



**\*\*AMENDED AGENDA  
OTTUMWA CITY COUNCIL**

REGULAR MEETING NO. 7  
Council Chambers, City Hall

February 15, 2022  
5:30 O'Clock P.M.

**PLEDGE OF ALLEGIANCE**

A. ROLL CALL: Council Member Roe, Galloway, McAntire, Hull, Pope and Mayor Johnson.

B. CONSENT AGENDA:

1. Minutes from Regular Meeting No. 4 on February 1, 2022, Special Meeting No. 5 on February 8, 2022 and Special Meeting No. 6 on February 9, 2022 as presented.
2. Approve Drug Task Force Bryne-JAG Grant submission via internet and authorize the Mayor to sign all related documents.
3. Accept the proposed engagement letter from Piper Sandler for the consultation related to bond services
4. Contract for ethanol and diesel fuel by tank wagon delivery.
5. Approve the payment to Computer Information Systems, Inc. for \$20,425.93 for a one year License Renewal and Maintenance Agreement for the Police Department's in-house computer software.
6. Approve the repair of Flygt Pump 3127.185-0991 for the price of \$5036.40 for the WPCF.
7. Approve the purchase of a 2022 Ram 3500 Crew Cab 4X4 with inverter option in the amount of \$53,500 from Stew Hansen Dodge City for the WPCF.
8. Resolution No. 23-2022, authorizing the City Administrator and Interim Director of Finance/Accountant to sign checks and make wire transfers.
9. Resolution No. 24-2022, authorizing the City Administrator and Interim Director of Finance/Accountant to make investment purchases and sales in accordance with the City Investment Policy.
10. Resolution No. 39-2022, approving a temporary wage rate adjustment for Accountant.
11. Beer and/or liquor applications for: Albia Road BP, 1340 Albia Rd; North Court BP, 1301 North Court; Pennsylvania & Jefferson BP, 1147 North Jefferson, West Second & McPherson BP, 1049 West Second; Pallister Brothers Brewing Company, 116 N. Market St.; Hy-Vee Drugstore , 1140 N. Jefferson St.; Uncle Buck's Bar & Grill, 518 Church St.; all applications pending final inspections.

C. APPROVAL OF AGENDA

D. ADMINISTRATORS REPORT TO COUNCIL AND CITIZENS:

1. FY22/23 Budget Update

***All items on this agenda are subject to discussion and/or action.***

E. IDENTIFICATION OF CITIZENS DESIRING TO COMMENT ON AGENDA ITEMS:

(When called upon by the Mayor, step to the microphone; state their name, address and agenda item to be addressed. The Mayor will invite you to address the Council when that topic is being discussed. Remarks will be limited to **three minutes or less**. The City Clerk shall keep the time and notify the Mayor when the allotted time limit has been reached. Comments are to be directly germane to the agenda item being discussed; if not directly germane as determined by the Mayor will be ruled out of order.)

F. DEPARTMENTAL RECOMMENDATIONS/REPORTS:

1. Recommendation of Wage and Benefits Survey.

RECOMMENDATION: Submit Request for Proposals (RFP) to solicit companies to provide a Wage and Benefits survey.

2. Informational update – Sidewalk Drop & Detectable Warning Installation Program.

RECOMMENDATION: Department Report on Sidewalk Drop & Detectable Warning Installation Program.

- \*\* 3. Consideration of Possible Personnel Action Related to the Finance Director.

RECOMMENDATION: Consideration of Possible Personnel Action Related to the Finance Director.

G. PUBLIC HEARING:

1. This is the time, place and date set for a public hearing approving the plans, specifications, form of contract and estimated cost for the Apron 2022 Improvements Project at the Ottumwa Regional Airport.

A. Open the public hearing.

B. Close the public hearing.

C. Resolution No. 26-2022, approving the plans, specifications, form of contract and estimated cost for the Apron 2022 Improvements Project at the Ottumwa Regional Airport.

RECOMMENDATION: Pass and adopt Resolution No. 26-2022.

H. RESOLUTIONS:

1. Resolution No. 16-2022, adopting the 2022 Ottumwa Housing Plan.

RECOMMENDATION: Pass and adopt Resolution No. 16-2022.

2. Resolution No. 21-2022, approving a dock-less shared motorized scooter operating and license agreement with Bird Rides, Inc., and authorizing the Mayor to sign and execute said agreement.

RECOMMENDATION: Pass and adopt Resolution No. 21-2022.

3. Resolution No. 25-2022, adopting the Local Human Rights Commissions Organizational Framework Models Guide.

RECOMMENDATION: Pass and adopt Resolution No. 25-2022.

4. Resolution No. 27-2022, fixing date for a public hearing on an application to the Iowa Economic Development Authority for a Community Development Block Grant (CDBG) from the COVID-19 Program.

RECOMMENDATION: Pass and adopt Resolution No. 27-2022.

5. Resolution No. 28-2022, approving and authorizing execution of a First Amendment to the



Development Agreement by and between the City of Ottumwa and Cobblestone Hotel Development, LLC.

RECOMMENDATION: Pass and adopt Resolution No. 28-2022.

6. Resolution No. 29-2022, Set March 1, 2022 at 5:30 P.M. as the date for a public hearing on the proposed authorization of a Loan Agreement and the issuance of not to exceed \$3,300,000 General Obligation Capital Loan Notes (ECP-1) to evidence the obligations of the City thereunder.

RECOMMENDATION: Pass and adopt Resolution No. 29-2022.

7. Resolution No. 30-2022, Set March 1, 2022 at 5:30 P.M. as the date for a public hearing on the proposed authorization of a Loan Agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes (GCP-2) to evidence the obligations of the City thereunder.

RECOMMENDATION: Pass and adopt Resolution No. 30-2022.

8. Resolution No. 31-2022, Set March 1, 2022 at 5:30 P.M. as the date for a public hearing on the proposed authorization of a Loan Agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes (GCP-3) to evidence the obligations of the City thereunder.

RECOMMENDATION: Pass and adopt Resolution No. 31-2022.

9. Resolution No. 32-2022, Set March 1, 2022 at 5:30 P.M. as the date for a public hearing on the proposed authorization of a Loan Agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes (GCP-4) to evidence the obligations of the City thereunder.

RECOMMENDATION: Pass and adopt Resolution No. 32-2022.

10. Resolution No. 33-2022, Set March 1, 2022 at 5:30 P.M. as the date for a public hearing on the proposed authorization of a Loan Agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes (GCP-5) to evidence the obligations of the City thereunder.

RECOMMENDATION: Pass and adopt Resolution No. 33-2022.

11. Resolution No. 34-2022, Set March 1, 2022 at 5:30 P.M. as the date for a public hearing on the proposed authorization of a Loan Agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes (GCP-6) to evidence the obligations of the City thereunder.

RECOMMENDATION: Pass and adopt Resolution No. 34-2022.

12. Resolution No. 35-2022, Set March 1, 2022 at 5:30 P.M. as the date for a public hearing on the proposed authorization of a Loan Agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes (GCP-7) to evidence the obligations of the City thereunder.

RECOMMENDATION: Pass and adopt Resolution No. 35-2022.

13. Resolution No. 36-2022, Set March 1, 2022 at 5:30 P.M. as the date for a public hearing on the proposed authorization of a Loan Agreement and the issuance of not to exceed \$1,100,000 General

Obligation Urban Renewal Capital Loan Notes (ECP/UR-8) to evidence the obligations of the City thereunder.

RECOMMENDATION: Pass and adopt Resolution No. 36-2022.

14. Resolution No. 37-2022, awarding the contract for the Cooper Avenue Reconstruction Project to Drish Construction, Inc. of Fairfield, IA in the amount of \$474,088.

RECOMMENDATION: Pass and adopt Resolution No. 37-2022.

15. Resolution No. 38-2022, awarding the contract for the Lillian Street Reconstruction Project to Drish Construction, Inc. of Fairfield, IA in the amount of \$660,619.50.

RECOMMENDATION: Pass and adopt Resolution No. 38-2022.

I. ORDINANCES:

1. Ordinance No. 3190-2022, amending the Code of Ordinances by changing the zoning classification on property located south of Roemer Ave. with Merrouge Ave. to the west and the city limits to the east from R-2, Two-family Residential to C-1, Neighborhood Commercial, in the City of Ottumwa, Wapello County, Iowa.

RECOMMENDATION: Pass the second consideration of Ordinance No. 3190-2022.

J. PUBLIC FORUM:

The Mayor will request comments from the public on topics of city business or operations other than those listed on this agenda. Comments shall not be personalized and limited to three minutes or less. Comments not directly applicable to operations, inappropriate, or an improper utilization of meeting time, as determined by the Mayor, will be ruled out of order. When called upon by the Mayor, step to the microphone; give your name, address and topic on which to address the Council. The Council is not likely to take any action on your comments due to requirements of the Open Meetings Law. Pertinent questions, comments or suggestions may be referred to the appropriate department, city administrator or legal counsel for response, if relevant.

K. PETITIONS AND COMMUNICATIONS

ADJOURN

**\*\*\* It is the goal of the City of Ottumwa that all City Council public meetings are accessible to people with disabilities. If you need assistance in participating in City Council meetings due to a disability as defined under the ADA, please call the City Clerk's Office at (641) 683-0621 at least one (1) business day prior to the scheduled meeting to request an accommodation. \*\*\***

**\*\* AMENDED to add Item F-3 to proceedings.**



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**FAX COVER SHEET**

City of Ottumwa

DATE: 2/14/2022 TIME: 4:30 PM NO. OF PAGES 5  
(Including Cover Sheet)

TO: News Media CO: \_\_\_\_\_

FAX NO: \_\_\_\_\_

FROM: Christina Reinhard

FAX NO: 641-683-0613 PHONE NO: 641-683-0620

MEMO: Amended Agenda for the Regular City Council Meeting #7 to be held on 2/15/2022 at 5:30 P.M.

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\*\*\* FAX MULTI TX REPORT \*\*\*  
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ERROR 96828482

Ottumwa Courier  
KTVO  
Ottumwa Waterworks  
Tom FM



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RECOMMENDATION: Pass the second consideration of Ordinance No. 3190-2022.

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NOTICE OF POSSIBLE QUORUM OF THE CITY OF  
OTTUMWA MAYOR AND COUNCIL

February 14, 2022

Public notice is hereby given that THREE (3) or more members of the Mayor and City Council may be present at the following events or functions:

**Wapello County Housing & Homelessness Coalition at City Hall, 105 E. Third Street, Room 108, from 3-4:00 P.M. on Monday, February 14, 2022.**

**No legislative action will occur by City council during this meeting.**

**Minutes will not be transcribed nor published for this event.**

Posted on this day, February 11, 2022.

Christina Reinhard

City Clerk



NOTICE OF POSSIBLE QUORUM OF THE CITY OF  
OTTUMWA MAYOR AND COUNCIL

February 15, 2022

Public notice is hereby given that THREE (3) or more members of the Mayor and City Council may be present at the following events or functions:

**Tour of Facilities with Q&A with Library Director at the Ottumwa Public Library, 102 W. 4<sup>th</sup> Street, at 3:30 P.M. on Tuesday, February 15, 2022.**

**This will be informational and for educational purposes only. No legislative action will occur during these tours.**

**Minutes will not be transcribed nor published for this event.**

Posted on this day, February 11, 2022.

Christina Reinhard

City Clerk



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\*\*\* FAX MULTI TX REPORT \*\*\*  
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\*\*\* TX REPORT \*\*\*  
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DEPT. ID 4717  
ST. TIME 02/11 11:31  
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REGULAR MEETING NO. 4  
Council Chambers, City Hall

February 1, 2022  
5:30 O'Clock P.M.

The meeting was called to order at 5:28 P.M.

Present were Council Member McAntire, Hull, Roe, Galloway and Mayor Johnson.  
Council Member Pope was absent.

Galloway moved, seconded by Hull to approve the following consent agenda items: Mins. from Regular Mtg. No. 3 on Jan. 18, 2022 as presented; Ack. Dec. financial stmt. and pymt. of bills as submitted by the Finance Dept.; Approve appointment of Blaise Rupe to Equip. Operator-St. Maint. at Ottumwa Garage on or about Feb. 6, 2022; Approve appointment of Jeff Kropf to Utility Worker – Custodian at Ottumwa Garage on or about Feb. 6, 2022; Approve appointment of Kolton Jones to Probationary Firefighter; Res. No. 13-2022, auth. destruction of certain records according to the Code of IA, 2015, as amended, and the IA Municipal Records Retention Manual; Beer and/or liquor applications for: Recovery Room, 1805 W. Second; The Keg, 622 Church St., with osa; Hy-Vee Wine & Spirits, 2453 N. Court; Hy-Vee Gas #1, 1027 N. Quincy Ave.; Hy-Vee Gas #2, 2457 N. Court; all applications pending final inspections. Motion carried 4-0 vote. Council Member Pope was absent.

Roe moved, seconded by Hull to approve the agenda as presented. Motion carried 4-0 vote. Council Member Pope was absent.

City Admin. Rath reported we will have a FY23 Budget Work Session Feb. 8, 2022, following the Law Center tour. He also stated that he rec'd documentation yesterday to guide us in re-establishing a local human rights commission. This will be presented to council for adoption in the near future.

Mayor Johnson inquired if there was anyone from the audience who wished to address an item on the agenda. Kris Mundt, 109 S. Cherry, discussed Item F-2 and Rollie Ehm, 13 Cambridge Court, discussed Item H-2 when those items were presented.

Roe moved, seconded by Galloway to auth. the Mayor to sign the annual rpt. and submit to the State Historic Preservation Office after review and acceptance of the Cert. Local Government Annual Rpt. for the 2021 Ottumwa Historic Preservation Commission. HPC Chair Dennis Willhoit provided an update to council on the work HPC does. He also mentioned the State Historical Society of IA recommends local government provide the commission a budget with a minimum of \$750 to pay for training and other commission expenses. Motion carried 4-0 vote. Council Member Pope was absent.

Roe moved, seconded by Galloway to approve city attorney and staff to review and revise Chp. 7 of the Muni City Code entitled "Animals and Fowl." Rath said one of the consistent comments has been there is a larger issue regarding animal care and enforcement of the code in general. Another theme that has emerged is a belief that the "Dangerous Animal" section of the Code only applies to pit bulls, which is incorrect as it applies to other animals and actions to be deemed as a "dangerous animal." Look at revising the current ord. to make it fair to all animals, make sure all animals are cared for and make sure what we have is enforceable. Motion carried 4-0 vote. Council Member Pope was absent.

This was the time, place and date set for a public hearing approving plans, specs., form of contract and est. cost for Pawnee Dr. Reconstruction Project. PW Dir. Seals reported this involves full-width, full depth PCC reconstruction from Fox-Sauk to the Cul-de-Sac. The street was originally installed in 1974 and is beyond its useful life. Bids are due Feb. 23, 2022 at 2:00 P.M. Est. cost \$1,012,412. No

objections were rec'd. Hull moved, seconded by McAntire to close the public hearing. Motion carried 4-0 vote. Council Member Pope was absent.

Hull moved, seconded by McAntire that Res. No. 17-2022, approving plans, specs., form of contract and est. cost for Pawnee Dr. Reconstruction Project, be passed and adopted. Motion carried 4-0 vote. Council Member Pope was absent.

This was the time, place and date set for a public hearing approving plans, specs., form of contract and est. cost for Street Patch Repair Program – 2022. Seals reported targeted streets include McLean, Ferry, Carter Ave. and Pennsylvania Ave. Bids are due Feb. 23, 2022 at 2:00 P.M. Est. cost \$150,000. No objections were rec'd. Roe moved, seconded by Hull to close the public hearing. Motion carried 4-0 vote. Council Member Pope was absent.

Galloway moved, seconded by Roe that Res. No. 18-2022, approving plans, specs., form of contract and est. cost for Street Patch Repair Program – 2022, be passed and adopted. Motion carried 4-0 vote. Council Member Pope was absent.

This was the time, place and date set for a public hearing approving FY23 Maximum Property Tax Dollars. Fin. Dir. Mulder reported the proposed max. property tax dollar amt. is \$16.655, not including Library and Debt. Service levies. Our total max levy rates are decreasing by at least \$1.00 with hopes of a further reduction presented during the final FY23 budget. No objections were rec'd. McAntire moved, seconded by Hull to close the public hearing. Motion carried 4-0 vote. Council Member Pope was absent.

Roe moved, seconded by McAntire that Res. No. 22-2022, approving maximum property tax dollars for FY 2023, be passed and adopted. Motion carried 4-0 vote. Council Member Pope was absent.

This was the time, place and date set for a public hearing on proposed Ord. No. 3190-2022, amending the Code of Ord. by changing zoning classification on property located south of Roemer Ave. with Merrouge Ave. to the west and city limits to the east from R-2, Two-family Residential to C-1, Neighborhood Commercial, in the City of Ottumwa, Wapello County, IA. Comm. Dev. Dir. Simonson reported an applicant is seeking to rezone the described property for the purpose of constructing and operating a tumbling gym which would use Roemer Ave. for its entrance. P&Z heard this rezoning request at their Jan. 3, 2022 mtg. and they recommend this change. No objections were rec'd. Hull moved, seconded by McAntire to close the public hearing. Motion carried 4-0 vote. Council Member Pope was absent.

Hull moved, seconded by Roe to pass the first consideration of Ord. No. 3190-2022, amending the Code of Ord. by changing zoning classification on property located south of Roemer Ave. with Merrouge Ave. to the west and city limits to the east from R-2, Two-family Residential to C-1, Neighborhood Commercial, in the City of Ottumwa, Wapello County, IA. Motion carried 4-0 vote. Council Member Pope was absent.

Hull moved, seconded by McAntire that Res. No. 14-2022, releasing a request for proposals RFP for mowing and nuisance clean-up services for the City of Ottumwa for 2022-2026, be passed and adopted. Simonson reported the City contracts mowing services for some City-owned property, the Jefferson Drainage Ditch and properties which fail to comply with notices to mow tall grass. The City also contracts clean-up of nuisances when owners have failed to comply with nuisance notices or when a court order has authorized clean-up. The current contract with J&J Mowing expires April 1, 2022. Motion carried 4-0 vote. Council Member Pope was absent.



Roe moved, seconded by McAntire that Res. No. 15-2022, approving applications for residential and commercial tax abatement under Urban Revitalization Plan, totaling \$1,808,700 and subject to review by the local assessor, be passed and adopted. Simonson reported 11 residential and 1 commercial tax abatement applications were rec'd. There were 4 new homes and 1 new 4 unit rental in the city that applied for tax abatement assistance. The other applicants made improvements to their existing properties. Motion carried 4-0 vote. Council Member Pope was absent.

Galloway moved, seconded by Hull that Res. No. 19-2022, approving Change Order No. 1 and accepting the work as final and complete for Johnson Ave. Reconstruction Project, be passed and adopted. Seals reported CO No. 1 increases contract by \$9,357.40; new contract sum \$119,287.05. Final amt. due \$14, 957.13 to Pillar, Inc. Motion carried 4-0 vote. Council Member Pope was absent.

Roe moved, seconded by Galloway that Res. No. 20-2022, approving Change Order No. 1 and accepting the work as final and complete for 2021 Sidewalk Drop Program, be passed and adopted. Seals reported CO No. 1 decreases contract by \$78,673.66; new contract sum \$57,646.84. Final amt. due \$2,882.34 to Pillar, Inc. Roe asked Seals what percentage of the ADA Transition Plan for the Sidewalk Drop Program are complete. Seals thinks somewhere around 85% but will get further information to council on this question. Motion carried 4-0 vote. Council Member Pope was absent.

Hull moved, seconded by McAntire that Res. No. 21-2022, approving a dock-less shared motorized scooter operating and License Agt. with Bird Rides, Inc. for an add'l two yrs., be passed and adopted. Simonson reported a poll is being conducted through the City website to solicit feedback about the scooters. Council discussed and decided there is no harm in tabling this item until the survey is done so they have a full report from citizens to aid in their decision.

Roe moved, seconded by Galloway to table Res. No. 21-2022. Motion carried 4-0 vote. Council Member Pope was absent.

Mayor Johnson inquired if anyone from the audience wished to address an item not on the agenda. There were none.

There being no further discussion, Mayor Johnson called the meeting to recess at 6:34 P.M.

Council will reconvene in Room 108 for closed session proceedings.

\*\*\*\*\*

REGULAR MEETING NO. 4  
Room 108, City Hall

February 1, 2022  
6:43 O'Clock P.M.

The meeting reconvened at 6:43 P.M.

Present were Council Member Roe, Galloway, McAntire, Hull and Mayor Johnson.  
Council Member Pope was absent.

Roe moved, seconded by Galloway to enter closed session in accordance with the IA Code Section 21.5(1) (i). ("To evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session.") for the purpose of discussing the City Administrator's performance goals that are tied to his evaluation. Motion carried 4-0 vote. Council Member Pope was absent.

The meeting entered closed session at 6:44 P.M.

