

OTTUMWA CITY COUNCIL MINUTES

REGULAR MEETING NO. 15
Council Chambers, City Hall

May 5, 2020
5:30 O'Clock P.M.

The meeting convened at 5:30 P.M.

In order to protect the health and safety of our citizens and staff and mitigate the spread of COVID-19, we are following the Proclamation of a State Public Health Disaster Emergency issued at 12:00 P.M. on Tuesday, March 17, 2020, which has been extended through May 15, 2020. Mass Gatherings or events of more than 10 people in attendance are hereby prohibited at all locations and venues. As a result, meeting attendance will be limited to *Elected Officials and Essential Personnel as it relates to items presented on the Council Agenda in Council Chambers*. Comments and/or questions will be accepted in writing at the door on the Fourth St. entrance. Our City Admin. will continue to evaluate the impact of COVID-19 on our community and will follow the guidelines and requirements of Wapello County EMA, the IDPH, and the CDC. The City will continue to record and broadcast meetings of the City Council on the YouTube channel so they are accessible to the public.

During Public Hearings, individuals can call **641-683-4581** to address the Council. During the meeting, Staff will reserve a minimum of **4** minutes for each Public Hearing Item to allow time for individuals to call in for questions/concerns.

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

Roe moved, seconded by Meyers to approve the following consent agenda items Mins. from Reg. Mtg. No. 12 on April 21, 2020 as presented; Approve the appointment of Chad Farrington to the position of Police Chief for the Ottumwa Police Dept. effective June 10, 2020; Res. No. 53-2020, setting a public hearing date for May 19, 2020 on the Council's intent to approve a Purchase and Development Agt. with Christner Properties, LLC for the purchase of 310 E. Main; Res. No. 79 -2020, setting May 19, 2020 as the date of a public hearing on the disposition of City owned property located at 310 N. Moore; Res. No. 81-2020, setting May 19, 2020 as the date of a public hearing on the disposition of City owned property located at 119 N. Ward; Beer and/or liquor applications for: Ottumwa Grocery, LLC, 129-131 E. Second; Las Palmas Bar & Grill, Inc., 321 E. Second; Fraternal Order of Eagles Ottumwa #114, 109 S. Green; all applications pending final inspections. All ayes.

Meyers moved, seconded by Roe to approve the agenda as presented. All ayes.

City Admin. Rath provided an update on procedures and facility access during COVID-19. Wapello County is one of 77 counties in IA that has been given an opportunity to open up certain areas with limitations. We must continue to do our part by practicing social distancing.

Mayor Lazio inquired if there was anyone that wished to address an item on the agenda. Dennis Willhoit, Chair of Historic Preservation Commission, shared a letter about Ballingall Park and the BUILD grant application (Item H-3). The Historic Preservation Commission wants to ensure that any permanent design decisions pertaining to this historic resource are not included within this grant in any way that may become irreversible.

Meyers moved, seconded by Berg to accept bid and award contract for asbestos removal at 319 W. Fifth to Dustan Smith of Environmental Edge of Ottumwa, IA, for the sum of \$3,700. Planner Simonson reported three bids were received on April 28, 2020. All ayes.

Roe moved, seconded by Dalbey to accept bid and award contract for demo and disposal of the structures located at 319 W. Fifth to Tim Skinner Trucking of Ottumwa, IA, for the sum of \$11,950. Planner Simonson reported three bids were received on April 28, 2020. All ayes.

Meyers moved, seconded by Roe to approve the proposal for professional services from Veenstra and Kimm for the amount not to exceed \$18,700, to prepare a Nutrient Reduction Rpt for WPCF. PW Dir. Seals reported this is a requirement for our five-yr. discharge permit. All ayes.

This was the time, place and date set for a public hearing approving the plans, specifications, form of contract and est. cost for the 2020 HMA, PCC Street Crack Repair Program. PW Dir. Seals reported this is one of our annual preventative maintenance programs. No objections were received. Dalbey moved, seconded by Roe to close the public hearing. All ayes.

