgement of March financial rpt. and payment of bills as submitted by the Finance Dept.; Mayor's Proclamation of May 18, 2019 as Kids to Parks Day 2019; Mayor's Proclamation of the month of May as National Historic Preservation Month; Mayor's Proclamation of the 50th Anniversary of Municipal Clerk's Week, May 5 through May 11, 2019; Canvasser and Solicitors Application for American Legion Aux. to collect donations for poppy week for veterans on 5/20-27/19 at various businesses within the City; Purchase asphalt for the 2020 season – 2019/2020 fiscal yr.; Approve the purchase of five (5) Bravo Company patrol rifles and accessories, armor plates, plate carriers and accessories for the Ottumwa Police Dept. in the amount of \$24,466; Res. No. 58-2019, approve the purchase of a ¾ Ton 4WD Extended Cab Pickup Truck for the WPCF from Clemons, Inc., of Ottumwa, Iowa, for \$29,346.86; Res. No. 79-2019, setting the date for a public hearing on the intent to dispose of City owned property located at 912 N. Ash St.; Res. No. 84-2019, setting the date for a public hearing on the intent to dispose of City owned property located at 206 E. Court; Res. No. 85-2019, authorizing the monthly budgeted transfers as authorized in the fiscal year 2019 budget; Res. No. 88-2019, authorizing renewal and admin. services agt. between Wellmark Blue Cross and Blue Shield of Iowa and the City of Ottumwa, effective July 1, 2019 through June 30, 2020; Res. No. 91-2019, assessing delinquent sewer collection fees on property taxes for a total of \$528.51; Res. No. 92-2019, assessing delinquent refuse collection fees on property taxes for a total of \$661.60; Res. No. 93-2019, Approving the contract, bond, and cert. of insurance for the East Alta Vista Reconstruction Proj.; Cigarette Permit Application for The Battery Store; 616 Church St.; Beer and/or liquor applications for: Ottumwa Grocery, LLC; 129-131 E. Second St.; Las Palmas Bar & Grill, Inc.; 321 E. 2nd St.; Walgreens No. 1301; 327 W. Fourth St.; The Owl's Nest; 116 S. Court St.; temp. outdoor service area 5/31/19 at the Canteen Alley; Casey's General Store No. 7; 1001 E. Main St.; Casey's General Store No. 2208; 1603 W. Second St.; Casey's General Store No. 1886; 504 W. Mary St.; Casey's General Store No. 1678; 346 Richmond Ave.; Uncle Buck's Bar & Grill; 518 Church St.; temp. outdoor service area 5/25/19; all applications pending final inspections. All ayes.

Roe moved, seconded by Berg to approve Res. No. 95-2019, Approving the contract, bond, and cert. of insurance for the Beach Ph. 3, Sound System Replacement Proj. Ayes: Dalbey, Roe, Streeby, Berg. Nays: Stevens. Motion carried.

Dalbey moved, seconded by Streeby to approve the agenda as presented. All ayes.

Fire Chief Miller recognized the following officers as they were pinned: Troy Pilcher, Jerry Lemeuse, Dillon McPherson and Braulio Flores.

City Admin. Morris mentioned the Fire Safety Operational Permit will be legislatively presented on 5/21/19. Fire Chief Miller stated they are migrating to a fire safety/operational permit as it relates to fire inspections. The inspections will increase in price from \$35 to \$50.

Mayor Lazio inquired if there was anyone from the audience who wished to address an item on the agenda. There were none.

Streeby moved, seconded by Stevens to approve the submission of the grant application to the Bureau of Justice Assistance to participate in the 2019 Bulletproof Vest Partnership Program, and authorize the Mayor to sign any related documents as may be required. Lt. Hucks stated the bulletproof vests have a life span of 5 yrs. As a result, the Police Dept. budgets to purchase five to ten vests per yr., depending on the need. This grant will cover purchases made between April 1, 2019 and August 31, 2021. All ayes.

Roe moved, seconded by Streeby to accept bid and award contract for asbestos removal, demo and clean-up of 1722 Mable and the vacant lot next to 1722 Mable to Environmental Edge, of Ottumwa, IA, in the amount of \$8,374. Dir. of Hlth. Insp. & Planning Flanagan reported four bids were received.