\*\*\*\*\*

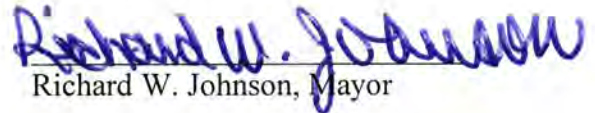
Galloway moved, seconded by Roe to return to open session at 8:02 P.M. Motion carried 4-0 vote. Council Member Pope was absent.

Council wants to see a revised listing of goals from their closed session discussion.

There being no further business, Hull moved, seconded by McAntire that the meeting adjourn. Motion carried 4-0 vote. Council Member Pope was absent.

Adjournment was at 8:04 P.M.

CITY OF OTTUMWA, IOWA

  
Richard W. Johnson, Mayor

ATTEST:

  
Christina Reinhard, CMC, City Clerk



OTTUMWA CITY COUNCIL MINUTES

SPECIAL MEETING NO. 5  
Conference Room, Joint Law Enforcement Center

February 8, 2022  
4:30 O'Clock P.M.

The meeting was called to order at 4:38 P.M.

Present were Council Member Hull, Pope, Roe, Galloway, McAntire and Mayor Johnson. Also in attendance City Admin. Rath, PW Dir. Seals, Library Dir. Ferrell, Fire Chief Miller, Interim Fin. Dir/Accountant Jaegers, Grants/AR Dudman. Parks & Rec Dir. Rathje and Community Development Dir. Simonson arrived later during the mtg.

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

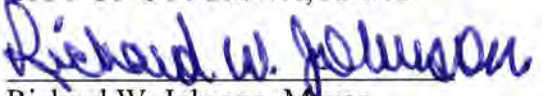
Mayor Johnson inquired if there was anyone from the audience who wished to address an item on the agenda. There were none.

Rath presented FY23 Budget Work Session with current Council Members. Much discussion was had within the group; municipal fund accounting processes; functions of governmental funds; municipal levies by fund; coverage ratio; additional budget considerations; implementation of franchise fees and what they can help accomplish for the City; proposed ARPA spending; CIP Projects.

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

Adjournment was at 6:26 P.M.

CITY OF OTTUMWA, IOWA

  
Richard W. Johnson, Mayor

ATTEST:

  
Christina Reinhard, CMC, City Clerk



OTTUMWA CITY COUNCIL MINUTES

SPECIAL MEETING NO. 6  
Room 108, City Hall

February 9, 2022  
5:00 O'Clock P.M.

The meeting was called to order at 5:02 P.M.

Present were Council Member Pope, Roe, Galloway, McAntire, Hull and Mayor Johnson.

Galloway moved, seconded by Roe to enter closed session in accordance with the IA Code Section 21.5(1) (i). ("To evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session.") for the purpose of discussing allegations contained in correspondence concerning the Finance Director. All ayes.

The meeting entered closed session at 5:04 P.M.

\*\*\*\*\*

Hull moved, seconded by Galloway to return to open session at 6:48 P.M. All ayes.

Roe moved, seconded by Hull that the meeting adjourn. All ayes. Adjournment was at 6:49 P.M.



ATTEST:

*Christina Reinhard*

Christina Reinhard, CMC, City Clerk

CITY OF OTTUMWA, IOWA

*Richard W. Johnson*

Richard W. Johnson, Mayor



**CITY OF OTTUMWA**  
**Staff Summary**

**\*\* ACTION ITEM \*\***

Council Meeting of : Feb 15, 2022

Karen Bumsted

Prepared By



Department Head

Police

Department



City Administrator Approval

AGENDA TITLE: Consideration of Drug Task Force Byrne-JAG Grant.

\*\*\*\*\*

\*\*Public hearing required if this box is checked.\*\*



\*\*\*The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the Item will not be placed on the agenda.\*\*\*

RECOMMENDATION: To approve the submission via the internet and authorize the Mayor and Chief of Police to sign all related documents.

DISCUSSION:

The Ottumwa Police Department is the grant administrator for the Southeast Iowa Inter-Agency Drug Task Force which includes funding for two Ottumwa Police Department officers, one Wapello County Deputy, and the Drug Task Force prosecutor. This will be the 33rd year this grant has provided funding for the Drug Task Force.

The City is responsible for the required 25% match for the two officer positions. Due to the decrease in forfeiture funds, the City of Ottumwa and Wapello County will provide funding to make up the difference not covered by the Byrne/JAG Grant. The funding has been included in the 2022/2023

Source of Funds: 001-112-6010

Budgeted Item:



Budget Amendment Needed: No



budget. The Southeast Iowa Inter-Agency Drug Task Force includes the counties of Davis, Keokuk, Van Buren, and Wapello.



## Application

### 443605 - SFY 2023 Byrne JAG/RSAT - Continuation Applicants - Final Application

444372 - Southeast Iowa Inter-Agency Drug Task Force  
Byrne-Justice Assistance Grant Program (JAG)

Status: Editing

Submitted  
Date:

Submitted  
By:

### Applicant Information

#### Primary Contact:

AnA User Id: BELLJ@IOWAID

First Name\*: Jason  
First Name

Phillip  
Middle Name

Bell  
Last Name

Title:

Email\*: bellj@ottumwa.us

Address\*: 330 W. 2nd

City\*: Ottumwa  
City

Iowa  
State/Province

52501  
Postal Code/Zip

Phone\*: 641-683-0631  
Phone

Ext.:

Program Area of Interest\*: Byrne-Justice Assistance Grant Program (JAG)

Fax:

#### Organization Information

Organization Name\*: Ottumwa, City of

Organization Type\*: City Government

DUNS: 07-349-0542

Organization Website:

Address: 105 East Third Street

City: Ottumwa  
City

Iowa  
State/Province

52501-2904  
Postal Code/Zip

Phone: 641-683-0600

Ext.:

Fax:

## Cover Sheet-General Information

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### Authorized Official

**Name\*** Richard W. Johnson  
**Title\*** Mayor  
**Organization\*** City of Ottumwa  
If you are an individual, please provide your First and Last Name.  
**Address\*** 105 E. Third Street

**City/State/Zip\*** Ottumwa Iowa 52501  
City State Zip

**Telephone Number\*** 641-683-0605  
**E-Mail\*** johnsonr@ottumwa.us

### Fiscal Officer / Agent

*Please enter the "Fiscal Officer" for your Organization.  
 If you are an individual, please provide your First and Last Name.*

**Name\*** Jason Bell  
**Title** Lieutenant  
**Organization** City of Ottumwa Police Department  
**Address** 330 West Second Street

**City/State/Zip** Ottumwa Iowa 52501  
City State Zip

**Telephone Number** 641-683-0631  
**E-Mail** bellj@ottumwa.us

**County(ies) Participating, Involved, or Affected by this Proposal\*** Davis County, Keokuk County, Van Buren County, Wapello County

**Congressional District(s) Involved or Affected by this Proposal\*** 2nd - Rep Marianne Miller-Meeks  
Congressional Map

**Iowa Senate District(s) Involved or Affected by this Proposal\*** 39, 40, 41  
Iowa Senate Map

**Iowa House District(s) Involved or Affected by this Proposal\*** 78, 80, 81, 82  
Iowa House Map

## Minority Impact Statement

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**Does the proposed grant program or policy have a disproportionate or unique positive impact on minority persons? \*** No

**Could the proposed grant** No

program or policy have a disproportionate or unique **negative impact** on minority persons? \*

I hereby certify the information above is complete and accurate to the best of my knowledge. \*

Yes

Chief of Police

Title

Chad

First Name

Farrington

Last Name

## Application Type

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This is an application for a Continuation Project: \*

Yes

If yes please continue. If no, see the instructions above.

## Legal Applicant

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Legal Applicant - Agency\*

City of Ottumwa  
Unit of government making application

Legal Applicant - Name & Title\*

Richard W. Johnson

Name

Mayor

Title

DUNS Number\*

106708212

Nine Digit DUNS #

Enter the Unique Entity ID (UEI) assigned by SAM.gov. (The Federal Government is transitioning to the UEI April 4, 2022. It will replace your DUNS number as the unique identifier for Federal Contractors and Assistance Recipients)

Unique Entity ID

12 characters

## Project Director

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Project Director\*

Jason

First Name

Bell

Last Name

Street\*

330 W. 2nd Street

Street

City/State/Zip Code\*

Ottumwa

City

Iowa

State

52501

Zip Code

Phone\*

641-683-0631

Enter 10 digit number - no special characters

e-mail\*

bellj@ottumwa.us

## Fiscal Officer

---



**Fiscal Officer\***

Jason

Bell

First Name

Last Name

**Phone\***

641-683-0631

Enter 10 digit number - no special characters

**Email\***

bellj@ottumwa.us

**Program Area**

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**Program Area\***

Law Enforcement Programs

**Descriptive Title of the Project\***

Southeast Iowa Inter-Agency Drug Task Force

**Level of Government**

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**Indicate the Applicant Agency level of government.\***

Municipal

**Civil Rights Training**

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**Applicant agency has reviewed the civil rights training identified in the instructions above. Relevant information has been communicated to the appropriate agency personnel.\***

Yes

**Application Information & Instructions**

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General Grant Program Information and Instructions are available as an Adobe Acrobat (pdf) file in this solicitation. (See Attachments - Program Application Information and Instructions). Application instructions are also available on the Office of Drug Control Policy website <https://odcp.iowa.gov/>.

Grantees are strongly encouraged to review this information. Failure to comply with grant requirements may result in disqualification of your application. Contact Dennis Wiggins with questions 515-725-0311 or [dennis.wiggins@iowa.gov](mailto:dennis.wiggins@iowa.gov)

**General Grant Program Information and Instructions have been received and reviewed.\***

Yes

**Personnel**

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Position/Title & Employing Agency	Federal Share	Match Share	Total Fed & Match	Match %	Priority
Unit Supervisor, Ottumwa Police Department	\$59,934.42	\$19,978.14	\$79,912.56	0.25	1



Investigator, Ottumwa Police Department	\$52,006.50	\$17,335.50	\$69,342.00	0.25	2
Investigator, Wapello County Sheriff's Department	\$42,900.00	\$14,300.00	\$57,200.00	0.25	3
Prosecuting Attorney, Wapello County Attorney's Office	\$52,500.00	\$17,500.00	\$70,000.00	0.25	4
	\$207,340.92	\$69,113.64	\$276,454.56		

**Fringe Benefits**

Position/Title & Employing Agency	Federal Share	Match Share	Total Federal & Match	Match %	Priority
	\$0.00	\$0.00	\$0.00		

**Overtime**

Position/Title & Employing Agency	Computation	Federal Share	Match Share	Total Federal & Match	Match %	Priority
		\$0.00	\$0.00	\$0.00		

**Travel**

Purpose of Travel	Location	Item/Computation	Federal Share	Match Share	Total Federal & Match	Match %	Priority
			\$0.00	\$0.00	\$0.00		

**Equipment**

Item	Computation	Federal Share	Match Share	Total Federal & Match	Match %	Priority
		\$0.00	\$0.00	\$0.00		

**Supplies**

Item	Computation	Federal Share	Match Share	Total Federal & Match	Match %	Priority
		\$0.00	\$0.00	\$0.00		

**Procurement Contracts**

Item	Computation	Federal Share	Match Share	Total Federal & Match	Match %	Priority
		\$0.00	\$0.00	\$0.00		

**Other Costs**

Item	Computation	Federal Share	Match Share	Total Federal & Match	Match %	Priority
		\$0.00	\$0.00	\$0.00		

## Budget Summary

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<b>Federal Total*</b>	\$207,340.92
<b>Match Total</b>	\$69,113.64
<b>Total Federal &amp; Match</b>	\$276,454.56

## Personnel

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### Personnel

Costs should be consistent with agency written policies, compensation should be reasonable and consistent with that paid for similar work in other comparable agencies.

List by Position Title. Base salary rate and other paid compensation need to be listed separately. Include any formulas used. Also include percent of time involved in this project.

Overtime should be included as a separate line item in the Overtime section below.

Unit Supervisor: This person is employed by the Ottumwa Police Department and is assigned to the Task Force on a full time basis. 2184 hours @ \$36.59 = \$79,912.56 X 100%

Investigator: This person is employed by the Ottumwa Police Department and is assigned to the Task Force on a full time basis. 2184 hours @ \$31.75 = \$69,342 X 100%

Investigator: This person is employed by the Wapello County Sheriffs Department and is assigned to the Task Force on a full time basis. 2080 hours @ \$27.50 = \$57,200 x 100%

Prosecuting Attorney: This person is employed by the Wapello County Attorney's Office and is assigned to the Task Force on a full time basis. Annual salary = \$70,000 X 100%

## Personnel Benefits

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Benefits	Position/Title	Employing Agency	% to project	FICA	Insurance - Health, Dental, Life	Retirement	Workers Comp	Unemployment	Match Share	Federal Share	Total
	Position #1		0%	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Position #2		0%	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Position #3		0%	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Position #4		0%	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Position #5		0%	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Position #6		0%	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Position #7		0%	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Position #8		0%	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Position		0%	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

#9

Position #10	0%	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Position #11	0%	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Position #12	0%	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Position #13	0%	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Position #14	0%	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Position #15	0%	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Totals						\$0.00	\$0.00	\$0.00	\$0.00

## OT

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### Overtime

Describe how OT will be utilized, list over time rate(s) and the number of overtime hours to be worked.

No funding is being requested for overtime.

## Travel

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### Travel

Transportation and subsistence of project personnel for project related travel and travel for training events. Out of state travel requires prior approval from ODCP. Use your agency travel policies.

Include contractor/consultant travel in Procurement Contracts section.

No funding is being requested for travel.

## Equipment

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### Equipment

Type of equipment, quantity and unit price. Purpose of purchase and percent of time involved in project, and staff who will use the equipment. (Definition of Equipment = item with a value of \$5,000 and a life expectancy of 1 year or more - if an item does not meet this definition include it in the Operating Expenses line item.) Use procedures consistent with agency's written procurement policies.

No funding is being requested for equipment.

## Supplies

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**Supplies**

*Supplies, printing, expendables (telephone, gas, electricity). Relate costs to project activities. Itemize all expenses. Miscellaneous expenses will not be funded*

No funding is being requested for supplies.

## **Procurement Contracts**

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**Contract Services**

*Individual consultants or service organizations. Specify purpose of contract and itemize all consultant fees, consultant expenses, and contracts. Legal applicant shall follow the same policies and procedures used for competitive bid and procurement from its non-federal funds. Contract services require ODCP approval.*

No funding is being requested for procurement contracts.

## **Other Costs**

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**Other Costs**

*List items by type. Generally, Other Expenses include items such as rent, indirect costs, operating expenses, telephone, data services, rent, etc.*

No funding is being requested for other costs.

## **Cash Match**

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*Describe in detail the source of cash match for this project (example: general fund, asset forfeiture, donations, etc.). Provide sufficient information to determine that your cash match is from an eligible source as identified in the "Grant Application Instructions" The minimum match requirement is 25% of total project costs.*

*Please note that forfeitures should not be used to match salary/benefits expenses unless that expenditure has been specifically approved by the Iowa Attorney General's office (state forfeitures) or the U.S. Attorney's Office (federal forfeitures).*

**Source of Cash Match.\*** Funds from a Local unit of government that have a binding commitment of matching funds

**Describe the level and timing of cash match contribution into the project.** The 25% match for personnel will be paid by the employee's home agency. The Unit Supervisor and one Investigator from the Ottumwa Police Department will be paid from the City of Ottumwa's general fund. The Investigator from the Sheriff's Department and the Prosecuting Attorney's match will be paid by Wapello County. Funding for these positions has been approved.

## **Other Project Support**

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<b>Project Title</b>	<b>Funding Source</b>	<b>Amount of Funding</b>
Southeast Iowa Inter-Agency Drug Task Force	Member Assessment, Davis County	\$2,000.00
Southeast Iowa Inter-Agency Drug Task Force	Member Assessment, Keokuk County	\$2,000.00

## Expenditure Status

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What Percent of your current grant award has been expended through December 31st.\* 86.0%

If less than 50% expended, provide explanation and plan for expenditure prior to June 30th.

## Sustainability

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Please describe your project's sustainability plan in the absence of federal funding.

### Sustainability\*

In the absence of federal funding, task force personnel would need to be funded in full by their respective agencies. Both the City of Ottumwa and Wapello County recognize the need to have dedicated staff assigned to conduct narcotics investigations on a full time basis. Currently, the City and the County have agreed to cover any costs associated with the Task Force that is not covered by the grant.

The task force utilizes proceeds from forfeitures as a source of funding for making controlled purchases of evidence on new investigations and will continue to do so moving forward.

## Prior Funding

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List Byrne/JAG or RSAT grant funds previously received to fund the project described in this application.

Byrne-JAG/RSAT Funding SFY22*	\$98,000.00
Byrne-JAG/RSAT Funding SFY21	\$100,000.00
Byrne-JAG/RSAT Funding SFY20	\$105,000.00

## Abstract

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Provide a descriptive summary of the need/problem to be addressed. Emphasis should be on data which describes the nature and extent of the problem and its impact on the target to be served by the proposed project. \*

Maximum of 3,000 characters

The Southeast Iowa Inter-Agency Drug Task Force was formed in 1990 after law enforcement jurisdictions in southeast Iowa recognized the need for officers to devote their enforcement efforts specifically targeting drug distributors and trafficking organizations. At that time, law enforcement and citizens were witnessing firsthand the harmful effects of methamphetamine on society.



While there has been fluctuations over the last thirty two years in the availability of methamphetamine in our area, meth use and distribution continues to be a problem that needs to be addressed. According to a local drug treatment agency (Sieda Community Action), methamphetamine continues to be the most widely abused illicit drug that they provide treatment for. Marijuana abuse is the second most abused drug and all forms of opioids are a distant third. Additionally, methamphetamine admissions for treatment remained steady over the last few years where some areas of the state slightly decreased in numbers for treatment of methamphetamine use.

As a law enforcement agency that worked through a pandemic, it was apparent that a lot of crime statistics reduced during that time period. For example, the Ottumwa Police Department, our task force's largest city and population area, experienced a reduction in several areas of criminal activity.

One specific example is illustrated if you look at burglary offenses that had been reported to the police department over the last three years. In calendar year 2019, the Ottumwa Police Department reported having 319 offenses of burglary reported to the department. In calendar year 2020, the police department reported a decline to 252 burglary offenses reported and in 2021 that number was reduced to 185 offenses. Trends relating to crime statistics suggests that it is probable that there will be a rebound and these particular offenses will increase.

However, according to the Iowa Uniform Crime Reporting System that is maintained by the Iowa Department of Public Safety, Wapello County still had the highest crime density by population in 2021 for the entire State of Iowa.

Unfortunately, there is a direct correlation between drug abuse and criminal activity. Persons who abuse drugs regularly commit crimes to pay for their drug habit and this inflicts a collateral damage on society in the form of robberies, burglary offenses, assaults, and theft.

It is a necessity for the Southeast Iowa Inter-Agency Drug Task Force to continue investigative efforts to improve the overall welfare of the communities we serve and the citizens of the State of Iowa. This is accomplished by targeting high level drug distributors and offenders.

**Describe the key activities of the proposed project. \***

*Maximum of 701 characters*

Key activities of the Southeast Iowa Inter-Agency Drug Task Force are to investigate drug traffickers, drug trafficking organizations, and drug users. The task force accomplished this by various investigative methods such as; conducting covert surveillance; conducting controlled purchases of narcotics by the utilization of confidential informants and undercover officers; analyzing intelligence from various sources and social media platforms; preparing for court by closely interacting with the prosecuting attorney; interacting with our member agencies.

**Describe the expected outcomes of the proposed project. \***

*Maximum of 800 characters*

Most individuals who are charged with drug related offenses, whether it is drug dealing or drug possession, are required to complete some sort of rehabilitation service or process in lieu of incarceration or as part of their probation process. These persons do not normally seek out these services unless there is some sort of intervention by law enforcement. The task force will aggressively conduct enforcement activities with the expectation that they will reduce the available drugs in our task force area and offenders will be required to submit to drug treatment, supervision, or incarceration. The reduction of overall crime would theoretically be reduced if there was reduced drug availability and treatment of offenders.

## **Goals and Objectives**

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**Project Goal**

**Objective(s)**



The goal of the Task Force is to fairly conduct proactive police investigations that target drug distributors, manufacturers, and users, to effectively improve the quality of life for the public in our four county task force area. We hope to reduce the overall crime rate in the coverage area.

Reduce the amount of drugs available to users in the public through task force enforcement efforts. This objective is measurable by quantifying the amount of substances seized over a specified period of time and is the responsibility of the task force investigators in partnership with State and Federal authorities.

Provide our member agencies the assistance of the drug task force prosecuting attorney to aid in successful prosecution of offenders. The prosecuting attorney can also recommend treatment through the court process and alternatives to incarcerations if in the best interest of all interested parties to a particular case.