Roe moved, seconded by Dalbey that Res. No. 93-2020, approving the plans, specifications, form of contract and est. cost for the 2020 HMA, PCC Street Crack Repair Program, be passed and adopted. All ayes.

This was the time, place and date set for a public hearing approving the plans, specifications, form of contract and est. cost for the 2020 Sanitary Utility Access Program. PW Dir. Seals reported this project will place sanitary utility access in existing sanitary sewer lines and associated patch work. Manholes will be placed at locations that have either limited access points or problem areas prone to plugging causing increased cleaning maintenance. No objections were received. Meyers moved, seconded by Dalbey to close the public hearing. All ayes.

Roe moved, seconded by Meyers that Res. No. 94-2020, approving the plans, specifications, form of contract and est. cost for the 2020 Sanitary Utility Access Program, be passed and adopted. All ayes.

This was the time, place and date set for a public hearing approving the plans, specifications, form of contract and est. cost for the 2020 Sidewalk Drop and Detectable Warning Installation Program. PW Dir. Seals reported this is the ninth contract. The completion of these sidewalk drops will be a step towards compliance with the ADA Transition Plan that was originally approved by Council on Aug. 7, 2012. We budget \$120,000 each year until complete. No objections were received. Stevens moved, seconded by Meyers to close the public hearing. All ayes.

Dalbey moved, seconded by Roe that Res. No. 95-2020, approving the plans, specifications, form of contract and est. cost for the 2020 Sidewalk Drop and Detectable Warning Installation Program, be passed and adopted. All ayes.

This was the time, place and date set for a public hearing approving the plans, specifications, form of contract and est. cost for the 2020 Asphalt St. Repair Program. PW Dir. Seals reported this project is for our annual asphalt st. repair program, which started in 2003, and is used to set unit price cost. The work will consist of overlays on various streets in the city. No objections were received. Roe moved, seconded by Dalbey to close the public hearing. All ayes.

Berg moved, seconded by Roe that Res. No. 96 -2020, approving the plans, specifications, form of contract and est. cost for the 2020 Asphalt St. Repair Program, be passed and adopted. Can someone look into including west of the roundabout in this program as it took quite a beating during construction last yr.? All ayes.

This was the time, place and date set for a public hearing approving the plans, specifications, form of contract and est. cost for the 2020 Chip Seal Program. PW Dir. Seals reported this project is for the application of a chip & seal coat to existing HMA overlay streets in an attempt to extend their life expectancy. This process includes sealing and patching the existing pavement surface, applying an asphalt emulsion coat and then topping with a pea gravel wearing course surface. The selected area that

will be done has an ave. HMA surface of 15 years. By applying the seal coat, we should be able to extend the useful life for another 15 years. No objections were received. Dalbey moved, seconded by Meyers to close the public hearing. All ayes.

Meyers moved, seconded by Dalbey that Res. No. 97-2020, approving the plans, specifications, form of contract and est. cost for the 2020 Chip Seal Program, be passed and adopted. Stmt made by council given the cost effectiveness and longevity why hasn't the city been doing this program in the past? PW Dir. Seals stated we review different methods and use whichever is more appropriate for the shape of the streets; we are looking more in this direction. All ayes.

Dalbey moved, seconded by Berg that Res. No. 78-2020, reserve \$100,000 to cover costs associated with BVC due to lost revenue related to COVID-19, be defeated. All ayes.

Roe moved, seconded by Dalbey that Res. No. 86-2020, accepting a gift of real estate from Josh and Brandy Lunt located at 315 N. Jefferson, Ottumwa, IA, be passed and adopted. Dir. of Hlth., Insp. & Planning Flanagan reported this property has been placarded since July 21, 2016 and the owners have been unable to sell. The owners will bring the real estate taxes current to date of possession. All ayes.