Streeby moved, seconded by Dalbey to accept bid and award contracts for demo to Tim Skinner Trucking & Excav., of Ottumwa, Iowa, in the amount of \$6,964 and to Dan Laursen Excav., of Ottumwa, IA, in the amount of \$7,400 for asbestos removal. Dir. of Hlth. Insp. & Planning Flanagan reported five bids were received.

This was the time, place, and date set for a public hearing on the Proposed Amendment to the 2019 City Budget. Finance Dir. Jay reported no increase to tax levies for specified fiscal yr. related to the proposed budget amendment. No objections were received. Roe moved, seconded by Streeby to close the public hearing. All ayes.

Dalbey moved, seconded by Roe that Res. No. 70-2019, amending the annual budget for the fiscal year ending June 30, 2019, be passed and adopted. All ayes.

This was the time, place, and date set for a public hearing on the sale of City owned property located at Lot 12 in Block 12 Blake's Addition, a vacant lot located on the corner of N. Cherry and Locust Streets. Dir. of Hlth. Insp. & Planning Flanagan reported Mr. Jones wants to use the lot for green space and yard for the apartment bldg. that he owns next door. Do we verify that lots purchased for green space are maintained? Staff looks at each property and may draft contractual agt. with purchaser if there are items that need addressed to make sure they remain compliant with maintenance within our code. No objections were received. Streeby moved, seconded by Berg to close the public hearing. All ayes.

Streeby moved, seconded by Roe that Res. No. 78-2019, accepting the offer and approving the sale of City owned property located at Lot 12 in Block 12 Blake's Addition, N. Cherry St., to Donald L. Jones for the sum of \$250, be passed and adopted. All ayes.

This was the time, place, and date set for a public hearing on proposed Ordinance No. 3154-2019, amending the Zoning Ord. No. 3088-2015 of the City of Ottumwa, Iowa, and as set forth in Ch. 38 of the Municipal Code of the City of Ottumwa, Iowa, by amending Sections 38-77(15) and 38-992, and inserting new Sections 38-77(15) and 38-992 of the Municipal Code of the City of Ottumwa, Wapello County, Iowa as set forth hereafter. Dir. of Hlth. Insp. & Planning Flanagan reported this ordinance adds crematoria to funeral services and provision of outstanding nuisance violations can be basis for denials of issuance of building permits. No objections were received. Roe moved, seconded by Streeby to close the public hearing. All ayes.

Streeby moved, seconded by Berg to pass the first consideration of Ordinance No. 3154-2019 amending the Zoning Ord. No. 3088-2015 of the City of Ottumwa, Iowa, and as set forth in Ch. 38 of the Municipal

Code of the City of Ottumwa, Iowa, by amending Sections 38-77(15) and 38-992, and inserting new Sections 38-77(15) and 38-992 of the Municipal Code of the City of Ottumwa, Wapello County, Iowa as set forth hereafter. All ayes.

Stevens moved, seconded by Roe to waive the second and third considerations, pass and adopt Ordinance No. 3154-2019. All ayes.

Roe moved, seconded by Berg that Res. No. 71-2019, adopt the Communications Policy, effective May 7, 2019, be passed and adopted. City Attorney Keith reported this policy sets out four basic types of communication through surveys, project updates, community meetings and website/social media posts. All ayes.

Berg moved, seconded by Dalbey that Res. No. 76-2019, awarding the contract for the Ottumwa Main St. Improvement Proj. (also known as Downtown Streetscape) to Portzen Construction, Inc. of Dubuque, IA, in the amount of \$5,096,359.30, be passed and adopted. PW Dir. Seals reported this project consists of complete reconstruction of the 100, 200 and 300 blocks of Main St. It will include full width, full depth PCC reconstruction, replacement of sanitary sewer lines and sewer laterals, installation of new water mains and service lines, new ADA compliant sidewalks and a separate storm system installed and recombined at Green St. intersection which will allow for future separation. Costs for resident engineering and construction surveying contracts still need finalized. Property owners will be financially responsible for water service lines from stop box to bldg. meters and for any added fire service lines for future build outs. Ottumwa Water & Hydro increased their funding from \$511,665 to \$600,000. Fourteen plan sets were mailed and/or downloaded, with only one bid received on April 10, 2019. All ayes.