### 1. Select Byrne JAG Performance Measures - Non Task Force Applicants

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Year in which the project is currently operating with funding assistance from the Byrne JAG program.	N/A
Total number of participants receiving services during the reporting period.	0
Number of program participants who successfully completed services during the reporting period.	0
Number of participants served who unsuccessfully completed programming.	0
Number of program slots offered through the program.	0

### 2. Select Byrne JAG Performance Measures - Drug Task Force Applicants

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Year in which the project is currently operating with funding assistance from the Byrne JAG program.	Second or Subsequent Year	
Number of new investigations initiated	98	
Number of judicial search warrants served	3	119
	Federal	State
Number of individuals arrested for a felony	38	
Number of individuals arrested for a misdemeanor	30	
Heroin seized (grams)	1.5	
Cocaine seized (grams)	37.2	

Crack seized (grams)	0
Marijuana - commercial grade Seized (grams)	16827.85
Methamphetamine/ice seized (grams)	5228.45
Pharmaceuticals (identify grams/dosage units/pills)	Acetaminophen and Hydrocodone: 6du, 500mg/7.5mg, Tizanidine HCL: 6du, 4mg, Cyclobenzaprine HCL: 2du, 10mg, Diazepam: 40du, 10mg, Diazepam: 40du, 10mg, Sildenafil Citrate: 9du, 100mg, Sildenafil Citrate: 7du, 25mg, Trazodone HCL: 30du, 150mg, Azithromycin Dihydrate: 9du, 250mg, Levofloxacin: 5du, 500mg, Prednisone: 17du, 20mg, Prednisone: 66du, 10mg, Clindamycin HCL: 28du, 150mg, Alprazolam: 32du, 0.25mg, Alprazolam: 3du, 2mg, Amoxicillin and Clavulanate Potassium: 16du, 875mg/125mg, Cephalexin: 9du, 500mg, Meloxicam: 15du, 15mg, Hydromorphone HCL: 1du, 8mg, Amphetamine and Dextroamphetamine:
Firearms seized	24
Number of defendants accepted for Federal prosecution - felony charges.	1
Number of defendants accepted for Federal prosecution - misdemeanor charges.	0
Number of defendants accepted for State prosecution - felony charges.	41
Number of defendants accepted for State prosecution - misdemeanor charges.	31
Number of criminal groups disrupted.	2
Number of criminal groups dismantled.	0
Clandestine laboratories seized	0
Drug endangered children referred to DHS	7

### 3. Project Evaluation - Narrative

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Provide a narrative description of project performance. Include the key project activities as they relate to the need/problem described in the Summary of the Project.

Provide a narrative description of the project's impact on the community/problem. Emphasis should be on measurable outcomes/impact and supported with adequate data.\*

*As with performance measures, the focus of the narrative should be on the past six quarters.*

*Maximum of approximately 9,000 Characters (3 pages)*

The Southeast Iowa Inter-Agency Drug Task Force was formed almost 32 years ago to investigate and prosecute drug traffickers in Southeast Iowa. Our Task Force has since evolved into an agency that regularly identifies cases that span outside of our four county coverage area. As a result, our investigators also work with members of the Iowa Division of Narcotics Enforcement and the US Drug Enforcement Administration in a collaborative manner to investigate cases that will have the greatest chance of successful prosecution. Over the last full grant year and the first half of this grant period, it is apparent that the task force has been aggressively working to reduce the



availability of illegal drugs in the task force area of operations. However, consistent with other similar areas of the State, the pandemic did have an effect on police operations.

During the reporting period, Task Force investigators have opened 98 new investigations. A breakdown of these cases consisted of the following; 74 cases involving drug distribution and or delivery; 3 investigations relating to manufacture or production; 17 cases of illegal drug possession; and 4 cases of other type investigations. It should be noted that some of the other type cases included weapons trafficking offenses and investigations into persons overdosing on opioids. Also during the reporting period Task Force personnel executed 119 search warrants which lead to the seizures of narcotics, firearms, and other evidence.

During the reporting period, Task Force investigators made 47 controlled purchases of methamphetamine totaling 644.04 grams for \$16,540. Investigators also seized an additional 4,556.81 grams of methamphetamine through other investigative means such as the execution of search warrants.

Below are some of the investigations conducted by the Task Force during the reporting period.

In July of 2020, members of the Task Force and Ottumwa Police Department obtained information and executed a drug related search warrant at an address in Ottumwa, Iowa. As a result of the search warrant, Investigators seized approximately five hundred (500) grams of marijuana, items of drug paraphernalia and a handgun. One subject was arrested for felony drug charges.

In August of 2020, members of the Task Force and Ottumwa Police Department obtained information and executed a drug related search warrant at an address in Ottumwa, Iowa. As a result of the search warrant, Investigators seized approximately fifty seven (57) grams of marijuana, six (6) grams psilocybin, items of drug paraphernalia and \$1,380. One subject was arrested for felony drug charges and a referral was made to DHS for children being in the house with illegal narcotics.

In August of 2020, members of the Southeast Iowa Inter-Agency Drug Task Force obtained information and identified individuals involved in the distribution of ice methamphetamine in Keokuk County, Iowa. Members of the task force, with the assistance of a cooperating individual, began making controlled purchases of ice methamphetamine from the suspect. Task Force personnel with the assistance of a confidential informant made three controlled purchases of fourteen grams of ice methamphetamine for \$580 in United States currency. This subject of the investigation was arrested for felony drug distribution charges and misdemeanor pharmaceutical drug possession charges.

In September of 2020, members of the Task Force were contacted by an employee of the U.S. Postal Inspectors Office about suspicious packages that had gone through their facility and delivered to an address in Ottumwa, Iowa. A similar package was intercepted and seized and found to contain approximately four point five (4.5) pounds of ice methamphetamine. A controlled delivery of the package was conducted by members of the Southeast Iowa Inter-Agency Drug Task Force and the U.S. Postal Inspectors Office and a search warrant was conducted. As a result, approximately one thousand twenty (1,020) grams of ice methamphetamine was seized and two persons were charged with felony drug charges.

In September of 2020, members of the Task Force became aware of a suspected marijuana grow at a residence in Ottumwa, Iowa. Members of law enforcement applied for, and were granted, a search warrant for the residence. As a result, one hundred twenty one point seven (121.7) grams of processed marijuana, eighteen (18) cultivated marijuana plants and numerous items of marijuana manufacturing equipment was seized. One person was arrested for felony drug manufacturing related to this investigation.

In October of 2020, Investigators with the Southeast Iowa Inter-Agency Drug Task Force obtained information and executed a drug related search warrant at an address in Ottumwa, Iowa. As a result of the search warrant, Investigators seized approximately 28 grams of methamphetamine, 5.9 grams of marijuana, \$303 in US Currency and items of drug paraphernalia.

In October of 2020, Investigators with the Task Force obtained information and executed a drug related search warrant at an address in Ottumwa, IA. As a result of the search warrant, Investigators seized 10 dosage units of pharmaceuticals, approximately 253 grams of marijuana/THC concentrates, \$645 in US currency, assorted items of jewelry, one handgun with ammunition as well as numerous items of drug paraphernalia. One person was charged with felony drug offenses from this investigation.

In November of 2020, Investigators with the Task Force and Ottumwa Police Department obtained information and executed a drug related search warrant at an address in Ottumwa, IA. As a result of the search warrant,



Investigators seized approximately 600 grams of marijuana, two handguns and ammunition, multiple items of drug paraphernalia, cellular telephones, \$51,714 US currency as well as counterfeit US currency. One person was charged with felony drug charges in relation to this investigation.

In December of 2020, Investigators with the Task Force obtained information and executed a drug related search warrant at an address in Ottumwa, Iowa. As a result of the search warrant, Investigators seized approximately 91.8 grams of methamphetamine, 179 dosage units of pharmaceuticals, 3.1 grams of THC concentrates and numerous items of drug paraphernalia. Two subjects were arrested for on drug charges.

In December of 2020, Deputies with the Wapello County Sheriff Office and Investigators with the Southeast Iowa Inter-Agency Drug Task Force obtained information and executed a drug related search warrant at an address in Ottumwa, IA. As a result of the search warrant, Investigators seized approximately 2,127grams of marijuana and multiple items of drug paraphernalia.

In January 2021, Investigators with the Southeast Iowa Inter-Agency Drug Task Force obtained information and executed a drug related search warrant at an address in Ottumwa, Iowa. As a result of the search warrant, Investigators seized approximately 37.5 grams of methamphetamine, 6 grams of marijuana, 84 dosage units of pharmaceuticals and multiple items of drug paraphernalia.

In February 2021, Ottumwa Police conducted a traffic stop which resulted in the seizure of 24.8 grams of methamphetamine and \$960. Investigators with the Southeast Iowa Inter-Agency Drug Task Force and Ottumwa Police Department subsequently executed a drug related search warrant at the defendant's residence in Ottumwa, IA. As a result of the search warrant, Investigators seized 43.3 grams of ice methamphetamine, \$733, digital scales, packaging material, and multiple items of drug paraphernalia. The defendant was arrested and charged with felony level drug offenses.

In March of 2021, Investigators with the Southeast Iowa Inter-Agency Drug Task Force obtained information and executed a drug related search warrant at an address in Ottumwa, IA. The defendant in this case was using a decarboxylation process to extract THC from marijuana to produce marijuana edibles that were being manufactured in the residence. The edibles were then advertised for sale on various social media platforms and subsequently shipped via the United States Postal Service. A Postal Inspector was able to intercept a package shipped by the defendant and confirm THC products were being distributed through the mail. As a result of the search warrant, Investigators seized approximately 11,822 grams of marijuana/THC products, digital scales, equipment and ingredients used in the manufacturing process, multiple items of drug paraphernalia, cellular telephones, and \$1,055. There was also a child living in the home where the manufacturing was taking place and a referral was made to DHS. One person was charged with felony level drug offenses.

(The remaining narrative portion is continued on a separate sheet that is listed under the attachment portion of the grant)

## Other Attachments

File Name	Description	File Size
Continuation of the Project Evaluation Narrative.pdf (238 KB)	Continuation of the Project Evaluation Narrative	238 KB



(Below is the continuation of the Project Evaluation Narrative)

In March of 2021, Wapello County Deputies and Investigators with the Southeast Iowa Inter-Agency Drug Task Force obtained information and executed a drug related search warrant at an address in Wapello County, Iowa regarding a marijuana grow operation. As a result of the search warrant, Investigators seized 253 marijuana plants, approximately 169 grams of marijuana, 1 handgun, 3 rifles, multiple boxes of ammunition and numerous items of drug paraphernalia. Functional equipment used to manufacture BHO from marijuana was also seized. One person was charged with felony drug charges and felony weapon offenses.

In April 2021, Investigators with the Southeast Iowa Inter-Agency Drug Task Force were conducting surveillance at residence in Ottumwa, IA related to drug activity. A vehicle was observed leaving the location and a traffic stop was arranged with uniform patrol. As a result of this traffic stop, 52.9 grams of ice methamphetamine were seized and the driver was arrested on felony drug charges. The results of the traffic stop led to a subsequent search warrant at the residence which led to the seizure of marijuana, digital scale, paraphernalia and the arrest of 3 additional individuals on misdemeanor drug charges.

In May 2021, Investigators with the Southeast Iowa Inter-Agency Drug Task Force obtained information and executed a drug related search warrant at an address in Ottumwa, IA. As a result of the search warrant, 928 dosage units of pharmaceuticals, marijuana, digital scales, packaging material and an AR15 rifle were seized. Children were living in the house and a referral was made to DHS. The target of the investigation was charged on numerous drug charges as well as child endangerment and firearm charges.

In May 2021, Investigators with the Southeast Iowa Inter-Agency Drug Task Force obtained information and executed a drug related search warrant at an address in Ottumwa, IA. As a result of the search warrant, 506 grams of ice methamphetamine, 347 grams of marijuana, digital scales, packaging material and US currency were seized. The target of the investigation was arrested on felony drug charges. A second individual in the residence was arrested on an outstanding arrest warrant.

July 2021, Investigators with the Southeast Iowa Inter-Agency Drug Task Force executed a drug related search warrant at a residence in Ottumwa, Iowa. As a result of this search warrant approximately 273.1 grams of ice methamphetamine, 64 dosage units of pharmaceuticals, digital scales, packaging material, items of drug paraphernalia and US currency was seized. One individual was arrested on felony and misdemeanor drug charges.

In July through September of 2021, Investigators with the Southeast Iowa Inter-Agency Drug Task Force were able to identify several individuals involved in the distribution of methamphetamine in Wapello County and surrounding area. One of these individuals was stopped by a patrol officer and was subsequently arrested on felony drug charges. Investigators were able to obtain a search warrant for the individual's cellular phone, which identified other individuals as a main source of methamphetamine from other states into central and southeast Iowa. Investigators coordinated this information with other drug task forces and the United States Drug Enforcement Administration. As a result of this investigation, 2 pounds of ice methamphetamine, 3 firearms (one of which was stolen), over one hundred thousand in United States Currency, and an assortment of other drugs were seized. One individual was arrested on federal drug charges. This investigation is on going.

In July of 2021, Investigators with the Southeast Iowa Inter-Agency Drug Task Force were investigating the whereabouts of an individual with a federal arrest warrant who was also involved in the distribution of methamphetamine in southeast Iowa. The individual was located at a residence in Ottumwa and arrested. A search warrant was subsequently obtained for the residence. That search warrant led to a second search warrant in Okaloosa, IA and the seizure of a large sum of US currency from illegal drug sales.

In July 2021, Investigators with the Southeast Iowa Inter-Agency Drug Task Force assisted the Iowa State Patrol with a search warrant on a vehicle that was involved in a pursuit in Mahaska and Wapello counties. Execution of the search warrant on the vehicle led to additional search warrants in Ottumwa and Wapello County. These



warrants led to the seizure of 891.9 grams of THC concentrate, 36 grams of marijuana, two handguns, ammunition and miscellaneous items of drug paraphernalia. One individual was arrested on felony drug charges.

In July 2021, Investigators with the Southeast Iowa Inter-Agency Drug Task Force executed a search warrant in Wapello County. As a result of this search warrant, methamphetamine and assorted items of drug paraphernalia were seized. Neither the target of the search warrant nor his vehicle were at the residence at the time the warrant was executed. The following day, the target was located in Eddyville and was arrested on an unrelated arrest warrant and was found in possession of methamphetamine and US currency. The subject was also arrested on felony drug charges and later bonded out of jail. The female accompanying the target was arrested on a felony theft arrest warrant.

In August 2021, Investigators received information that the same subject was in possession of methamphetamine and his current whereabouts as he travelled in a vehicle. Investigators were able to coordinate with patrol officers and a traffic stop was conducted. The subject was found in possession of 42.2 grams of ice methamphetamine and arrested on felony drug charges.

Between August and December 2021, Task Force investigators identified numerous individuals involved in the distribution of methamphetamine from Nebraska and into our enforcement area. This investigation involved controlled purchases from different individuals, social media and cellular telephone search warrants executed on these individuals. Additional investigation was conducted on individuals that were arrested by agencies other than the SE Iowa Inter-Agency DTF, and residential search warrants executed on involved individuals based on information obtained from cellular telephone and social media search warrants. Investigators were able to tie all these individuals into being involved together in one large scale conspiracy. As a result of this lengthy investigation, 10 individuals are being charged with 32 charges related to the distribution of methamphetamine and other drugs in our enforcement area.

In October 2021, Investigators with the SE Iowa Inter-Agency DTF executed a drug related search warrant at an address in Ottumwa, IA. As a result, 41.3 grams of Ice-methamphetamine, 19 dosage units of controlled substance pharmaceuticals, digital scales and US currency was seized. One individual was arrested on felony drug charges as a result of this investigation and is currently in prison. Additional charges are pending on a second individual in relation to this case.

In October 2021, Investigators with the SE Iowa Inter-Agency DTF executed a drug related search warrant at an address in Ottumwa, IA. As a result, 3.9 grams of Ice-methamphetamine, pharmaceuticals, marijuana, digital scales and US currency was seized. One individual was arrested on felony drug charges as a result of this investigation.

In November 2021, Investigators with the SE Iowa Inter-Agency DTF executed a drug related search warrant at an address in Ottumwa, IA. As a result, 3.54 grams of Ice-methamphetamine, 325 dosage units of pharmaceuticals, 114.2 grams of marijuana, digital scales and US currency was seized. One individual was arrested on felony drug charges as a result of this investigation.

In December 2021, Investigators with the SE Iowa Inter-Agency DTF executed a drug related search warrant at a residence in Albia, IA. This individual was the subject of an investigation regarding to distribution of several types of drugs in our enforcement area, even though his residence is not located in our enforcement area. As a result of this investigation, 39.19 grams of ice methamphetamine, 5 dosage units of LSD, 12.9 grams of marijuana, 61 dosage units of pharmaceuticals, digital scales and stolen property was seized. One individual was arrested on felony drug charges. Additional charges on a second individual are pending.

In December 2021, Investigators with the SE Iowa Inter-Agency DTF and members of the Ottumwa Police Department received information regarding a sale of methamphetamine that was about to occur in downtown Ottumwa. Law Enforcement personnel was able to monitor the drug transaction and coordinate with marked units who were able to stop the suspect vehicle. One individual was stopped and subsequently arrested for felony drug

charges. A follow up search warrant was conducted at the suspect's residence which resulted in the arrest of a second individual for felony drug charges and outstanding arrest warrants. As a result of this investigation 48.5 grams of ice methamphetamine and other miscellaneous items of drug paraphernalia were seized along with the arrest of two individuals.

In December of 2021, Investigators with SE Iowa Inter-Agency DTF received information regarding the sale of property that was stolen during burglaries in and around Ottumwa. Investigators were able to coordinate a deal in which the suspect would meet to sale the stolen property. The suspect arrived at the location and was in possession of items taken in commercial and residential burglaries which included tools, construction equipment and a stolen handgun. A follow up search warrant was conducted at the suspect's residence that resulted in the seizure of approximately 14 grams of methamphetamine, US currency, ammunition and numerous items taken during several different burglaries in Ottumwa and Wapello County. As of now, three individuals have been charged with numerous charges including theft 1<sup>st</sup>, on-going criminal conduct and burglary. One of the defendant's in this case admitted that they were committing thefts and burglaries to pay for their drug habit.

All of these are some examples of law enforcement activity conducted on a daily basis to try and reduce the availability of illegal drugs and reduce crime in our task force coverage area.



**CITY OF OTTUMWA**  
**Staff Summary**

**\*\* ACTION ITEM \*\***

Council Meeting of: Feb 15, 2022

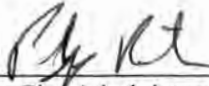
Philip Rath

Prepared By

Administration

Department

Department Head



City Administrator Approval

AGENDA TITLE: Accept the proposed engagement letter from Piper Sandler for the consultation related to bond services

\*\*\*\*\*

\*\*Public hearing required if this box is checked.\*\*

RECOMMENDATION: Adopt the engagement letter authorizing city staff to consult with Tim Oswald of Piper Sandler regarding the consultation of bond issues related to the city's FY23 and FY24 Capital Projects

DISCUSSION: Staff has identified a number of capital items which have been requested for Fiscal Years 2023 and 2024. In the past staff worked with Tim Oswald with Piper Sandler to assist with the issuance of financing to cover these projects. Staff is once again requesting the services of Piper Sandler to proceed with the potential issuance of financing to cover the future projects. A copy of the engagement letter is attached for reference.

Source of Funds: N/A

Budgeted Item:

Budget Amendment Needed:

January 8, 2022

Ms. Kala Mulder, Finance Director  
City of Ottumwa  
105 E. 3<sup>rd</sup> Street  
Ottumwa, IA 52501-2904

Re: Engagement Letter with Piper Sandler & Co.

Dear Kala:

We understand that the City of Ottumwa, Iowa (the "Issuer" or "you") wishes to issue General Obligation (the proceeds of which will be used for the City's FY23 CIP) (collectively, the "Bonds," the "Bond Issue" or the "Project") and has selected Piper Sandler & Co. ("Piper", the "Underwriter", or the "Placement Agent", or "we") to serve as underwriter or placement agent for the proposed issuance. We appreciate the opportunity to serve you in this manner. This letter will serve as an agreement regarding the terms of this engagement. In addition, we would like to take this opportunity to set forth some pertinent information about the financing process.

Although Piper intends to work closely with you during the period preceding the pricing and sale of the proposed Bond Issue with the aim of timely completion of the financing, we are not herein making a final commitment to underwrite bonds until certain events have occurred. Such a commitment is subject to, among other things, satisfactory completion and execution of all final documentation for an offering (including a Bond Purchase Agreement containing all provisions necessary to satisfy federal securities laws and the rules of the Municipal Securities Rulemaking Board, and all other applicable rules and regulations); absence of any material adverse change in the financial markets or in the financial condition, operations or prospects of the Issuer; receipts of all required governmental approvals and appropriate legal opinions; an underwriter's review ("due diligence") of the offering documents, as required under federal securities laws; the negotiation of appropriate indemnification; state blue sky reviews, as appropriate; and credit approval by Piper. This Agreement is therefore not a final commitment by Piper, express or implied, to underwrite, place, or purchase any securities, nor does it obligate the Underwriter to enter into a Bond Purchase Agreement. While we do not anticipate difficulties in the course of the proposed financing and look forward to a successful conclusion to this engagement, we prefer to identify these conditions to our final commitment at the outset.