Roe moved, seconded by Meyers that Res. No. 90-2020, resolution of commitment to apply for the West Main Multimodal Corridor Revitalization Project Build Grant, be passed and adopted. Dir. of Hlth., Insp. & Planning Flanagan and RPC Planner, Grefe, discussed this item in great lengths. Discussions for this Grant started back in 2011; Grefe is working on the narrative for this grant that must be submitted by May 18, 2020. This resolution empowers staff to proceed with the application for the BUILD grant. The grant requests totals \$14,409,365 with cash matching funds presented within the grant narrative totaling \$3,752,500. Most notably within these matching funds, the City and Legacy Foundation would be matching with commitments of \$1 Million in funding each, with OWW matching at \$602,500, related to water infrastructure installation in conjunction with streetscape projects and other capital improvements. Wapello County Trails, along with other project targeted grant sources, would produce an add'l \$1,150,000 in grant funding. All funding sources bring the total riverfront initiative costs to \$18,161,865. The grant has ten major public objectives, which will be performed over a scheduled five year period following a potential awarding and which must be completed by 2027. The BUILD program will give special consideration to projects which emphasize improved access to reliable, safe and affordable transportation for communities in rural areas, such as projects that improve infrastructure condition, address public health and safety, promote regional connectivity or facilitate economic growth or competitiveness. Councilman Roe stated we are potentially looking at over the next few years, \$3.1 Million in infrastructure costs between the City and OWW; comparing to this project, it would be a really good buy for the City to do this project. Councilman Meyers further explained that the city will be responsible for a nickel out of every dollar for this infrastructure which is something to take advantage of. Remind the public that this is purely authorizing submission of the grant application and if awarded (in September) it comes back to Council for further approval. City Admin. Rath stated we have been asked the question as to why we are submitting this now, why can't it wait until a later time? Next year, grant parameters might change and we may not have the opportunity to apply for a grant in this size so we are in the time and now to reap those benefits. This project is also a focal point within our Comprehensive Plan that has been in place since 2001. All ayes.

Meyers moved, seconded by Roe that Res. No. 91-2020, fixing date for a public hearing on the proposal to enter into a Development Agt. with Highlands Development I, LLC, be passed and adopted. Dir. of Hlth., Insp. & Planning Flanagan reported this sets May 19, 2020 as the public hearing to consider a development agt. for re-development of the former Target bldg. by developer Chris Williams (Highlands Development I, LLC). This project will include new VA facilities as well as 2-3 potential retail vendors.

Overall project investment is approx. \$8-9 Million. The City's TIF rebate incentive is for a 20 yr. term and set not to exceed \$3.8 Million. The estimated TIF rebate actual value is \$2.5-2.7 Million over the term of the agt. All ayes.

Roe moved, seconded by Stevens that Res. No. 98-2020, Approving Change Order No. 1 for Beach Reno Ph. 4 – Shade Structures Installation Project, be passed and adopted. Parks & Rec Dir. Rathje reported this change order increases the contract amt. by \$9,362.84 for a new contract sum \$108,898.54. All ayes.

Dalbey moved, seconded by Roe that Res. No. 99-2020, approving Change Order No. 1 and Accepting the work as Final and Complete and Approving the final pay request for the Beach Reno Ph. 4 – RFP 6X, Drainage Improvements Project, be passed and adopted. Parks & Rec Dir. Rathje reported this change order increases the contract amt by \$781.80 for a new contract sum of \$23,236.80. DC Concrete & Const. has completed all work according to the plans and specifications and this authorizes final pymt and release of retainage in the amount of \$2,268.59. All ayes.

Meyers moved, seconded by Berg that Res. No. 101-2020, placing up to a one-yr Moratorium on the sale of City owned vacant lots, except those deemed approp. for the building of a new residential dwelling or commercial bldg while the City's Vacant Lot Policy is revised, be passed and adopted. Planner Simonson reported this moratorium will be effective June 1, 2020 for up to one yr, but could be revoked prior to that sunset provision. City owned vacant lots could still be sold if the lot was at least 50-ft wide, and a residence or commercial bldg. was being built on the lot. A vacant lot could also still be sold for green space if the lot was too small to be built on or was an impractical build site such as grading issues. Councilman Stevens requested that these lots be looked at on a case by case basis even if they are smaller than 50-ft wide. All ayes.