Roe moved, seconded by Dalbey that Res. No. 80-2019, authorizing \$11,613.90 refund to Iowa DOT for excess reimbursement of the Market St. Bridge Proj., be passed and adopted. Finance Dir. Jay reported that during the pre-close audit of this project on the construction files held by Calhoun Burns, the IDOT discovered an excess payment to the City of Ottumwa. All ayes.

Streeby moved, seconded by Dalbey that Res. No. 81-2019, authorizing the transfer of \$11,613.90 from the Local Option Sales Tax Fund to the Street Capital Projects Fund for the Market St. Bridge Proj., be passed and adopted. Finance Dir. Jay reported the transfer of funds is required to assist in the Market St. Bridge Proj. to reimburse the IDOT. All ayes.

Dalbey moved, seconded by Streeby that Res. No. 83-2019, fixing an amount for abating a nuisance against certain properties in the City of Ottumwa, Iowa for a total of \$1,771.33, be passed and adopted. Dir. of Hlth. Insp. & Planning Flanagan reported a total of three properties are included in this resolution. All ayes.

Roe moved, seconded by Dalbey that Res. No. 90-2019, authorizing the Mayor to sign, and staff to submit, the Airport Capital Improvement Prog. (ACIP) data sheets and related documents to the Iowa DOT for the fiscal years 2019-2024, be passed and adopted. This includes the following projects: apron improvements, taxiway LED lighting, construction of box hanger. All ayes.

Streeby moved, seconded by Roe that Res. No. 96-2019, awarding the contract for the Asphalt St. Repair Prog. 2019 to Norris Asphalt Paving Co. LC, of Ottumwa, IA, in the amount of \$1,125,056.00, be passed and adopted. PW Dir. Seals reported one bid was received. Streets scheduled for overlays in 2019 include Wildwood (from city limits south to Albia Rd.), E. Third (from Market to Green), Sheffield (from Clay to Benton) and Clay (from Third to Sheffield). All ayes.

Roe moved, seconded by Berg that Res. No. 97-2019, awarding the contract for the Catch Basin Replacement Prog. 2019 to DC Concrete & Construction, LLC, of Douds, IA, in the amount of \$54,706, be passed and adopted. PW Dir. Seals reported one bid was received. All ayes.

Streeby moved, seconded by Dalbey that Res. No. 98-2019, awarding the contract for the Sanitary Utility Access Prog. 2019 to DC Concrete & Construction, LLC, of Douds, IA, in the amount of \$53,800, be passed and adopted. PW Dir. Seals reported one bid was received. All ayes.

Stevens moved, seconded by Dalbey that Res. No. 99-2019, awarding the contract for the Sidewalk Drop & Detectable Warning Installation Prog. 2019 to DC Concrete and Construction, LLC, of Douds, IA, in the amount of \$131,675, be passed and adopted. PW Dir. Seals reported three bids were received. All ayes.

Berg moved, seconded by Roe that Res. No. 100-2019, awarding the contract for the HMA, PCC Street Crack Repair Prog. 2019 to Kluesner Construction, Inc., of Farley, IA, in the amount of \$44,455, be passed and adopted. PW Dir. Seals reported two bids were received. All ayes.

Roe moved, seconded by Berg that Res. No. 101-2019, approving Chg. Order No. 1 for the Beach Ph. 3, Contract D, Electrical MCC Replacement Proj., be passed and adopted. Parks & Rec. Dir. Rathje reported this change order increases the contract by \$8,681.24, bringing the total contract amount to \$58,081.24. All ayes.

Streeby moved, seconded by Roe that Res. No. 102-2019, approving Change Order No. 1 for the Beach Ph. 4, RFP 4X, Safety Netting Replacement Proj., be passed and adopted. Parks & Rec. Dir. Rathje reported this change order increases the contract by \$1,200, bringing the total contract amount to \$9,588.88. All ayes.