During the term of our engagement, we will, as appropriate to the Transaction:

- a) consult with you in planning and implementing the Transaction;
- b) prepare various options and numbers to finance the project as requested
- c) if appropriate, assist with securing a rating on the proposed Bonds
- d) assist you in preparing any transaction materials (the "Transaction Materials") we mutually agree are beneficial or necessary to the consummation of the Transaction;
- e) review and comment on the official statement prepared by Disclosure Counsel
- f) assist you in preparing for due diligence conducted by potential investors;
- g) identify potential investors and use our reasonable commercial efforts to assist in arranging sales of the Securities to investors;
- h) If a portion of any financing considered includes an advance refunding, subscribe for SLGS or acquire U.S. Treasury securities as agent for and on behalf of the Issuer; and
- i) Coordinate the closing effort for the Bonds

During the course of the engagement, Piper will participate in discussions with bond counsel, finance officials or internal legal counsel of the Issuer to assist in advising the Issuer, as part of the underwriting process, of various financial structures for the proposed offering and their probable reception in the municipal bond markets.



The Underwriter will perform due diligence respecting any offering documents as part of their obligation under federal securities laws. If a final commitment to underwrite the Bonds is approved by the Underwriter, and subject to the conditions described above, the Underwriter will underwrite the Bonds and manage a public offering of the Bonds. Further details regarding the underwriting will be set forth in a Bond Purchase Agreement to be executed at the time of pricing of the Bonds. The Issuer and its chosen counsel agree to cooperate with and assist the Underwriter in connection with such duties.

Compensation .As compensation for Piper's services, the Issuer will pay Piper a fee to be determined by the nature of the offering as set forth in Schedule A hereto. Fees will be payable to the Underwriter in the form of an underwriter's discount on the Bond Issue as set forth therein. The fees, disbursements and other charges of the Underwriter's outside legal counsel will be added to the underwriter's discount. The Underwriter shall select such counsel in its sole discretion. Fees payable to the Placement Agent in the form of a placement agent fee shall be paid in immediately available funds, due at closing. The fee shall not be payable in the event the Transaction does not occur, other than for non-performance by You.

Termination. The Issuer may not terminate this Agreement at any time prior to completion of the Project other than for non-performance on the part of the Underwriter, in which case the Issuer may terminate this agreement, and upon such termination, all fees due to the Underwriter for time served assisting with the Project shall be due and payable immediately by the Issuer. The Underwriter may terminate this Agreement at any time on 30 days written notice.

Assignment Neither the Underwriter nor the Issuer shall have the right or power to assign this Agreement or parts thereof, or its respective duties, without the express written consent of the other party. In the event of acquisition of the Underwriter by a third party firm, notice shall be given to the Issuer regarding the acquisition and the Issuer shall have the opportunity to consent to the assignment of this Agreement, which consent shall not be unreasonably withheld.

No Advisory or Fiduciary Role. You acknowledge that you have retained us solely to provide the services to you as set forth in this agreement. In rendering such services, we will act as an independent contractor. You acknowledge and agree that: (i) the primary role of Piper , as a placement agent or underwriter, is in an arms-length commercial transaction between you and Piper and Piper has financial and other interests that differ from your interests and (ii) Piper is not acting as a municipal advisor, financial advisor or fiduciary to you or any other person or entity and has not assumed any advisory or fiduciary responsibility to you with respect to the transaction contemplated hereby and the discussions, undertakings and proceedings leading thereto (irrespective of whether Piper has provided other services or is currently providing other services to you on other matters) (iii) the only obligations Piper has to you with respect to the Transaction contemplated hereby expressly are set forth in this Agreement and (iv) you have consulted your own legal, accounting, tax, financial and other advisors, as applicable, to the extent you deem appropriate in connection with the Transaction contemplated herein.



No Recourse for Tax Matters. No recourse shall be had against the Underwriter for loss, damage, liability, cost or expense (whether direct, indirect or consequential) of the Issuer arising out of or in defending, prosecuting, negotiating or responding to any inquiry, questionnaire, audit, suit, action, or other proceeding brought or received from the Internal Revenue Service in connection with the Bonds or otherwise relating to the tax treatment of interest on the Bond.

Governance This Agreement will be governed by, and construed in accordance with, the laws of the State of Iowa, without regard to principles of conflicts of law to the extent that the application of the laws of another jurisdiction would be required thereby. The Issuer and the Underwriter each hereby irrevocably waive any right they may have to a trial by jury in respect of any claim based upon or arising out of this Agreement or the transactions contemplated hereby.

Consent to Jurisdiction; Service of Process, Jury Trial. The parties each hereby (a) submits to the jurisdiction of the Federal court sitting in Des Moines, Iowa with respect to any actions and proceedings arising out of or relating to this Agreement, (b) agrees that all claims with respect to such actions or proceedings may be heard and determined in such court, (c) waives the defense of an inconvenient forum, (d) agrees not to commence any action or proceeding relating to this Agreement other than in the Federal court sitting in Des Moines, Iowa and (e) agrees that a final judgment in any such action or proceeding shall be conclusive and may be enforced in other jurisdictions by suit on the judgment or in any other manner provided by law. The parties each hereby agree to waive any right to a trial by jury with respect to any claim, counterclaim or action arising out of or in connection with this agreement or the transactions contemplated hereby.

Issuer To Provide Information and Documents to Underwriter. The Issuer agrees to provide to the Underwriter all documents on which the Issuer has relied for purposes of certifying the Issuer is not aware of a material fact, nor has the Issuer omitted to state any material fact necessary to make the statements therein, in light of the circumstances under which they were made, not misleading, with respect to the issuance of the Bonds. The Issuer also agrees to complete answers and provide any documents requested by the Underwriter as part of due diligence requested by the Underwriter in compliance with the Underwriters duties and obligations with respect to MSRB, SEC or other regulatory requirements

Representations, Warranties and Agreements of the Issuer. You represent and warrant to, and agree with us, that:

- a) the Securities will be sold by you in compliance with the requirements for exemptions from registration or qualification of, and otherwise in accordance with, all federal and state securities laws and regulations;
- b) you agree to be responsible for the accuracy and completeness of any Transaction Materials to the extent of federal securities laws applicable to the Transaction. You agree to notify us promptly of any material adverse changes, or development that may lead to any material adverse change, in your business, properties, operations, financial condition or prospects and concerning any statement contained in any Transaction Material, or in any other information provided to us, which is not accurate or which is incomplete or misleading in any material respect;
- c) at the closing, you will permit us to rely on your representations and warranties, and cause your counsel to permit us to rely upon any opinion, furnished to any purchaser of Securities;
- d) you will make available to us such documents and other information which we reasonably deem appropriate and will provide us with access to your officers, directors, employees, accountants, counsel and other representatives; it being understood that we will rely solely upon such information supplied by you and your representatives without assuming any responsibility for independent investigation or verification thereof.

Miscellaneous. This Agreement embodies the entire agreement and understanding between the parties hereto and supersedes all prior agreements and understandings relating to the subject matter hereof. If any provision of this Agreement is determined to be invalid or unenforceable in any respect, such determination will not affect such provision in any other respect or any other provision of this Agreement, which will remain in full force and effect. This Agreement may not be amended or otherwise modified or waived except by an instrument in writing signed by both the Underwriter and Issuer except that to the extent that any term of an executed Bond Purchase Agreement conflicts with the terms of this Agreement, in which case the terms of the Bond Purchase Agreement shall have precedence.

This letter agreement may be executed in any number of counterparts, each of which shall be an original and all of which, when taken together, shall constitute one agreement. Delivery of an executed counterpart of a signature page of this letter agreement by facsimile transmission shall be effective as delivery of a manually executed counterpart of this letter agreement. The invalidity or unenforceability of any provision of this agreement will not affect the validity or enforceability of any other provisions of this agreement, which will remain in full force and effect. You and us will endeavor in good faith negotiations to replace the invalid or unenforceable provisions with valid provisions the economic effect of which comes as close as possible to that of the invalid or unenforceable provisions. This agreement is solely for the benefit of you and us, and no other person [(other than the Indemnified Persons set forth in Annex A hereto)] will acquire or have any rights by virtue of this agreement.

Please confirm that the foregoing correctly sets forth our agreement by signing and returning to Piper Sandler & Co., the enclosed original copy of this Agreement.

Very truly yours,

Timothy J. Oswald  
Managing Director

Please acknowledge your acceptance by indicating below:

City of Ottumwa, Iowa

Signature



Name

Philip Rath

Title

City Administrator

Date on which this letter is executed by the Issuer:

2/15/2022

Acknowledgement of Approval of Engagement Agreement & Annex A therein

## Schedule A – Maximum Fees

### Underwriter

All fees are calculated based on the gross initial offering proceeds.

For issues up to \$4M in size

If the rating is "Aa3" or higher, the maximum fee shall be 0.9%

If the rating is "A3-" to "A1", the maximum fee shall be 1.0%

If the rating is "Baa1" or lower, or not rated, the maximum fee shall be 1.2%

For issues in excess of \$4M, use the above schedule and lower the fee by 0.1%

### Placement Agent

For issues up to \$4M in size, 1% of the gross proceeds of the loan placed; for issues in excess of \$4M in size, 0.8% of the gross proceeds of the loan placed



## Annex A

You agree to (i) indemnify and hold harmless us, our affiliates (within the meaning of the Securities Act of 1933), and each of our respective partners, directors, officers, agents, consultants, employees and controlling persons (within the meaning of the Securities Act of 1933) (each of Piper Sandler and such other person or entity is hereinafter referred to as an "Indemnified Person"), from and against any losses, claims, damages, liabilities and expenses, joint or several, and all actions, inquiries, proceedings and investigations in respect thereof, to which any Indemnified Person may become subject arising out of or in connection with our engagement or any matter referred to in the agreement to which this Annex A is attached and of which this Annex A forms a part (the "Agreement"), regardless of whether any of such Indemnified Persons is a party thereto, and (ii) periodically reimburse an Indemnified Person for such person's legal and other expenses as may be incurred in connection with investigating, preparing, defending, paying, settling or compromising any such action, inquiry, proceeding or investigation, whether or not such action, inquiry, proceeding or investigation is initiated or brought by you, your creditors or stockholders, or any other person. You are not responsible under clause (i) of the foregoing sentence for any losses, claims, damages, liabilities or expenses to the extent that such loss, claim, damage, liability or expense has been finally judicially determined to have resulted primarily and directly from actions taken or omitted to be taken by such Indemnified Person due to such person's gross negligence or willful misconduct. To the extent that any prior payment you made to an Indemnified Person is determined to have been improper by reason of such Indemnified Person's gross negligence or willful misconduct, such Indemnified Person will promptly pay you such amount.

If the indemnity or reimbursement referred to above is, for any reason whatsoever, unenforceable, unavailable or otherwise insufficient to hold each Indemnified Person harmless, you agree to pay to or on behalf of each Indemnified Person contributions for losses, claims, damages, liabilities or expenses so that each Indemnified Person ultimately bears only a portion of such losses, claims, damages, liabilities or expenses as is appropriate (i) to reflect the relative benefits received by each such Indemnified Person, respectively, on the one hand and you and your stockholders on the other hand in connection with the Transaction or Sale, or (ii) if the allocation on that basis is not permitted by applicable law, to reflect not only the relative benefits referred to in clause (i) above, but also the relative fault of each such Indemnified Person, respectively, and you as well as any other relevant equitable considerations; provided, however, that in no event will the aggregate contribution of all Indemnified Persons to all losses, claims, expenses, damages, liabilities or expenses in connection with any Transaction or Sale exceed the amount of the fee actually received by us pursuant to the Agreement. The respective relative benefits received by us and you in connection with any Transaction or Sale will be deemed to be in the same proportion as the aggregate fee paid or proposed to be paid to Piper Sandler in connection with the Transaction or Sale bears to the aggregate consideration paid or proposed to be paid in the Transaction or Sale, whether or not consummated.

Promptly after its receipt of notice of the commencement of any action or proceeding, any Indemnified Person will, if a claim in respect thereof is to be made against you pursuant to this letter, notify you in writing of the commencement thereof; but omission so to notify you will not relieve you from any liability which you may have to any Indemnified Person, except your obligation to indemnify for losses, claims, damages, liabilities or expenses to the extent that you suffer actual prejudice as a result of such failure, but will not relieve you from your obligation to provide reimbursement of expenses and any liability which you may have to an Indemnified Person otherwise than hereunder. If you so elect, you may assume the defense of such action or proceeding in a timely manner, including the employment of counsel (reasonably satisfactory to us) and payment of expenses, provided you permit an Indemnified Person and counsel retained by an Indemnified Person at its expense to participate in such defense. Notwithstanding the foregoing, in the event (i) you fail promptly to assume the defense and employ counsel reasonably satisfactory to us, or (ii) the Indemnified Person has been advised by counsel that there exist actual or potential conflicting interests between you or your counsel and such Indemnified Person, an Indemnified Person may employ separate counsel (in addition to any local counsel) to represent or defend such Indemnified Person in such action or proceeding, and you agree to pay the fees and disbursements of such separate counsel as incurred; provided however, that you will not, in connection with any one such action or proceeding, or separate but substantially similar actions or proceedings arising out of the same general allegations, be liable for fees and expenses of more than one separate firm of attorneys (in addition to any local counsel).

You will not, without our prior written consent, settle or compromise or consent to the entry of any judgment in any pending or threatened claim, action, suit or proceeding in respect of which indemnification

or contribution may be sought under the Agreement, unless such settlement, compromise or consent includes an express, complete and unconditional release of us and each other Indemnified Person from all liability and obligations arising therefrom. Without your prior written consent, which will not be unreasonably withheld, delayed or conditioned, no Indemnified Person will settle or compromise any claim for which indemnification or contribution may be sought hereunder. Notwithstanding the foregoing sentence, if at any time an Indemnified Person requests that you reimburse the Indemnified Person for fees and expenses as provided in the Agreement, you agree that you will be liable for any settlement of any proceeding effected without your prior written consent if (i) such settlement is entered into more than 30 days after receipt by you of the request for reimbursement, and (ii) you will not have reimbursed the Indemnified Person in accordance with such request prior to the date of such settlement.

You also agree that no Indemnified Person will have any liability (whether in contract, tort or otherwise) to you or your affiliates, directors, officers, employees, agents, creditors or stockholders, directly or indirectly, related to or arising out of the Agreement or the services performed thereunder, except losses, claims, damages, liabilities and expenses you incur which have been finally judicially determined to have resulted primarily and directly from actions taken or omitted to be taken by such Indemnified Person due to such person's gross negligence or willful misconduct. In no event, regardless of the legal theory advanced, will any Indemnified Person be liable for any consequential, indirect, incidental, special or punitive damages of any nature. Your indemnification, reimbursement, exculpation and contribution obligations in this Annex A will be in addition to any rights that any Indemnified Person may have at common law or otherwise.

You understand that in the event that you reimburse Piper Sandler pursuant to this Annex A for the fees and expenses of its counsel, such reimbursement will be made on the basis of counsel's generally applicable rates, which may be higher than the rates that counsel charges Piper Sandler for other matters based on arrangements that it has entered into with such counsel.

Capitalized terms used, but not defined in this Annex A, have the meanings assigned to such terms in the Agreement.

## Appendix A – G-17 Disclosure

Thank you for engaging Piper Sandler & Co. to serve as your underwriter or placement agent. We are writing to provide you with certain disclosures relating to the captioned bond issue (Bonds), as required by Municipal Securities Rulemaking Board (MSRB) Rule G-17 as set forth in MSRB Notice 2019-20 (Nov. 8, 2019).<sup>1</sup>

Piper Sandler & Co. intends to serve as an underwriter or placement agent, and not as a financial advisor or municipal advisor, in connection with the issuance of the Bonds. As part of our underwriting services, we may provide advice concerning the structure, timing, terms, and other similar matters concerning the issuance of the Bonds.

The following G-17 conflict of interest disclosures are now broken down into three types, including: 1) dealer-specific conflicts of interest disclosures (if applicable); 2) transaction-specific disclosures (if applicable); and 3) standard disclosures.

If Piper Sandler is engaged to act as your underwriter in a negotiated underwriting, by engaging Piper Sandler as your underwriter, you determined to sell the Bonds by negotiated sale. A negotiated sale is the sale of a new issue of municipal securities by an issuer directly to an underwriter or underwriting syndicate selected by the issuer. A negotiated sale is distinguished from a sale by competitive bid, which requires public bidding by the underwriters. Piper Sandler did not advise you as to what method of sale (competitive or negotiated sale) you used for this issuance of municipal securities.

### **Dealer-Specific Conflicts of Interest Disclosures**

Piper Sandler has identified the following actual or potential<sup>2</sup> material conflicts of interest:

- We have entered into a separate agreement with Charles Schwab & Co., Inc. that enables Charles Schwab & Co., Inc. to distribute certain new issue municipal securities underwritten by or allocated to us which could include the Bonds. Under that agreement, we will share with Charles Schwab & Co., a portion of the fee or commission paid to us.

### **Transaction-Specific Disclosures**

- Disclosures Concerning Complex Municipal Securities Financing:
  - Since we have not recommended a “complex municipal securities financing” to the Issuer or Obligor, additional disclosures regarding the financing structure for the Bonds are not required under MSRB Rule G-17.

### **Standard Disclosures**

- Disclosures Concerning the Underwriters’ Role:
  - MSRB Rule G-17 requires an underwriter to deal fairly at all times with both issuers and investors.
  - The underwriters’ primary role is to purchase the Bonds with a view to distribution in an arm’s-length commercial transaction with the Issuer. The underwriters have financial and other interests that differ from those of the Issuer.
  - Unlike a municipal advisor, an underwriter does not have a fiduciary duty to the Issuer under the federal securities laws and is, therefore, not required by federal law to act in the best interests of the Issuer without regard to its own financial or other interests.
  - The Issuer may choose to engage the services of a municipal advisor with a fiduciary obligation to represent the Issuer’s interest in this transaction.
  - The underwriters have a duty to purchase the Bonds from the Issuer at a fair and reasonable price, but must balance that duty with their duty to sell the Bonds to investors at prices that are fair and reasonable.
  - The underwriters will review the official statement for the Bonds in accordance with, and a part of, their respective responsibilities to investors under the federal securities laws, as applied to the facts and circumstances of this transaction.<sup>3</sup>

<sup>1</sup> Revised Interpretive Notice Concerning the Application of MSRB Rule G-17 to Underwriters of Municipal Securities (effective Mar. 31, 2021).

<sup>2</sup> When we refer to *potential* material conflicts throughout this letter, we refer to ones that are reasonably likely to mature into *actual* material conflicts during the course of the transaction, which is the standard required by MSRB Rule G-17.

<sup>3</sup> Under federal securities law, an issuer of securities has the primary responsibility for disclosure to investors. The review of the official statement by the underwriters is solely for purposes of satisfying the underwriters’ obligations under the federal



- Disclosures Concerning the Placement Agent Role:
  - MSRB Rule G-17 requires us to deal fairly at all times with both municipal issuers and investors.
  - Our primary role in this transaction is to facilitate the sale and purchase of municipal securities between you and one or more investors for which we will receive compensation.
  - Unlike a municipal advisor, a placement agent does not have a fiduciary duty to the Issuer under the federal securities laws and is, therefore, not required by federal law to act in the best interests of the Issuer without regard to its own financial or other interests.
  - The placement agent has a duty to purchase the Bonds from the Issuer at a fair and reasonable price, but must balance that duty with their duty to sell the Bonds to investors at prices that are fair and reasonable.
  - In the event an official statement is prepared, the placement agent will review the official statement for the Bonds in accordance with, and a part of, their respective responsibilities to investors under the federal securities laws, as applied to the facts and circumstances of this transaction.<sup>4</sup>
  
- Disclosures Concerning the Underwriters' Compensation:
  - The underwriters will be compensated by a fee and/or an underwriting discount that will be set forth in the bond purchase agreement to be negotiated and entered into in connection with the issuance of the Bonds. Payment or receipt of the underwriting fee or discount will be contingent on the closing of the transaction and the amount of the fee or discount may be based, in whole or in part, on a percentage of the principal amount of the Bonds. While this form of compensation is customary in the municipal securities market, it presents a conflict of interest since the underwriters may have an incentive to recommend to the Issuer a transaction that is unnecessary or to recommend that the size of the transaction be larger than is necessary.
  
- Disclosures Concerning the Placement Agent's Compensation:
  - The placement agent will be compensated by a fee that was negotiated and entered into in connection with the issuance of the Bonds. Payment or receipt of the placement agent fee will be contingent on the closing of the transaction and the amount of the fee may be based, in whole or in part, on a percentage of the principal amount of the Bonds. While this form of compensation is customary in the municipal securities market, it presents a conflict of interest since the placement agent may have an incentive to recommend to the Issuer a transaction that is unnecessary or to recommend that the size of the transaction be larger than is necessary.