Berg moved, seconded by Roe that Res. No. 102-2020, reallocating funds in the amount of \$9,500, in Fund 151, from Dept. 343 City Housing to Dept. 561 Healthy Neighbors, to be used in support of the 2020 cycle of the Healthy Neighbors Home Improv. Grant and Authorizing the Healthy Neighbors Grant Committee to Award up to \$11,000 for home improvement grants, be passed and adopted. Planner Simonson reported this resolution continues the healthy neighbors initiative into its second yr. In 2019, the program launched with 76 applicants and seven completed projects. This year, applications will open earlier in the year to allow property owners to use the entire building season for qualifying projects. Applications are due June 8, 2020 and awarded June 15, 2020 with selected projects required to be completed by Dec. 31, 2020. We hope to focus on multiple applicants in a neighborhood. All ayes.

Roe moved, seconded by Dalbey that Res. No. 103-2020, approve Change Order No. 2 for the East Main St. Reconstruction Project, be passed and adopted. PW Dir. Seals reported change order no. 2 decreases the contract amt. by \$52,581.75 resulting in a new contract sum of \$2,826,675.73. All ayes.

Roe moved, seconded by Dalbey that Res. No. 104-2020, appointing UMB Bank, N.A. as the Paying Agent, Note Registrar, and Transfer Agent, Approving the Paying Agent and the Note Registrar and Transfer Agent Agt. and Authorizing the Execution of the Agt., be passed and adopted. Finance Dir. Mulder reported UMB Bank, N.A. serves in this capacity for all securities issues for the City of Ottumwa. This is for the \$14,115,000 General Obligation & Refunding Capital Loan Notes, Series 2020. All ayes.

Dalbey moved, seconded by Roe that Res. No. 105-2020, approving and authorizing a form of Loan Agt. and authorizing and providing for the issuance, and levying a tax to pay the notes; Approval of the Tax Exemption Cert. and Continuing Disclosure Cert., be passed and adopted. Finance Dir. Mulder reported the bonds will be used to fund Div. I of the CSO and refinancing of Series 2012 and Series 2013D. All ayes.

Meyers moved, seconded by Berg that Res. No. 106-2020, recommendation to transfer \$116,616.93 to the BVC for delinquent payables due to lost revenue related to COVID-19, be passed and adopted. Finance Dir. Mulder reported outstanding payables listed through 4/22/2020 was for \$174,406.98; of which \$31,790.05 to be paid by the YMCA for the youth food program. VenuWorks has agreed to discount \$26,000 for the variable costs invoices for a total of \$116,616.93 to be paid to vendors. Vote taken: Ayes: Meyers, Berg. Nays: Dalbey, Roe, Stevens. Motion failed.

Dalbey moved, seconded by Roe that Res. No. 107-2020, assessing delinquent sewer collection fees on property taxes, be passed and adopted. Finance Dir. Mulder reported two properties have delinquent fees totaling \$1,109.46. All ayes.

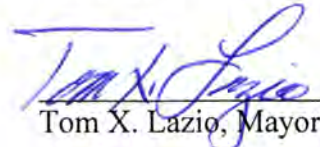
Meyers moved, seconded by Roe that Res. No. 108-2020, assessing delinquent refuse collection fees on property taxes, be passed and adopted. Finance Dir. Mulder reported four properties have delinquent fees totaling \$814.77. All ayes.

Dalbey moved, seconded by Roe that Res. No. 109-2020, approving addt'l Professional Services at the hourly rate scheduled between Veenstra & Kim and the City of Ottumwa for the BUILD Grant Program, be passed and adopted. PW Dir. Seals reported council approved an hourly rate schedule for services on May 21, 2019; addt'l services are est. not to exceed an addt'l \$5,000 and would be funded by the RU fund balance for a new contract total of \$29,500. All ayes.


There being no further business, Roe moved, seconded by Stevens that the meeting adjourn. All ayes.

Adjournment was at 7:36 P.M.

CITY OF OTTUMWA, IOWA


Tom X. Lazio, Mayor

ATTEST:


Christina Reinhard, City Clerk