Dalbey moved, seconded by Berg that Res. No. 103-2019, approving Change Order No. 1 and accepting the work as final and complete and approving the Final Pay Request for the 2018 RFP 15, City Hall Masonry Entrance Repair Proj., be passed and adopted. PW Dir. Seals reported this change order increases the contract by \$1,800 for quantity adjustment, bringing the total contract amount to \$19,400. Final pay request to Western Specialty Contractors in the amount of \$970 approved. All ayes.

Roe moved, seconded by Streeby that Res. No. 104-2019, approving Change Order No. 1 and accepting the work as final and complete and approving the Final Pay Request for the 2018 Catch Basin Replacement Prog., be passed and adopted. PW Dir. Seals reported this change order decreases the contract sum by \$9,368.50 for the reduction of qty. adjustments, bringing the total contract amount to \$44,861.38. Final pay request to Davis County Excavation in the amount of \$4,302.11 approved. All ayes.

Dalbey moved, seconded by Roe that Res. No. 106-2019, approving a MOU/Agt. between the City of Ottumwa and Bridge City Sanitation, LLC modifying the disposal contract regarding yard waste, be passed and adopted. Dir. of Hlth. Insp. & Planning Flanagan reported this item is supplier driven. Our bag vendor will only sell in bulk quantities (truck loads) which are too great for our storage and budgeted purchase scope. This will allow citizens to purchase their own compostable bags from any vendor in addition to Yard Waste tags from the recycling center, City Hall and other participating retail outlets in Ottumwa, for \$1. Recycling Coordinator Bain reported that all stores have been contacted about this

change and are expecting the roll out. She attempted to locate alternate vendors to supply our current bags before the decision was made to only supply the tags. All ayes.

Streeby moved, seconded by Berg that Res. No. 108-2019, approving Change Order No. 1 and accepting the work as final and complete and approving final pay request for the Milner St. Pump Station Removal Proj., be passed and adopted. PW Dir. Seals reported this change order decreases the contract sum by \$2,390.55 for qty. adjustments, and increases it by \$500 for extra work performed, for a total decrease of \$1,890.55 to the contract. Final pay request to DC Concrete & Construction in the amount of \$2,318.97 is approved. All ayes.

Roe moved, seconded by Streeby to pass the first consideration of Ordinance No. 3155-2019, amending Ch. 23, entitled Motor Vehicles and Traffic, by adding Subsection 23-150(3)(q); by amending subsections 23-150(5)(k) and 23-212(4); by deleting Subsections 23-206(8), 23-214(c)(3), 23-215, 23-216 and 23-221; and deleting Articles VIII and IX; and inserting new Subsections 23-214(c)(3) and 23-214(c)(4) and new Articles VIII and IX of the Municipal Code of the City of Ottumwa, Iowa. All ayes.

Dalbey moved, seconded by Stevens to waive the second and third considerations, pass and adopt Ordinance No. 3155-2019. All ayes.

Roe moved, seconded by Dalbey that Res. No. 82-2019, setting parking permit fees for the City's parking lots and parking ramp, be passed and adopted. There was a scrivener's error found within the Staff Summary, but the Ordinance reads correctly pertaining to parking on Market St. Permit fees remain unchanged. All ayes.

Mayor Lazio inquired if anyone from the audience wished to address an item not on the agenda. Gene Muldoon turned in a petition for consideration of a new boat ramp/dock by Black Hawk Park.

June 1 - second annual canteen eating contest in the Canteen Alley.

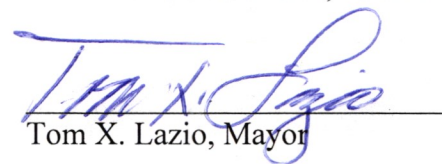
May 16 - ground breaking ceremony for the Downtown Streetscape Proj.

Iowa Utility Board meeting will be held at BVC tomorrow at 6:00 P.M. to discuss the proposed 25% rate increase from Alliant Energy.



Roe moved, seconded by Streeby that the meeting adjourn. All ayes.

Adjournment was at 6:54 P.M.

CITY OF OTTUMWA, IOWA


Tom X. Lazio, Mayor

ATTEST:



Christina Reinhard, City Clerk