If you or any other Issuer officials have any questions or concerns about these disclosures, please make those questions or concerns known immediately to the undersigned. In addition, you should consult with the Issuer's own financial and/or municipal, legal, accounting, tax and other advisors, as applicable, to the extent you deem appropriate.

Please note that nothing in this letter should be viewed as a commitment by the underwriters or placement agent to purchase or sell all the Bonds and any such commitment will only exist upon the execution of any bond purchase agreement or similar agreement and then only in accordance with the terms and conditions thereof.

You have been identified by the Issuer as a primary contact for the Issuer's receipt of these disclosures, and that you are not a party to any disclosed conflict of interest relating to the subject transaction. If our understanding is incorrect, please notify the undersigned immediately. We are required to seek your acknowledgement that you have received this letter. Accordingly, please send me an email to that effect, or sign and return the enclosed copy of this letter to me at the address set forth above. Otherwise, an email read receipt from you or automatic response confirming that our email was opened by you will serve as an acknowledgment that you received these disclosures.

Depending on the structure of the transaction that the Issuer decides to pursue, or if additional actual or potential material conflicts are identified, we may be required to send you additional disclosures regarding the material

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securities laws and such review should not be construed by an issuer as a guarantee of the accuracy or completeness of the information in the official statement.

<sup>4</sup> Under federal securities law, an issuer of securities has the primary responsibility for disclosure to investors. The review of the official statement by the underwriters is solely for purposes of satisfying the underwriters' obligations under the federal securities laws and such review should not be construed by an issuer as a guarantee of the accuracy or completeness of the information in the official statement.

financial characteristics and risks of such transaction and/or describing those conflicts. At that time, we also will seek your acknowledgement of receipt of any such additional disclosures.

## **Appendix B – Fixed Rate Bonds**

The following is a general description of the financial characteristics and security structures of fixed rate municipal bonds ("Fixed Rate Bonds"), as well as a general description of certain financial risks that are known to us and reasonably foreseeable at this time and that you should consider before deciding whether to issue Fixed Rate Bonds. If you have any questions or concerns about these disclosures, please make those questions or concerns known immediately to us. In addition, you should consult with your financial and/or municipal, legal, accounting, tax, and other advisors, as applicable, to the extent you deem appropriate.

### **Financial Characteristics**

***Maturity and Interest.*** Fixed Rate Bonds are interest-bearing debt securities issued by state and local governments, political subdivisions and agencies and authorities, whether for their benefit or as a conduit issuer for a nongovernmental entity. Maturity dates for Fixed Rate Bonds are fixed at the time of issuance and may include serial maturities (specified principal amounts are payable on the same date in each year until final maturity) or one or more term maturities (specified principal amounts are payable on each term maturity date) or a combination of serial and term maturities. The final maturity date typically will range between 10 and 30 years from the date of issuance. Interest on the Fixed Rate Bonds typically is paid semiannually at a stated fixed rate or rates for each maturity date.

***Redemption.*** Fixed Rate Bonds may be subject to optional redemption, which allows you, at your option, to redeem some or all the bonds on a date prior to scheduled maturity, such as in connection with the issuance of refunding bonds to take advantage of lower interest rates. Fixed Rate Bonds will be subject to optional redemption only after the passage of a specified period, often approximately ten years from the date of issuance, and upon payment of the redemption price set forth in the bonds, which may include a redemption premium. You will be required to send out a notice of optional redemption to the holders of the bonds, usually not less than 30 days prior to the redemption date. Fixed Rate Bonds with term maturity dates also may be subject to mandatory sinking fund redemption, which requires you to redeem specified principal amounts of the bonds annually in advance of the term maturity date. The mandatory sinking fund redemption price is 100% of the principal amount of the bonds to be redeemed.

### **Security**

Payment of principal of and interest on a municipal security, including Fixed Rate Bonds, may be backed by various types of pledges and forms of security, some of which are described below.

***General Obligation Bonds.*** "General obligation (GO) bonds" are debt securities to which your full faith and credit is pledged to pay principal and interest. If you have taxing power, generally you will pledge to use your ad valorem (property) taxing power to pay principal and interest. The debt service on "unlimited tax" GO bonds are paid from ad valorem taxes which are not subject to state constitutional property tax millage limits, whereas "limited tax" GO Bonds are subject to such limits.

General obligation bonds constitute a debt and, depending on applicable state law, may require that you obtain approval by voters prior to issuance. In the event of default in required payments of interest or principal, the holders of general obligation bonds generally will have certain rights under state law to compel you to impose a tax levy.

***Revenue Bonds.*** "Revenue bonds" are debt securities that are payable only from a specific source or sources of revenues. Revenue bonds are not a pledge of your full faith and credit, and you (or, if you are a conduit issuer, the obligor, as described in the following paragraph) are obligated to pay principal and interest on your revenue bonds only from the revenue source(s) specifically pledged to the bonds. Revenue bonds do not permit the bondholders to compel you to impose a tax levy for payment of debt service. Pledged revenues may be derived from operation of the financed project or system, grants or excise or other specified taxes. Generally, subject to state law or local charter requirements, you are not required to obtain voter approval prior to issuance of revenue bonds. If the specified source(s) of revenue become inadequate, a default in payment of principal or interest may occur. Various types of pledges of

revenue may be used to secure interest and principal payments on revenue bonds. The nature of these pledges may differ widely based on state law, the type of issuer, the type of revenue stream and other factors.

Some revenue bonds (conduit revenue bonds) may be issued by a governmental issuer acting as a conduit for the benefit of a private sector entity or a 501(c)(3) organization (the obligor). Conduit revenue bonds commonly are issued for not-for-profit hospitals, educational institutions, single and multi-family housing, airports, industrial or economic development projects, and student loan programs, among other obligors. Principal and interest on conduit revenue bonds normally are paid exclusively from revenues pledged by the obligor. Unless otherwise specified under the terms of the bonds, you are not required to make payments of principal or interest if the obligor defaults.

The description above regarding "Security" is only a summary of certain possible security provisions for the bonds and is not intended as legal advice. You should consult with your bond counsel for further information regarding the security for the bonds.

### **Financial Risk Considerations**

Certain risks may arise in connection with your issuance of Fixed Rate Bonds, including some or all the following (generally, the obligor, rather than the issuer, will bear these risks for conduit revenue bonds):

***Issuer Default Risk.*** You may be in default if the funds pledged to secure your bonds are not enough to pay debt service on the bonds when due. The consequences of a default may be serious for you and, depending on applicable state law and the terms of the authorizing documents, the holders of the bonds, the trustee and any credit support provider may be able to exercise a range of available remedies against you. For example, if the bonds are secured by a general obligation pledge, you may be ordered by a court to raise taxes. Other budgetary adjustments also may be necessary to enable you to provide sufficient funds to pay debt service on the bonds. If the bonds are revenue bonds, you may be required to take steps to increase the available revenues that are pledged as security for the bonds. A default may negatively impact your credit ratings and may effectively limit your ability to publicly offer bonds or other securities at market interest rate levels. Further, if you are unable to provide sufficient funds to remedy the default, subject to applicable state law and the terms of the authorizing documents, you may find it necessary to consider available alternatives under state law, including (for some issuers) state-mandated receivership or bankruptcy. A default also may occur if you are unable to comply with covenants or other provisions agreed to in connection with the issuance of the bonds.

This description is only a summary of issues relating to defaults and is not intended as legal advice. You should consult with your bond counsel for further information regarding defaults and remedies.

Bonds payable from the general fund, particularly bonds without a defined revenue stream identified to pay debt service, reduce your flexibility to balance the general fund. Because a fixed debt service payment is required to be paid regardless of how your general fund is impacted by revenue losses or by increased expenses, you have less flexibility in the options available to you in assuring a balanced budget for your general fund.

General Fund Obligations that are Project Based. Some general fund obligations are issued for projects which are expected to generate revenues that will pay for some or all of the debt service on the bonds. In the event the project does not generate the anticipated levels of revenues available for debt service, or, in the extreme case, does not create any revenue available for debt service, you may need to make payments from other available general fund revenues. This may force you to reduce other expenditures or to make difficult decisions about how to pay your debt service obligation while meeting other expenditure needs.

General Fund Obligations that are Subject to Annual Appropriation. Some general fund obligations require that debt service is subject to annual appropriation by your governing body. If your governing body decides not to appropriate payments for debt service, your credit ratings may be negatively impacted and you may be forced to pay a higher interest rate on future debt issuance or may be unable to access the market for future debt issuance.

For all bonds, a default may negatively impact your credit ratings and may effectively limit your ability to



publicly offer bonds or other securities at market interest rate levels. Further, if you are unable to provide sufficient funds to remedy the default, subject to applicable state law and the terms of the authorizing documents, it may be necessary for you to consider available alternatives under state law, including (for some issuers) state-mandated receivership or bankruptcy. A default also may occur if you are unable to comply with covenants or other provisions agreed to in connection with the issuance of the bonds.

*Redemption Risk.* Your ability to redeem the bonds prior to maturity may be limited, depending on the terms of any optional redemption provisions. If interest rates decline, you may be unable to take advantage of the lower interest rates to reduce debt service.

*Refinancing Risk.* If your financing plan contemplates refinancing some or all the bonds at maturity (for example, if you have term maturities or if you choose a shorter final maturity than might otherwise be permitted under the applicable federal tax rules), market conditions or changes in law may limit or prevent you from refinancing those bonds when required.

*Reinvestment Risk.* You may have proceeds from the issuance of the bonds available to invest prior to the time that you are able to spend those proceeds for the authorized purpose. Depending on market conditions, you may not be able to invest those proceeds at or near the rate of interest that you are paying on the bonds, which is referred to as "negative arbitrage".

*Tax Compliance Risk.* The issuance of tax-exempt bonds is subject to several requirements under the United States Internal Revenue Code, as enforced by the Internal Revenue Service (IRS). You must take certain steps and make certain representations prior to the issuance of tax-exempt bonds. You also must covenant to take certain additional actions after issuance of tax-exempt bonds. A breach of your representations or your failure to comply with certain tax-related covenants may cause the interest on bonds to become taxable retroactively to the date of issuance of the bonds, which may result in an increase in the interest rate that you pay on the bonds or the mandatory redemption of the bonds. The IRS also may audit you or your bonds, in some cases on a random basis and in other cases targeted to specific types of bond issues or tax concerns. If tax-exempt bonds are declared taxable, or if you are subject to audit, the market price of your bonds may be adversely affected. Further, your ability to issue other tax-exempt bonds also may be limited.

This description of tax compliance risks is not intended as legal advice and you should consult with your bond counsel regarding tax implications of issuing the bonds.

CITY OF OTTUMWA

Staff Summary

**\*\* ACTION ITEM \*\***

Council Meeting of: February 15, 2022

Airport, Landfill, WPCF  
Department

Kristen Mitchell  
Prepared By  
*Damy Seal*  
Department Head

*AB Kt*  
City Administrator Approval

AGENDA TITLE: Contract for ethanol and diesel fuel by tank wagon delivery.

\*\*\*\*\*

RECOMMENDATION: Approve contract from Elliott Oil Company, Ottumwa, IA for a best bid margin of \$.12 for ethanol and No. 2 diesel to be added to the wholesale price, and authorize the Mayor to sign.

DISCUSSION: The City uses tank wagon deliveries of fuel to the Airport, Landfill, and Water Pollution Control Facility plant along with their generators and portable pumps located throughout the City.

Our estimated annual usage is 8000 gallons of ethanol and 62,000 gallons of diesel.

We mailed out 3 bid invitations, published a public notice in the Courier, and on our city website. Two proposals were returned.

The effective date of the contract is on or about February, 2022 and shall be in effect until January 31<sup>st</sup>, 2027 unless terminated in accordance with Section 10 of the contract.

Contract attached.

	<u>Elliott Oil Company</u>	<u>Cobb Oil Co.</u>
Ethanol	\$0.12	\$0.30
Diesel	\$0.12	\$0.30

Source of Funds:

Budgeted Item: X

Budget Amendment Needed: No

Bid for 1/20/2022

Proposal for Tank Wagon Fuel Bid To The City of Ottumwa, IA

City of Ottumwa, Iowa:

The undersigned has examined the advertisement for bid, instructions to bidders, and detailed specifications and agrees to furnish said fuel in accordance with those documents.

Brand of Fuel (Specify) BP Amoco

Bid Price per gallon, F.O.B. user location: Delivered with applicable surcharges.

The base fuel prices shown below are for computation only.

The base fuel prices are for computation only.

10% ETHANOL-----2.20

NO. 1 DIESEL -----2.10

NO. 2 Diesel-----2.00

<u>GASOLINE</u>	(EST. GALLONS)	MARGIN/GALLON
Ethanol Blend	8,000	\$ <u>0.12</u>
<u>DIESEL</u>	(EST. GALLONS)	MARGIN/ GALLONS
No.2	62,000	\$ <u>0.12</u>

It is understood the City of Ottumwa reserves the right to accept or reject any or all proposals, to disregard any informality in connection therewith, or to accept any proposal which in its opinion is to the best interest of the City. Despite statements to the contrary, it is understood that the implied warranty of merchantability and fitness for a specific purpose are not disclaimed. If my bid is accepted, the undersigned further agrees to enter into contract for delivery of said fuel according to instructions as issued by the City and at the time requested.

Local Preference: Ordinance 3064-2014 gives a preference to vendors located within the corporate City limits on bids accepted by the City.

Elliott Bulk Services, LLC 1/10/2022

Name of Company

Date

By

Andrew Lischel

President/COO

Title



## CONTRACT

This contract made and entered into in triplicate in Ottumwa, IA this 15<sup>th</sup> day of February     , 2022 by and between CITY OF OTTUMWA, IA, hereinafter called the "OWNER" and Elliott Bulk Services, LLC, hereinafter called the "CONTRACTOR".

WHEREAS, on January 6, 2022, OWNER issued a request for proposal for Tank Wagon fuel and delivery to various locations of City of Ottumwa Departments; and

WHEREAS, on 1/10/2022, CONTRACTOR submitted a proposal in response to the OWNER's request for proposal; and

WHEREAS, CONTRACTOR's proposal has been recommended for award of contract; and

WHEREAS, OWNER's request for proposal and CONTRACTOR's proposal are hereby incorporated into this Agreement.

NOW, THEREFORE, the Parties agree:

1. **SERVICES TO BE PERFORMED:** CONTRACTOR shall perform the following services for the OWNER, and those other services as may be subsequently agreed to by mutual agreement of the parties:

Delivery of fuel to various locations of City of Ottumwa Departments on an as needed basis. Margin price for fuel will be \$ 0.12 for Ethanol blend gasoline and \$ 0.12 for No.2 diesel fuel per gallon to be added to rack (wholesale) price less available discounts.

Fuel shall be delivered to the following locations: 13277 165<sup>th</sup> Ave, 15187 1<sup>st</sup> Ave, 2222 S. Emma St. Ottumwa, IA

2. **INSTRUMENTATIONS:** CONTRACTOR shall be solely responsible for providing any instrumentations, equipment, supplies, vehicle, etc. necessary to accomplish the designated services listed in this Agreement, unless otherwise provided by the OWNER.

3. **COMPENSATION AND TERMS OF PAYMENT:** CONTRACTOR shall bill the OWNER monthly for fuel and services rendered in the prior thirty day period. The OWNER shall make said payment to CONTRACTOR, at the address provided by CONTRACTOR, within 30 days of receipt of invoice from CONTRACTOR.

4. **GENERAL COMPLIANCE:** In the conduct of the services contemplated hereunder, CONTRACTOR shall comply with applicable state, federal, and local law, rules, and regulations, technical standards, or specifications issued by the OWNER and other governmental authorities with jurisdiction over the work.

5. **STANDARD OF CARE:** Services provided by CONTRACTOR under this Agreement shall be performed in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances.

6. **INDEPENDENT CONTRACTOR RELATIONSHIP:** The parties intend that this Agreement create an independent contractor relationship between them. CONTRACTOR is not an agent or employee of the OWNER for any purpose. Neither party shall be considered to be an agent, master or servant of the other party for any purpose whatsoever, and neither has any authority to enter into any contract, assume any obligations or make any warranties or representations on behalf of the other. CONTRACTOR accordingly waives any claim to any other payment or benefit of any kind, quantity or amount on account of performance, hereunder, except such payment as provided for in this Agreement. No workers' compensation insurance, or any other type of insurance (including, but not limited to, professional liability insurance) has been or will be obtained, by the OWNER on account of CONTRACTOR. CONTRACTOR is responsible for all withholding taxes, social security, unemployment, workers compensation and other taxes and insurance and shall hold the OWNER harmless for any claim for the same.

7. **PAYROLL OR EMPLOYMENT TAXES:** No payroll or employment taxes of any kind shall be withheld or paid with respect to payments to CONTRACTOR. The payroll or employment taxes that are subject to this paragraph include, but are not limited to, FICA (social security tax), FUTA (federal unemployment tax), federal income tax, state income tax and state unemployment insurance tax.

8. **INDEMNIFICATION:** CONTRACTOR shall indemnify and hold the OWNER harmless from and against all liabilities, claims, debts, taxes, obligations, costs and expenses (including reasonable attorney's fees, court costs and costs of appeal) that the OWNER may incur or sustain as a result of any breach of this Agreement or negligent or other wrongful conduct in the performance of this Agreement by CONTRACTOR. If a suit, action, arbitration or other proceeding is instituted by the OWNER in connection with any controversy arising out of this Agreement or to interpret or enforce any rights under this Agreement, the OWNER, as the prevailing party, shall be entitled to recover from the non-prevailing party all attorney fees, costs, expert witness fees, and litigation expenses incurred by the OWNER, including those incurred on appeal.

9. **TERM:** This Agreement shall begin on 1st day of February, 2022 and shall continue in effect until January 31st, 2027, unless terminated by either party in accordance with Section 10.

10. **TERMINATION:** This Agreement may be terminated by either party upon fourteen (14) days written notice, without penalty, should the other party fail to perform or otherwise breach its obligations under the Agreement. This Agreement may be terminated by the OWNER, without cause and for its convenience upon thirty (30) days written notice to the CONTRACTOR. Additionally, this Agreement may be terminated at any time upon mutual written agreement of the parties.

11. **INSURANCE:**

A. CONTRACTOR shall provide evidence of comprehensive general liability coverage and contractual liability insurance by an insurance company licensed to do business in the State of Iowa in the limits of at least \$1,000,000 each personal injury accident and/or death; \$2,000,000 general aggregate personal injury and/or death; and \$1,000,000 for each property damage accident. The evidence shall designate the OWNER as an additional insured, and that it cannot be canceled or materially altered without giving the OWNER at least thirty (30) days written notice by registered mail, return receipt requested. Waiver of subrogation in favor of the OWNER is required.

B. CONTRACTOR shall also provide evidence of automobile liability coverage in the limits of at least \$1,000,000 bodily injury and property damage combined. The evidence shall designate the OWNER as an additional insured, and that it cannot be cancelled or materially altered without giving the OWNER at least thirty (30) days written notice by registered mail, return receipt requested. Waiver of subrogation in favor of the OWNER is required.

C. Failure of CONTRACTOR to maintain any of the insurance coverages set forth above shall constitute a material breach of this Agreement.

12. **COMPLIANCE WITH LAWS:** CONTRACTOR agrees that during the term of this Agreement and as a condition of the OWNER's duty to perform under the terms of this Agreement that CONTRACTOR will be in compliance with all applicable federal and state laws, rules and regulations and the policies of the OWNER.

13. **ASSIGNMENT:** CONTRACTOR may not assign CONTRACTOR's rights or delegate CONTRACTOR's duties or obligations under this Agreement without the prior written consent of the OWNER.

14. **WAIVER:** No waiver of the breach of any terms or conditions of this Agreement shall be valid unless in writing, nor shall any such waiver constitute a waiver of any other or succeeding breach of the same or other provisions of this Agreement.

15. **AMENDMENTS:** This Agreement may be supplemented, amended or revised only in writing by mutual agreement of the parties.

16. **HEADINGS:** The headings of this Agreement are inserted for convenience of reference only and in no way describe or limit the scope or intent of this Agreement or any of the provisions hereof.

17. **SEVERABILITY:** If any provisions of this Agreement are determined to be invalid by a court of competent jurisdiction, then such provisions shall be deemed null and void, but without invalidating the remaining provisions hereof.



18. **GOVERNING LAW:** This Agreement shall be governed by and construed pursuant to the laws of the State of Iowa and any claim or dispute which may arise out of this Agreement shall be heard in a court of competent jurisdiction in Wapello County, Iowa, unless otherwise agreed by the parties.

19. **FORCE MAJEURE:** Notwithstanding anything contained in this Agreement to the contrary, neither party shall be liable to the other for failure to comply with any obligation under this Agreement, nor shall any charges or payments be made in respect thereof, if prevented from doing so by reason of a contingency beyond the reasonable control of the parties, and all requirements as to notice and other performance required hereunder within a specified period shall be automatically extended to accommodate the period of pendency of any such contingency which shall interfere with such performance.

20. **ENTIRE AGREEMENT:** This agreement shall be the entire agreement of the parties and no other representations, promises or agreements, oral or otherwise, shall be of any force or effect.

21. **COUNTERPARTS:** This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original, but all of which together shall constitute the same instrument.

This Agreement signed and dated this 15 day of February, 2022.

**CONTRACTOR**

By: Ann E. Weechl

Title: President/COO

**OWNER**

Richard W. Johnson  
Mayor

Attest:

Christ Runhard  
City Clerk



**CITY OF OTTUMWA**  
**Staff Summary**

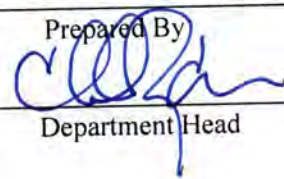
**\*\* ACTION ITEM \*\***

Council Meeting of : Feb 15, 2022

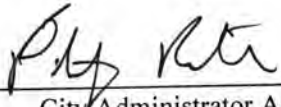
Police  
Department

Karen Bumsted

Prepared By



Department Head



City Administrator Approval

AGENDA TITLE: Approve the payment to Computer Information Systems, Inc. in the amount of \$20,425.93 for a one year License Renewal and Maintenance Agreement for the Police Department's in-house computer software.

\*\*\*\*\*

\*\*Public hearing required if this box is checked.\*\*

\*\*\*The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the Item will not be placed on the agenda.\*\*\*

RECOMMENDATION: Approve payment to Computer Information Systems, Inc. in the amount of \$20,425.93

DISCUSSION: The Police Department purchased the software for its in-house computer system in 2002. Once the warranty period expired, the department began purchasing license renewals and maintenance agreements on an annual basis. The \$20,425.93 covers both the license renewal and the maintenance agreement/updates.

Source of Funds: 001-1-110-6340

Budgeted Item:  Budget Amendment Needed: No



Computer Information Systems Inc.  
 7840 Lincoln Avenue  
 Skokie, IL 60077  
 www.cis.com  
 847-673-7804 (fax)

# Annual License Renewal Invoice

DATE	INVOICE #
3/1/2022	237435

BILL TO
Ottumwa Police Dept. 330 W. Second Street Ottumwa, IA 52501

SHIP TO

P.O. NUMBER	DUE DATE	LICENSE NR
	3/2/2022	280

DESCRIPTION	Start Date	End Date	QUANTITY	PRICE EACH	AMOUNT
CIS Systems Maintenance and Support	3-2-2022	3-1-2023		20,425.93	20,425.93

<b>Total</b>	\$20,425.93
<b>Payments/Credits</b>	\$0.00
<b>Balance Due</b>	\$20,425.93

*Forefront of Innovation and Customer Satisfaction when you need it most.*



# Item No. B.-6.

## CITY OF OTTUMWA

### Staff Summary

**\*\* ACTION ITEM \*\***

Council Meeting of: February 15, 2022

John Lloyd WPCF Superintendent

Prepared By

Larry Seals  
Department Head

Public Works - WPCF  
Department

[Signature]  
City Administrator Approval

AGENDA TITLE: Approve the repair of a Flygt Pump 3127.185-0991

\*\*\*\*\*

**\*\*Public hearing required if this box is checked. \*\***

**\*\*The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.\*\***

### RECOMMENDATION:

Approve the repair of a Flygt 10 horsepower pump. The price of a new Flygt pump is \$13,061.00. The repair is quoted at \$5036.40 or 39% of the cost of a new pump.

DISCUSSION: This pump is used to pump treated wastewater to various parts of the WPCF so we do not need to use as much potable water, keeping our costs down. The pump that failed had run without issue for over 8 years.

WPCF budgeted \$190,000 in 610-8-815-6399 and will be taken out of the line item. With an expense of 5036.40 there would be a balance of \$130,481.74.

Source of Funds: Sewer Fund

Budgeted Item: YES

Budget Amendment Needed: NO



# QUOTATION

4280 E 14th Street  
Des Moines IA 50313-2604 USA

Telephone: (515) 265-2222 / FAX (515) 265-8079  
Toll Free 1-800-383-PUMP

www.electricpump.com

QUOTE NUMBER: 0145834  
QUOTE DATE: 2/2/2022  
EXPIRE DATE: 3/2/2022

SALESPERSON: CHAD SPARKS  
CUSTOMER NO: 6830641  
QUOTED BY: JRF  
JOYCE

QUOTED TO:  
OTTUMWA WATER POLL CONTROL  
2222 SOUTH EMMA  
OTTUMWA, IA 52501

JOB LOCATION:  
OTTUMWA WATER POLL CONTROL  
2222 SOUTH EMMA  
OTTUMWA, IA 52501

CONFIRM TO:  
FRANK

**\*\*\* QUOTE ORDER - DO NOT PAY \*\*\***

CUSTOMER P.O. FRANK	SHIP VIA BESTWAY	F.O.B. ORIGIN	TERMS Net 30 Days			
ITEM NUMBER	UNIT	ORDERED	SHIPPED	BACK ORDER	PRICE	AMOUNT

WE ARE PLEASED TO OFFER THE FOLLOWING QUOTATION FOR  
REPLACEMENT FLYGT3127.185-0991 SN: 1620046 WITH CURRENT  
MODEL:

0031270600987	EACH	1.00	0.00	0.00	13,061.00	13,061.00
---------------	------	------	------	------	-----------	-----------

NX488-4 10/460/3 50' FLS FV

ESTIMATED LEAD TIME IS 2 WEEKS ARO, SUBJECT TO FACTORY  
CHANGE.

THE PRICING ON THIS QUOTE DOES NOT INCLUDE INCOMING  
FREIGHT, INSTALLATION OR START UP

Electric Pump is committed to supplying you, our  
customer, the highest quality products & service.

joycef@electricpump.com

THANK YOU, JOYCE FROHWEIN

**All return goods must have written approval from Electric Pump, Inc.  
before returning. Credit will not be issued without written approval and  
if applicable there will be a Restock Fee.**

Net Order:	13,061.00
Less Discount:	0.00
Freight:	0.00
Sales Tax:	0.00
<b>Order Total</b>	<b>13,061.00</b>

ABOVE PRICING EFFECTIVE FOR 30 DAYS



# QUOTATION

4280 E 14th Street  
 Des Moines IA 50313-2604 USA  
 Telephone: (515) 265-2222 / FAX (515) 265-8079  
 Toll Free 1-800-383-PUMP

www.electricpump.com

QUOTE NUMBER: 0145812  
 QUOTE DATE: 2/1/2022  
 EXPIRE DATE: 10/27/2024

SALESPERSON: CHAD SPARKS  
 CUSTOMER NO: 6830641  
 QUOTED BY: jar  
 FLYGT 3127.185-0991 S

QUOTED TO:  
 OTTUMWA WATER POLL CONTROL  
 2222 SOUTH EMMA  
 OTTUMWA, IA 52501

JOB LOCATION:  
 OTTUMWA WATER POLL CONTROL  
 2222 SOUTH EMMA  
 OTTUMWA, IA 52501

CONFIRM TO:  
 FRANK STANTON

\*\*\* QUOTE ORDER - DO NOT PAY \*\*\*

CUSTOMER P.O.	SHIP VIA	F.O.B.	TERMS			
	OURTRK	ORIGIN	Net 30 Days			
ITEM NUMBER	UNIT	ORDERED	SHIPPED	BACK ORDER	PRICE	AMOUNT
LOCATION: WWTP						
PUMP: FLYGT 3127.185-0991 SN: 1620046						
CAUSE OF FAILURE: SEAL FAILURE - SOME LEAKAGE AROUND CABLE GROMMETS						
000006018909	EACH	1.00	0.00	0.00	2,004.00	2,004.00
KIT,REPAIR BASIC+3127.090/180						
000003094412	EACH	1.00	0.00	0.00	1,312.00	1,312.00
STATOR,21-12-4A 230/460V:3PH+230V:1PH						
000000821764	EACH	1.00	0.00	0.00	3.50	3.50
SCREW,ALLEN M6 X 20 STEEL						
0000005188902	EACH	1.00	0.00	0.00	297.00	297.00
DETECTOR,LEAKAGE UNIT FLS						
0000004361000	EACH	1.00	0.00	0.00	108.00	108.00
RING,SS						
000000807063	EACH	1.00	0.00	0.00	5.20	5.20
KEY,PARALLEL 8X7X45MM						
000000824082	EACH	1.00	0.00	0.00	7.70	7.70
WASHER,SS 34.5MM ID 52MM OD						
0000007345900	EACH	1.00	0.00	0.00	62.00	62.00
LEAD-THROUGH UNIT						
0000005047807	EACH	1.00	0.00	0.00	142.00	142.00
CABLE UNIT						
/MISC	EACH	1.00	0.00	0.00	35.00	35.00
MISC. SHOP SUPPLIES						
/ENVI	EACH	1.00	0.00	0.00	80.00	80.00
OIL AND ENVIRONMENTAL CHARGE						
/PSGT	HOUR	7.00	0.00	0.00	140.00	980.00
PUMP LABOR-SEWAGE/SUBMERSIBLE						

THE PRICING IN THIS QUOTE DOES NOT INCLUDE FREIGHT, INSTALLATION AND START UP

\*\*\* Continued \*\*\*





# QUOTATION

4280 E 14th Street  
Des Moines IA 50313-2604 USA

Telephone: (515) 265-2222 / FAX (515) 265-8079  
Toll Free 1-800-383-PUMP

www.electricpump.com

QUOTE NUMBER: 0145812  
QUOTE DATE: 2/1/2022  
EXPIRE DATE: 10/27/2024

SALESPERSON: CHAD SPARKS  
CUSTOMER NO: 6830641  
QUOTED BY: jar  
FLYGT 3127.185-0991 5

QUOTED TO:  
OTTUMWA WATER POLLCONTROL  
2222 SOUTH EMMA  
OTTUMWA, IA 52501

JOB LOCATION:  
OTTUMWA WATER POLLCONTROL  
2222 SOUTH EMMA  
OTTUMWA, IA 52501

CONFIRM TO:  
FRANK STANTON

**\*\*\* QUOTE ORDER - DO NOT PAY \*\*\***

CUSTOMER P.O.	SHIP VIA	F.O.B.	TERMS
	OURTRK	ORIGIN	Net 30 Days

ITEM NUMBER	UNIT	ORDERED	SHIPPED	BACK ORDER	PRICE	AMOUNT
-------------	------	---------	---------	------------	-------	--------

THANK YOU, JULIE ROKES  
julier@electricpump.com  
CC: CHAD SPARKS (515) 707-1929

All return goods must have written approval from Electric Pump, Inc. before returning. Credit will not be issued without written approval and if applicable there will be a Restock Fee.

Net Order:	5,036.40
Less Discount:	0.00
Freight:	0.00
Sales Tax:	0.00
<b>Order Total:</b>	<b>5,036.40</b>

ABOVE PRICING EFFECTIVE FOR 30 DAYS

**CITY OF OTTUMWA**  
**Staff Summary**

**\*\* ACTION ITEM \*\***

Council Meeting of : Feb 15, 2022

Kristen Mitchell

Prepared By

*Dorothy Seal*

Department Head

WPCF

Department

*P. J. [Signature]*

City Administrator Approval

AGENDA TITLE: Approve the purchase of a 2022 Ram 3500 Crew Cab 4x4 with inverter option in the amount of \$53,500.00 from Stew Hansen Dodge City.

\*\*\*\*\*

\*\*Public hearing required if this box is checked.\*\*

RECOMMENDATION: Approve purchase of WPCF one ton 4x4 that was approved by the fleet committee and budgeted for FY21/22.

DISCUSSION: This purchase is to replace #45, existing 2010 Ford 4x4 crew cab pickup. The fleet committee agreed with the recommendation at its meeting held on November 18, 2020. Specs and costs were later approved at the Fleet Committee Meeting held on May 21, 2021.

Bid packets were distributed January 20, 2022 and due to supply and demand shortages only one (1) completed bid was received. Stew Hansen Dodge City submitted the bid of \$51,905.00 plus \$1,595.00 for the added inverter for a total of \$53,500.00. This is a budgeted item for FY 21/22. Since the time of budgeting there have been rising costs for vehicles, the approved budgeted amount \$52,000.

Source of Funds: 610

Budgeted Item:  Budget Amendment Needed: Yes

CITY OF OTTUMWA  
 WATER POLLUTION CONTROL  
 SPECIFICATIONS FOR A ONE TON 4 x 4 PICKUP TRUCK

Minimum specifications for the bid of a 1 ton 4x4 pickup truck. Items bid will be equal to or exceed the written specifications. Any deviation to the specifications will be written and explained. Failure to explain is cause for an invalid bid. Literature will accompany the bid. The city reserves the right to reject any or all bids.

Brand of Equipment 2022 RAM 3500 Crew Cab 4x4

Model Number D28L92

Dealer Bidding Stew Hansen Dodge City

Authorized Dealer for product bid: Yes (x) No ( ). If no, who are you bidding with? \_\_\_\_\_

	<u>CHECK ONE</u>	
	YES	NO
One ton super cab crew cab	( x )	( )
<u>Engine - Chassis - Drive</u>		
Engine - 6.0L or larger/8 cylinder minimum(gas)-----	( x )	( )
Automatic transmission/with overdrive-----	( x )	( )
2-speed transfer case-----	( x )	( )
Automatic locking hubs-----	( x )	( )
Four-wheel drive-----	( x )	( )
Alternator: 12 volt, 100 amp minimum-----	( x )	( )
Power steering-----	( x )	( )
Power brakes-----	( x )	( )
Shock absorbers, heavy duty-----	( x )	( )
30 gallon fuel tank-----	( x )	( )
All terrain tires-----	( x )	( )
Full size spare tire (mounted under box)-----	( x )	( )
Battery 625CCA (maintenance free/long life type)-----	( x )	( )
Single rear wheels-----	( x )	( )



hookup and trailer pin connection plug----- (x ) ( )  
 Ignition switch and accessory position ----- (x ) ( )  
 Two power points----- (x ) ( )  
 Integrated strobes, front and back----- (x ) ( )  
 Sprayed bed liner----- (x ) ( )  
 Tow hooks----- (x ) ( )  
 Standard front bumper----- (x ) ( )  
 Step-type rear bumper----- (x ) ( )

Car and Body

Split bench seat, cloth or vinyl----- (x ) ( )  
 Interior color gray/tan/blue----- (x ) ( )  
 AM/FM radio, factory installed----- (x ) ( )  
 Dual electric mirrors & power package (min.5''x 8'')---- (x ) ( )  
 Heated mirrors----- (x ) ( )  
 8' straight side body----- (x ) ( )  
 Air conditioning----- (x ) ( )  
 Intermittent wipers----- (x ) ( )  
 Color: white----- (x ) ( )

OPTION: Price separately 1800 watt continuous pure sine power inverter with jell cell batteries and proper cables to be mounted in city approved location.

WARRANTY: (specify) 3 year 36,000 mile bumper to bumper and 5 year 60,000 powertrain

The City will sign for delivery but no acceptance until we have had sufficient time to properly inspect the equipment. Please set up an appointment for delivery.

VARIATIONS: If the equipment offered differs from the provisions contained in this specification, such differences must be explained on a separate sheet attached to the bid and labeled as such. All such bids will receive considerations if such deviations do not depart from the intent of the specifications and are in the best interests of the purchaser. It is not our intent to disqualify any quality equipment if your equipment does not meet these qualifications.

Harry Bougher  
 Authorized Signature  
 Harry Bougher

01/20/2022  
 Date

Printed Signature

2022 Price: \$51,905.00

Inverter: \$1,595.00

# **2022 RAM 3500 Tradesman**



**Stew Hansen Dodge City**





Prepared For:

Prepared By:

Administrator  
Stew Hansen Dodge City  
12103 Hickman Rd  
Urbandale, Iowa, 50323  
Phone: 515.251.4234

**SELECTED EQUIPMENT**

**2022 RAM 3500**

**4x4 Crew Cab 8' box 169.5" WB Tradesman (D28L92)**

**MSRP**

D28L92	Base Vehicle Price (D28L92)	STD	45,995.00
<b>Packages</b>			
2GA	Quick Order Package 2GA Tradesman	OPT	N/C
<b>Powertrain</b>			
ESB	Engine: 6.4L V8 Heavy Duty HEMI MDS	STD	N/C
DFX	Transmission: 8-Speed Auto (8HP75-LCV)	STD	N/C
DME	3.73 Axle Ratio	STD	N/C
Z8R	GVWR: 11,400 lbs	STD	N/C
<b>Wheels &amp; Tires</b>			
TCP	Tires: LT275/70R18E OWL On/Off Road	OPT	295.00
WBN	Wheels: 18" x 8.0" Steel	STD	N/C
<b>Seats &amp; Seat Trim</b>			
TX	HD Vinyl 40/20/40 Split Bench Seat <i>2 Way Rear Headrest Seat; 40/20/40 Split Bench Seat; 4 Way Front Headrests; Manual Adjust 4-Way Driver Seat; Front Armrest w/Cupholders; Manual Adjust 4-Way Front Passenger Seat; Rear Folding Seat</i>	STD	N/C
<b>Other Options</b>			
APA	Monotone Paint <i>Exterior content such as door handles, fascia, mirrors, etc. are black when ordering special low volume paints.</i>	STD	N/C
JKV	115V Auxiliary Front Power Outlet <i>400W Inverter; Exterior 115V AC Outlet</i>	OPT	210.00

The information contained in this package is provided to assist in assessing our vehicles and is for your information only. Prices and content information shown are subject to change and should be treated as estimates only. Information on the comparison vehicle is derived from available public sources and may not be completely current or accurate. No representations, warranties or guarantees are given in the information. Neither Chrysler nor the dealer will be liable for any reliance on the contents hereof. Please see salesperson for the most current information and other details. Actual pricing may vary. Reference DX05102932 12/13/2021



## SELECTED EQUIPMENT Continued

			MSRP
LHL	I/P Mounted Auxiliary Switches <i>Dash Pass Thru Wire Circuits</i>	OPT	155.00
XHC	Trailer Brake Control <i>Trailer Light Check</i>	OPT	295.00
UAA	Radio: Uconnect 3 w/5" Display	STD	N/C
	<b>Interior Colors For : Primary w/Tradesman (Reg/Crew)</b>		
X8	Diesel Gray/Black	OPT	N/C
	<b>Primary Colors For : Primary w/Tradesman (Reg/Crew)</b>		
PW7	Bright White Clearcoat	OPT	N/C
<b>Vehicle Subtotal</b>			<b>\$46,950.00</b>
<b>Destination</b>			<b>\$1,795.00</b>
<b>Vehicle Subtotal (including Destination)</b>			<b>\$48,745.00</b>

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Prepared For:

Prepared By:

Administrator  
Stew Hansen Dodge City  
12103 Hickman Rd  
Urbandale, Iowa, 50323  
Phone: 515.251.4234

## DIMENSIONS & CAPACITIES

## 2022 RAM 3500

4x4 Crew Cab 8' box 169.5" WB Tradesman (D28L92)

Output .....	410 hp @ 5,600 rpm
Torque .....	429 lb.-ft. @ 4,000 rpm
1st gear ratio .....	4.714
2nd gear ratio .....	3.143
3rd gear ratio .....	2.106
4th gear ratio .....	1.667
5th gear ratio .....	1.285
6th gear ratio .....	1.000
7th gear ratio .....	0.839
8th gear ratio .....	0.667
Reverse gear ratio .....	3.295
Curb weight .....	6,960 lbs.
GVWR .....	11,400 lbs.
Front GAWR .....	5,500 lbs.
Rear GAWR .....	7,000 lbs.
Payload .....	4,450 lbs.
Front curb weight .....	4,058 lbs.
Rear curb weight .....	2,904 lbs.
Front tire/wheel capacity .....	7,280 lbs.
Rear tire/wheel capacity .....	7,280 lbs.
Towing capacity .....	14,070 lbs.
5th-wheel towing capacity .....	13,900 lbs.
Front legroom .....	40.9 "
Rear legroom .....	40.2 "
Front headroom .....	40.9 "
Rear headroom .....	39.8 "
Front hiproom .....	62.9 "
Rear hiproom .....	62.7 "
Front shoulder room .....	65.9 "
Rear shoulder room .....	65.6 "
Passenger area volume .....	124.6 cu.ft.
Length .....	260.8 "
Body width .....	79.4 "
Body height .....	78.4 "

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## DIMENSIONS & CAPACITIES Continued

Wheelbase .....	169.5 "
Front track .....	67.7 "
Rear track .....	67.1 "
Turning radius .....	26.9 '
Fuel tank .....	32.0 gal.
Exterior cargo length .....	98.3 "
Exterior cargo minimum width .....	51.0 "
Exterior cargo volume .....	74.9 cu.ft.
Exterior cargo pickup box depth .....	20.2 "
Exterior cargo maximum width .....	66.4 "

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Prepared For:

Prepared By:  
Administrator  
Stew Hansen Dodge City  
12103 Hickman Rd  
Urbandale, Iowa, 50323  
Phone: 515.251.4234

**WARRANTY**

**2022 RAM 3500**

**4x4 Crew Cab 8' box 169.5" WB Tradesman (D28L92)**

	Months/Distance
Basic .....	36 month/36,000 miles
Powertrain .....	60 month/60,000 miles
Corrosion Perforation .....	60 month/100,000 miles
Roadside Assistance .....	60 month/100,000 miles

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**CITY OF OTTUMWA**  
Staff Summary

**\*\* ACTION ITEM \*\***

Council Meeting of: Feb 15, 2022

Christina Reinhard

Prepared By

Tina Jaegers

Department Head

Finance

Department



City Administrator Approval

AGENDA TITLE: Resolution No. 23-2022, Authorizing the Mayor, City Administrator and Interim Director of Finance/Accountant to Sign Checks and make Wire Transfers.

\*\*\*\*\*

\*\*Public hearing required if this box is checked.\*\*

RECOMMENDATION: Pass and Adopt Resolution No. 23-2022.

DISCUSSION: This resolution updates the individuals who are authorized to sign checks and make wire transfers for the City of Ottumwa.

Individuals authorized by this resolution are Richard W. Johnson, Philip Rath and Tina Jaegers.

Source of Funds: N/A

Budgeted Item:  Budget Amendment Needed: No

**RESOLUTION # 23 - 2022**

**AUTHORIZING THE MAYOR, CITY ADMINISTRATOR AND INTERIM DIRECTOR  
OF FINANCE/ACCOUNTANT TO SIGN CHECKS AND MAKE WIRE TRANSFERS**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA, the following individuals shall be authorized as signatories for the City of Ottumwa, Iowa.

**Name**

Richard W. Johnson  
Philip Rath  
Tina Jaegers

**Title**

Mayor  
City Administrator  
Interim Director of Finance/Accountant

PASSED AND ADOPTED this 15<sup>th</sup> day of February, 2022

CITY OF OTTUMWA, IOWA

  
Richard W. Johnson, Mayor

ATTEST:



Christina Reinhard, CMC - City Clerk



**CITY OF OTTUMWA**  
**Staff Summary**

**\*\* ACTION ITEM \*\***

Council Meeting of : Feb 15, 2022

Christina Reinhard

Prepared By

Tina Jaegers

Department Head

Finance

Department



City Administrator Approval

AGENDA TITLE: Resolution No. 24-2022, Authorizing the City Administrator and Interim Director of Finance/Accountant to Make Investment Purchases and Sales in Accordance with the City Investment Policy.

\*\*\*\*\*

\*\*Public hearing required if this box is checked.\*\*

RECOMMENDATION: Pass and Adopt Resolution No. 24-2022.

DISCUSSION: This resolution updates the individuals who are authorized to make investment purchases and sales in accordance with the City's investment policy.

Individuals authorized by this resolution are Philip Rath and Tina Jaegers.

Source of Funds: N/A

Budgeted Item:  Budget Amendment Needed: No

**RESOLUTION # 24 - 2022**

**AUTHORIZING THE CITY ADMINISTRATOR AND INTERIM DIRECTOR OF FINANCE/ACCOUNTANT TO MAKE INVESTMENT PURCHASES AND SALES IN ACCORDANCE WITH THE CITY INVESTMENT POLICY**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA, the following individuals shall be authorized to buy, sell, assign, and transfer securities and to execute any and all instruments necessary, proper and desirable for the purpose, in conformity with the Investment Policy for the City of Ottumwa, Iowa.

**Name**

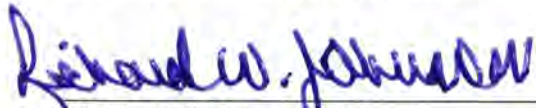
Philip Rath  
Tina Jaegers

**Title**


City Administrator  
Interim Director of Finance/Accountant

PASSED AND ADOPTED this 15<sup>th</sup> day of February, 2022

CITY OF OTTUMWA, IOWA

  
Richard W. Johnson, Mayor

ATTEST:

  
Christina Reinhard, CMC - City Clerk

**CITY OF OTTUMWA**  
**Staff Summary**

**\*\* ACTION ITEM \*\***

Council Meeting of : Feb 15, 2022

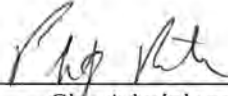
Administration  
Department

Barbara Codjoe

Prepared By

Barbara Codjoe

Department Head



City Administrator Approval

AGENDA TITLE: Resolution No. 39-2022 - a resolution approving a temporary wage rate adjustment for Accountant

\*\*\*\*\*

\*\*Public hearing required if this box is checked.\*\*

RECOMMENDATION: Pass and adopt Resolution 39-2022

DISCUSSION: With the departure of the Finance Director, we have a void in the supervision of staff along with performing essential job duties. This position will take a few months to fill through an open search process. In the interim, City Accountant Tina Jaegers has agreed to assume responsibilities associated with the Finance Director position in addition to her current role. To compensate for the additional responsibilities during this temporary period, staff is recommending an hourly wage adjustment of \$9.73 per hour (\$389.20 per week). This amount is 1/2 the difference in compensation between the two positions.

Source of Funds: N/A

Budgeted Item:  Budget Amendment Needed:



**RESOLUTION NO. 39-2022**

**RESOLUTION APPROVING A TEMPORARY WAGE RATE ADJUSTMENT  
FOR ACCOUNTANT POSITION**

**WHEREAS**, the absence of the Finance Director has created a void in areas of staff supervision and performance of essential job duties; and

**WHEREAS**, this City Administration is looking to fill the vacancy in some form by hiring a position to resume these responsibilities at a minimum; and

**WHEREAS**, Tina Jaegers, the current Accountant, has agreed to step in to assist with assuming a majority of the duties and responsibility of the Finance Director in the interim, in addition to her current job requirements.

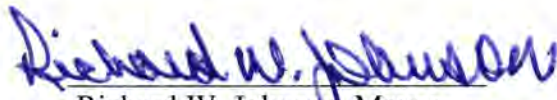
**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Ottumwa, Iowa, that Tina Jaegers, the current Accountant receive additional compensation due to increased responsibility and authority in the amount of \$9.73 per hour over and above the normal rate of pay retroactive to February 3, 2022; and

**BE IT FURTHER RESOLVED**, the additional compensation would continue until the replacement for the vacancy created by the departure of the Finance Director is remedied or upon further action of the City Council; and


**BE IT FURTHER RESOLVED**, by the Ottumwa City Council of the City of Ottumwa, Iowa, that the Mayor and City Clerk are hereby authorized and directed to execute said resolution.

APPROVED, PASSED AND ADOPTED, this 15<sup>th</sup> day of February, 2022.

CITY OF OTTUMWA, IOWA

  
Richard W. Johnson, Mayor

ATTEST:

  
Christina Reinhard, City Clerk

**CITY OF OTTUMWA**  
**Staff Summary**

**\*\* ACTION ITEM \*\***

Council Meeting of: Feb 15, 2022

Administration  
Department

Barbara Codjoe  
Prepared By  
Barbara Codjoe  
Department Head

  
\_\_\_\_\_  
City Administrator Approval

AGENDA TITLE: Recommendation of Wage and Benefits Survey

\*\*\*\*\*

\*\*Public hearing required if this box is checked.\*\*

RECOMMENDATION: Submit Request for Proposals to solicit companies to provide a Wage and Benefits survey.

DISCUSSION: Staff will provide presentation at meeting and RFP prior to meeting for review.

Source of Funds: N/A

Budgeted Item:  Budget Amendment Needed:



[ CITY OF ]  
O T T U M W A

105 E. Third Street  
Ottumwa, Iowa 52501  
641-683-0600

## Request for Proposals

### Wage and Benefit Study

#### **Purpose**

The City of Ottumwa is seeking proposals from interested, qualified and experienced consultants to design, conduct and assist in the implementation of a comprehensive compensation / classification study and to formulate a new compensation / classification plan for City employees that are not covered under a collective bargaining agreement. The purpose of the wage and salary study is to ensure the City is externally competitive and internally equitable. We must also ensure that the plan is fiscally sound both in adapting the new strategy from our current plan but also with our long-term goals. The new plan must be easy to maintain to accommodate changes in jobs over time.

#### **Overview**

The City of Ottumwa is the county seat for Wapello County in Iowa since 1844. Ottumwa is in the state's southeastern section and is on the Des Moines River. Ottumwa's population at the time of the 2020 U.S. Census was 25,529.

The City of Ottumwa has approximately 83 employees in 47 different positions that are not covered under a collective bargaining agreement. Ottumwa has a mayor / council system of government with five City Council members and the Mayor elected from the community at-large. City departments include City Administrator, Fire, Police, Public Works, Planning and Zoning, Water Pollution Control, Parks and Recreation, and Administration.

#### **Background**

The current compensation / classification has been in place since 1989. Since the plan was adopted, inequities and compression have developed, and the criteria and weighting of various factors of the system need to be updated. Many of the job descriptions have not been updated for 15+ years. As we recruit, we are out of range for many positions.

There are two plans within the current model. The first is a step plan in which was originally configured to have 5% between each step. Over time, those steps have strayed away from the 5% increase. It was originally set up to be reviewed annually which has not been feasible. These steps are also based on time in position and not on merit.

The second plan within the model is a department head plan. This is the current salary assigned to the person in the position.

City of Ottumwa  
105 East Third Street, Ottumwa, Iowa 52501  
Telephone 641-683-0600 Fax 641-683-0613



## **Goals**

- Attract and retain qualified employees;
- Ensure positions performing similar work with essentially the same level of complexity, responsibility, and knowledge, skills, and abilities are classified together
- Provide salaries commensurate with assigned duties
- Clearly outline promotional opportunities and provide recognizable compensation growth
- Provide justifiable pay differential between individual classes
- Maintain a competitive position with other comparable government entities and private employers within the same geographic areas.
- Identify areas of opportunity for additional positions or restructuring of current positions to meet current and immediate future business needs

## **Desired Scope of Services**

The following outlines the City of Ottumwa's request for services with

The system is required to be effective, legally defensible, flexible and easily administered.

## **Review**

- Review the current compensation and pay ranges for all employees not covered under a collective bargaining agreement, including city council members and mayoral duties
- Positions will be evaluated in comparison to local economic market conditions for entry level, professional, and management personnel. In order to accomplish the external market review of positions, ten or more comparable organizations (e.g. cities or counties) and a minimum of five major private and/or public sector market competitors will be surveyed as determined in agreement with the city.
- Identify factors and appropriate weights which accurately reflect the value of the different types of work.

**Survey** - Organizational information will be collected in the market survey to include insurance plans for single and families, employer contributions, wellness programs and incentives, vacation, sick time, pension/retirement programs, and leave policies. This information will be included in the survey and used for updating salary and wage data.

- Develop and conduct an external assessment or compensation survey evaluating all current job classifications by comparing actual job content and duties of the classification to comparable job classification in other comparable organizations.
- Conduct interviews with elected officials, department heads, and any other staff for purposes of job analysis.
- Provide a report between survey data and current pay structure with alternatives and estimates of fiscal impact at various percentage relationships to prevailing market rates.

**Recommendations** - shall be submitted in hard copy and electronic formats, using Microsoft Office products allowing the City to update or change any information. All work provided by the

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consulting firm under contract to the City shall belong exclusively to the City. Recommended classification/compensation systems must meet all legal requirements, be nondiscriminatory and provide compliance with all pertinent Federal, State, and Local requirements (i.e. FLSA, ADA, EOE/AA, etc.).

- Prepare new written job descriptions (in Microsoft Word format) for each job classification. Job descriptions to include, but not limited to: job title, FLSA designation, pay grade, Civil Service Requirement and class (entrance or promotional) department/division, general statement of job, essential and non-essential duties, essential safety functions, minimum training/experience, and minimum physical requirements.
- Recommend salaries which are competitive with local external public and private sector labor market competitors and ensure internal equity and which are inherently non-discriminatory.
- Recommend a number of salary ranges which have flexible pay structure that will accommodate future compensation needs.
- Review and recommend other pay practices consistent with market findings.
- Develop recommendations and suggest an instrument for the ongoing internal administration and maintenance of the proposed classification/compensation plan.
- For City positions which are non-exempt which should transition to an exempt position, provide recommendations on how to accomplish this.
- With regard to the City Administrator, City Clerk, and City Attorney positions, develop recommendations and suggest an instrument or method for assessing performance and appropriate wage adjustments.
- What compensation (if any) should be offered to employees when obtaining certifications of value to the City of Ottumwa
- Identify potential pay compressions issues and provide alternative solutions.
- Include cost impact information and options for minimizing employer costs.

### **Final Considerations**

- Outline and prioritize implementation while minimizing employer costs.
- Present information up to four times to City Council, Department Heads, and/or management staff.
- A final report will outline where the City currently stands in the market, and what steps would be necessary to lead, meet, or lag the market.
- Train appropriate City staff members on how to administer the job evaluation system and wage adjustments.
- Provide for an Employee Appeal Process

### **Specifications**

Bidders are requested to present the following information:

- 1) Provide name of your firm and a brief history of your experience in similar work product.
- 2) Location of the office(s) from which the work is to be conducted and number of professional staff employed at that office.

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- 3) Detail the scope of services your company would offer and how your firm would accomplish the work described.
- 4) Provide a brief overview of your firm's approach and how it differs from your competitors.
- 5) Provide the name and contact information of the primary contact, as well as other key consulting staff who will be assigned to our account. Describe their relevant work experience, credentials, and the role they will play on our account.
- 6) Outline your ability to provide expertise and experience in the areas of compensation plan analysis and design, especially for local government entities and/or entities in high cost of living areas (e.g. how do you address compensation for similar positions in different geographic areas?).
- 7) Description of the approach and plan for performing services outlined in the Scope of Work (see above), including:
  - a. Statement of Methods and Procedures – a detailed description of the plan for accomplishing the work including: approach, methodology and procedures used to gather the data analysis findings and develop recommendations. If the consultant has a pre-designed system, provide a description of the job analysis or compensation methodology.
  - b. Content of Work Product – describe how the work product will be presented upon completion. Provide a sample of how information will be presented or a copy of previously completed similar study. Include information that the City will be expected to provide to enable the work to commence.
  - c. Work Schedule – provide a timeline indicating the status/completion dates and indicate key tasks/milestones for implementation of the proposed plan. Intention is to have this completed within 90 days of council approval of bid unless information provided otherwise.
- 8) Provide at least three references of equivalent clients (similar employee size, industry (government), and complexity). Include the contact name, address, phone number, and email.
- 9) Please indicate any other services, capabilities, designations or experience that differentiates your organization from competition.
- 10) What types of Subject Matter Experts do you have and what types of services do they provide?
- 11) Fee Schedule – provide a detailed fee schedule outlining the services as presented in your proposal. If proposal includes any expenses to be billed separately from professional fees, provide a detailed estimate of such expenses.
- 12) Proposed process and fee structure for the additional option of a Total Compensation Comparison to include a review of key benefit program comparisons with recommended target market.
- 13) A sample contract requested to be used, if selected, by the City of Ottumwa. The City of Ottumwa reserves the right to require its own contract or contract terms including, without limitation, terms generally used by the City of Ottumwa or required by Iowa or

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Federal law, or otherwise protective of the City of Ottumwa or that which is deemed helpful.

14) Cost related to addressing additional employees under collective bargaining agreements.

### **Selection Process**

An evaluation committee comprised of City staff will review all response. The committee will select one RFQ response and bring that proposal to the City Council for consideration.

### **Timetable**

- February 21, 2022 – RFP Released
- March 16, 2022 4:30pm – Any questions concerning the RFP are due, by email to Barb Codjoe at [codjoeb@ottumwa.us](mailto:codjoeb@ottumwa.us).
- March 18, 2022 4:30pm – Complete list of questions received by email and answers to questions will be sent to prospective respondents and attached to the RFP posting on the City website.
- March 25, 2022 4:30pm – RFP responses due
- April 8, 2022 – Evaluation committee will announce selection.
- April 19, 2022 – City Council will consider agreement with selected bidder.

### **Submittal Guidelines**

The bidder is responsible for providing all information requested in this RFP and failure to do so may result in disqualification of the proposal. During the evaluation process, the City of Ottumwa may request firms to answer further questions about their proposal. The City of Ottumwa has the right to select any proposal it may choose or none at all in its sole discretion based on any requirements it chooses. This request for proposal (RFP) is issued by the City of Ottumwa.

All proposals should be delivered electronically to [codjoeb@ottumwa.us](mailto:codjoeb@ottumwa.us). Email is the preferred method of response to this solicitation.

Mailed and delivered proposals shall be delivered in sealed envelopes marked on outside of package, and emailed proposals shall be delivered with subject line as follows: 2022 Compensation Study RFP.

City of Ottumwa  
Attention: Barbara Codjoe, Director of Human Resources  
105 E. Third Street  
Ottumwa, IA 52501

### **Right to Reject Proposals**

The City of Ottumwa reserves the right to reject any or all proposals and accepts no responsibility for the cost of proposal preparation. All reports rendered to the City of Ottumwa shall be the exclusive property of the City of Ottumwa.

City of Ottumwa  
105 East Third Street, Ottumwa, Iowa 52501  
Telephone 641-683-0600 Fax 641-683-0613

**Termination**

The City of Ottumwa reserves the right to cancel the whole or any part of a contract issued as a result of this RFP due to failure of the Contractor to carry out any term, promise or condition of the contract. The City of Ottumwa will issue a written notice of default to the Contractor for failing to act in compliance with the terms and conditions of such contract. Termination will be 30-days' notice by either party, at any time, and contract will be on year to year automatic renewal basis.

**Not a Contract**

This RFP is not a contract and creates no legal rights for persons or entities submitting proposals.



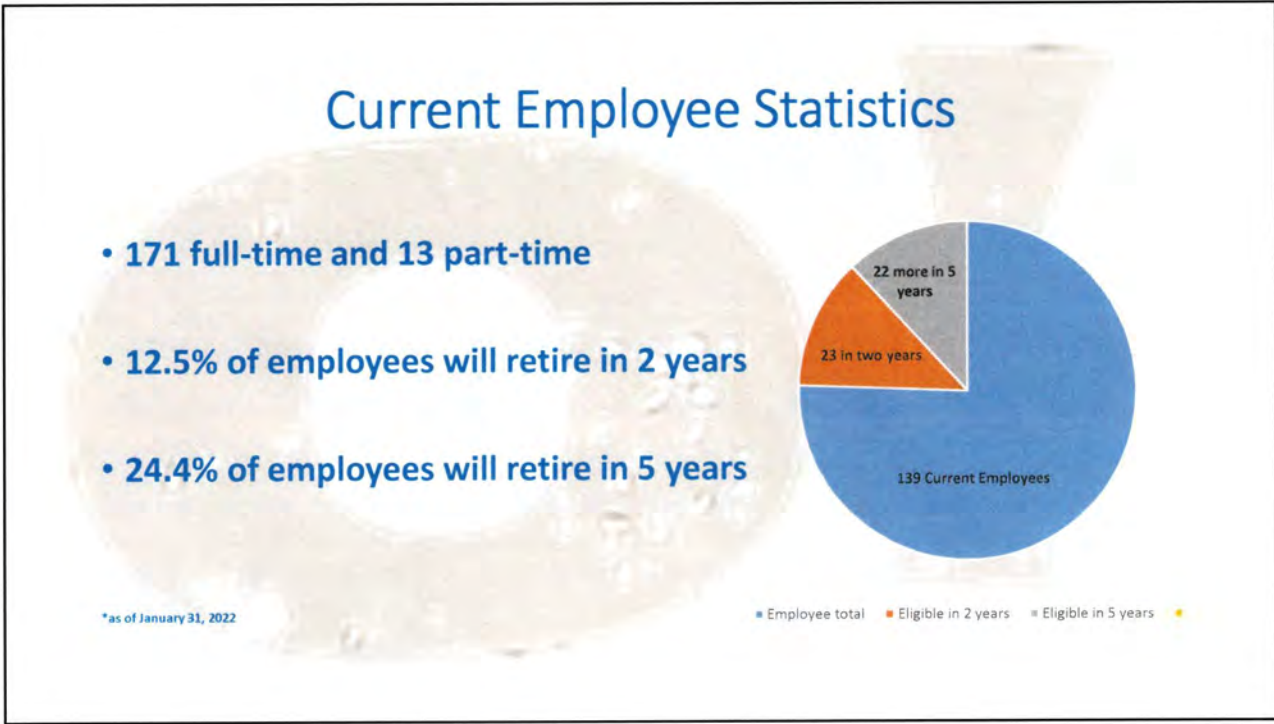
## Wage and Benefits Study Request



- **Current Employment statistics**
- **Current structure and concerns**
- **Asks of Council**







## Hiring

- **Hired for 17 positions in last nine months (not including Fire & Police)**
  - Retired – 4
- **56 total applicants**
- **3.3 applicants per position**



## Current National Employment Statistics

INFLATION

### U.S. Inflation Rises 7% in 2021, Marking Highest Rate Since 1982

[JANUARY 12, 2022](#)  
 [US INFLATION CALCULATOR STAFF](#)  
 [LEAVE A COMMENT](#)

### Why so many job seekers want a raise: fighting inflation -- and frustration

[America wants a raise.](#)  
 [LinkedIn](#)

That's the message that emerges, loud and clear, from a national cross-section of job seekers surveyed for LinkedIn's Workforce Confidence Index. Results are based on U.S. surveys of 14,502 LinkedIn members from October 9 through November 19.

Among job seekers considering or actively pursuing a change in industry, 56% cited a desire for better compensation as a top reason for seeking something new. That outranked a wide range of other factors, such as better alignment with personal values, better opportunities to move up, or more flexible hours.

### Revised 2022 Salary Increase Budgets Head Toward 4%

[SHRM.com](#)  
 Researchers expect high inflation and tight labor markets through 2022

## What we are doing





Ready

- Review of current hiring practices
- New Recruiting module

**UKG Recruiting**  
Effectively source, track, and evaluate talent to attract the best people for your organization.

UKG Ready™ Recruiting (formerly Kinross Workforce Ready® Talent Acquisition) delivers all the tools you need to stand out from the crowd through your employer brand, find qualified applicants without sacrificing your time-to-hire and cost-to-hire goals, and continuously improve recruiting processes and hiring practices to help you build an inclusive and purpose-driven culture.



**Inviting Candidate Experience**  
Makes it easy for applicants to give the right information, search for jobs, and apply online on any device. Our flexible career site and communications tools can fully adjust to reflect your organization's brand and culture, giving a consistent, engaging look and feel.

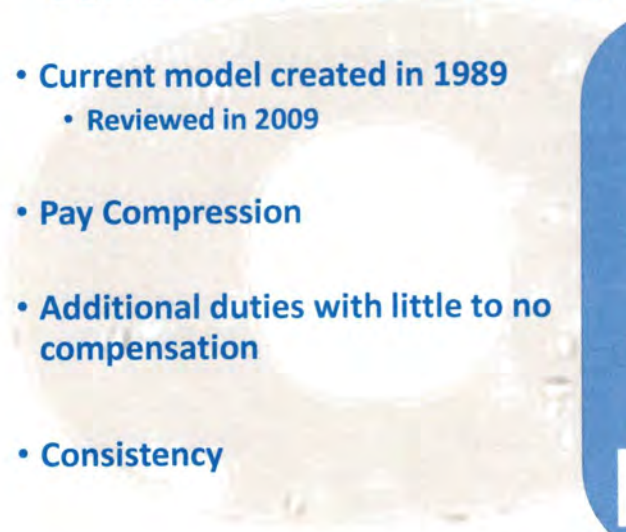


**Intuitive Talent Analytics**  
Quickly zero in on which candidates are at what phase in your recruiting process and recognize what channels work best, where successful new hires came from, and even how stakeholders feel about different candidates all in one easy-to-manage workspace.



**Smooth Transition to New Hire**  
Flow applicant information seamlessly into a new employee record with the push of a button and start the onboarding process, cutting down on administrative tasks, avoiding duplicate effort, and getting your new hires ready and excited from the start.

## Current Structure and concerns



CITY OF OTTUMWA, IOWA  
PAY PLAN  
06/89

PURPOSE

This plan is designed to provide a framework for salary treatment of city employees who are not covered under a collective bargaining agreement. As supervisory employees have been excluded from the various bargaining units it has become increasingly important to provide a method for these employees to deal with the problems they may experience as a result of their employment and to provide them with an objective pay plan which they can depend on being followed and which removes as much possibility of political or other influence being improperly involved in decisions about pay for any individual or a group of employees.

An objective of this plan is to assure these employees that they will be treated as fairly and as well as those employees who are covered by collective bargaining agreements. While no group of

<small>No one at present (08)</small>					
<small>GSD1</small>	<small>GSD2</small>	<small>GSD3</small>	<small>GSD4</small>	<small>GSD5</small>	<small>GSD6</small>
<small>19.06</small>	<small>20.06</small>	<small>21.02</small>	<small>22.13</small>	<small>23.16</small>	<small>24.11</small>

- Current model created in 1989
  - Reviewed in 2009
- Pay Compression
- Additional duties with little to no compensation
- Consistency



## Concern - Longevity

### Bureau of Labor and Statistics

- Median Employee Tenure – 4.1 years
  - Workers aged 55 to 64 years = 9.9 years
  - Workers aged 25 to 34 years = 2.8 years

Employees are switching jobs on average every 3 to 5 years

\*as of January 2020 – Report is done every two years

## Concern - Benefits

### Top 6 Benefits Employers Viewed as Most Important

*Percentage of respondents who ranked this benefit area as extremely or very important.*

- Health care – 90 percent.
- Flexible work – 83 percent.
- Leave – 83 percent.
- Family friendly – 76 percent.
- Wellness – 62 percent.
- Retirement – 55 percent.

**Our goal is NOT to remove benefits from our employees. Our goal is to provide them with the benefits they find important.**

## Starting Wages

### Local

- Hobby Lobby –\$18.50
- Taco Bell –\$15 / hour by 2024
- JBS – Production - \$19 - \$24
- Canadian Pacific Railroad - \$21.94
- Harbor Freight – \$14
- Optimae Lifeservices –\$13.25
- John Deere - \$23.01 - \$23.69
- Sherwin Williams - \$14.50
- Manpower (General Laborer) - \$16.50

## Salary Survey

### League of Cities with University of Iowa

- 28 standardized roles only
  - Accounting / Billing Specialist
  - Building Inspector
  - City Manager / Administrator
  - City Clerk
  - Finance Director
  - Fire Chief
  - Firefighter
  - Human Resources Director
  - IT Manager
  - Library Director
  - Mayor / Council person
  - Parks and Recreation Director
  - Planning / Community Development Director
  - Police Chief
  - Police Officer
  - Public Works Director

## Asks of Council

- Wage and Benefit Study

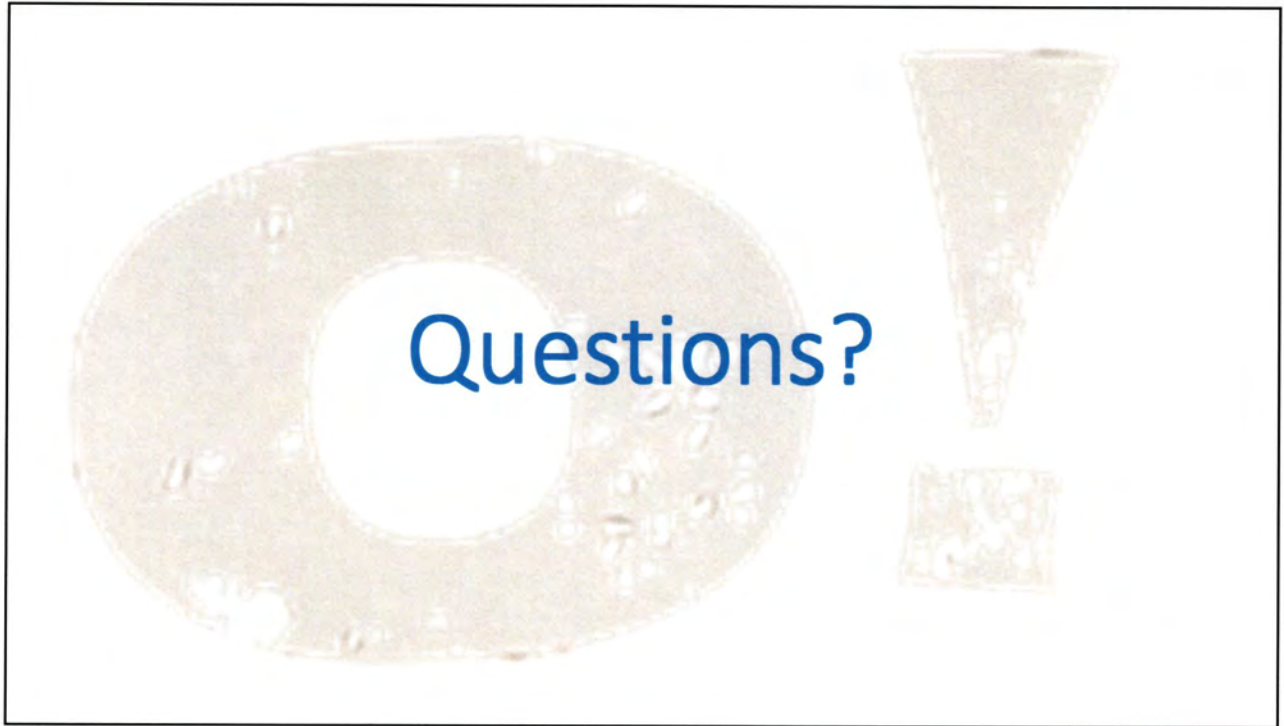
- Job Analysis to create accurate job descriptions
- Recommend classifications and salaries for current positions
- Review of company benefits
- Recommendation of adapting plan

## Asks of Council – Future Decision

- Decide on a compensation strategy

- Match the market by paying comparable wages
- Lead the market by paying higher wages
- Lag the market by paying lower wages
- Use a combination of these three options





CITY OF OTTUMWA

Staff Summary

**\*\* ACTION ITEM \*\***

Council Meeting of: February 15, 2022

Engineering  
Department

Alicia Bankson  
Prepared By  
*Danny Seals*  
Department Head

*Phil Kutt*  
City Administrator Approval

AGENDA TITLE: Informational Update – Sidewalk Drop & Detectable Warning Installation Program.

\*\*\*\*\*

\*\*Public hearing required if this box is checked. \*\*

\*\*The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.\*\*

RECOMMENDATION: Department Report on Sidewalk Drop & Detectable Warning Installation Program.

DISCUSSION: In order for the City to be in compliance to receive STP and HBP funding through the IDOT, we must meet the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973, and the associated Federal regulations that implement these laws. Under these regulations, the City has to provide ADA compliant curb ramps at all intersections of sidewalks with public streets under its jurisdiction. We were also required to develop and submit a transition plan that meets the requirements of 28 CFR 25.150(d), including provisions for installation of curb ramps, or working to develop such a plan.

This requirement was presented at the work session on April 9th 2012. The City Council indicated they would like to complete the sidewalk work in a ten year plan which is estimated to cost a total of \$1.28 million with an estimated \$150,000 a year in improvements for 10 years.

Our approach is to continue installing ramps as part of any street reconstruction project and a separate annual ADA drop installation program in areas where streets are in a reasonable state of service.

We take care in planning to avoid installation in areas that we have plans of separation work as part of the 25 year IDNR compliance schedule.

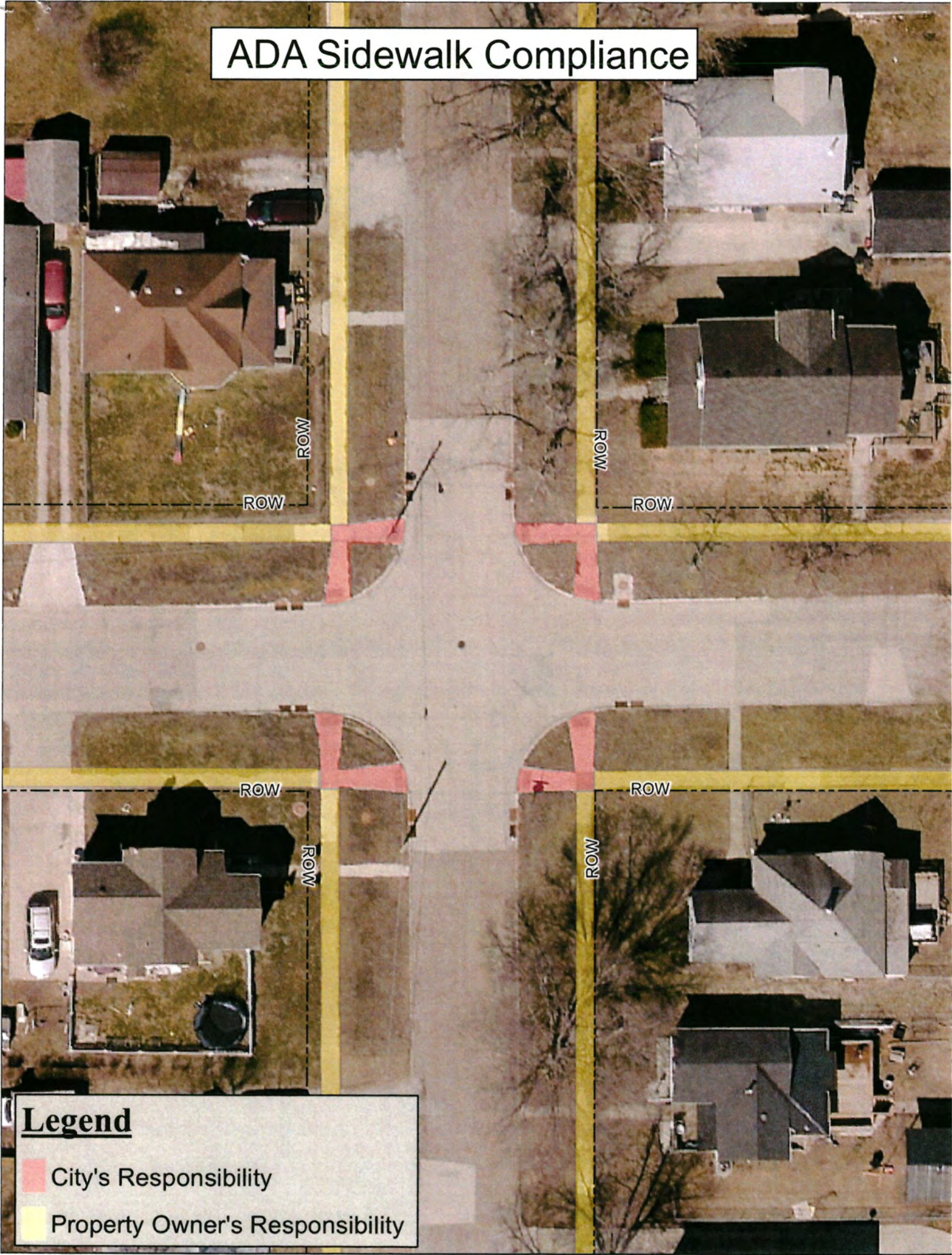
Source of Funds:

Budgeted Item:

Budget Amendment Needed:



# ADA Sidewalk Compliance



**Legend**

- City's Responsibility
- Property Owner's Responsibility



SIDEWALK DROP & DETECTIBLE WARNING INSTALLATION PROGRAM (Completed Drops)							
Program Year	Sidewalk Drop	City Projects	Utility Projects	Public Works	Wapello County	AS BUILT COST FOR DROP PROGRAM	Yearly Total
2012	46	17				\$40,898.99	63
2013	79	23	8			\$116,822.29	110
2014	57	13	7			\$48,355.29	77
2015	71	36	7	2		\$119,179.20	116
2016	59	5	7	2		\$96,842.22	73
2017	58	2	3	2		\$100,808.78	65
2018	63	56	4	2	1	\$108,837.28	126
2019	53	25	13	6		\$128,576.73	97
2020		20	7	2		<i>under construction</i>	29
2021	37	55	1	0		\$57,646.84	93
<b>TOTAL</b>	<b>523</b>	<b>252</b>	<b>57</b>	<b>16</b>	<b>1</b>	<b>\$817,967.62</b>	<b>849</b>
EXISTING RAMPS REPLACED-COMBINED							
BASE NUMBER	2012	2013	2014	2015			
No Ramp	924	879	841	790			
Smooth Ramp	1103	1097	1039	1018			
Truncated	339	390	486	558			
<b>Total</b>	<b>2366</b>	<b>2366</b>	<b>2366</b>	<b>2366</b>			
	2016	2017	2018	2019	2020		
No Ramp	692	671	625	587	542	<b>Current Projects: 18</b>	<b>189</b>
Smooth Ramp	981	974	947	913	894	<b>Upcoming CIP: 2</b>	<b>187</b>
Truncated	693	721	794	866	930		
<b>Total</b>	<b>2366</b>	<b>2366</b>	<b>2366</b>	<b>2366</b>	<b>2366</b>	<b>2020 SW Drop Program: 45</b> <i>(includes 30 reallocated ramps)</i>	<b>142</b> <b>112</b>
	2021	PHASE 8-Elimination (NO RAMPS)		Remaining		<b>2022 SW Drop Goal</b>	<b>112</b>
No Ramp	472	213 in the PH 8 project area		213 + 52 =			
Smooth	877	52 in Downtown Area		265			
Truncated	1017						
<b>Total</b>	<b>2366</b>						
			Remaining Drops	<b>207</b>			

**CITY OF OTTUMWA**  
**Staff Summary**

**\*\* ACTION ITEM \*\***

Council Meeting of: Feb 15, 2022

JAY WHEATON

Prepared By

DUKE BALL

Department Head

Airport

Department

City Administrator Approval

AGENDA TITLE: Resolution # 26-2022 Approving the Plans, Specifications, Form of Contract and Estimated Cost for the Apron 2022 Improvements Project at the Ottumwa Regional Airport.

\*\*\*\*\*

\*\*Public hearing required if this box is checked.\*\*

The Council of Commissioners has appointed representatives to attend the public hearing. If the Council of Commissioners is not present, the hearing will be held on the date specified in the agenda.

RECOMMENDATION: Pass and adopt Resolution # 26-2022

DISCUSSION: This is a public hearing on the proposed Plans, Specifications, Form of Contract and Estimated Cost for the Apron 2022 Improvements Project at the Ottumwa Regional Airport. Plans and Specifications for this project have been drafted by our Airport consultants, Kirkham Michael. Estimated cost for this project is \$265,000.00. The Airport recieved a grant from the IDOT for \$225,250.00 to pay for 85% of this project.

Bids will be recieved and opened by the City of Ottumwa on March 4th, 2022 at 2:00P.M. at City Hall 105 East 3rd Street Ottumwa,IA The bid report and bid award recommendation will be presented at the City Council meeting on March 15th, 2022 or at a later date as determined by staff.

Source of Funds: 85% IDOT 15% Airport Fund

Budgeted Item:

Budget Amendment Needed:

**RESOLUTION # 26-2022**

**A RESOLUTION APPROVING THE PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATE OF COST FOR THE APRON 2022 IMPROVEMENTS PROJECT AT THE OTTUMWA REGIONAL AIRPORT.**

WHEREAS, The City Council of the City of Ottumwa, Iowa has conducted a public hearing on the plans, specifications, form of contract and estimated cost for the above referenced project; and,

WHEREAS, The estimated cost of the project is \$265,000.00 and,

WHEREAS, No objections to the said plans, specifications, form of contract and estimated cost were received.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA. THAT: The plans, specifications, form of contract, and estimate of cost for the Apron 2022 Improvements Project at the Ottumwa Regional Airport are hereby approved and adopted.

PASSED AND ADOPTED this 15th day of February , 2022

CITY OF OTTUMWA, IOWA

ATTEST:



  
Christina Reinhard, City Clerk

  
Richard W. Johnson Mayor



## NOTICE OF HEARING AND LETTING

### Notice is Hereby Given:

A hearing on the proposed Plans, Specifications, Form of Contract, and Estimate of Cost for the project described as **Apron 2022 Improvements**, Ottumwa Regional Airport, will be held at City Hall, 105 E. Third Street, in Ottumwa, Iowa, at 5:30 P.M. local time on February 15, 2022. At said time and place any interested person may appear and file objections thereto.

Sealed proposals will be received by the City Clerk of the City of Ottumwa, Iowa, in City Hall until 11 A.M. local time on March 3, 2022, for the project described as **Apron 2022 Improvements**, Ottumwa Regional Airport, as hereinafter described in general and as described in detail in the Plans and Specifications for said improvements now on file in the office of the City Clerk. Proposals will be opened and read aloud at that time.

Proposals will be acted upon by the City Council at a meeting to be held at City Hall, 105 E. Third Street, Ottumwa, Iowa, at 5:30 P.M. local time on March 15, 2022, or at such later time and place as may then be fixed.

The extent of work on this project is the furnishing of all labor, equipment, and materials for the construction of improvements in Ottumwa generally described as follows:

### Base Bid Schedule

1	Traffic Control, Mobilization, and Safety	1	LS
2	Pavement Removal	2,905	SY
3	Subgrade Preparation, 12-Inch	2,645	SY
4	5-Inch Subbase – Asphalt Millings	2,645	SY
5	5-Inch Modified Subbase	2,645	SY
6	7-Inch PCC Apron Paving	2,645	SY
7	5-Inch PCC Terminal Paving	260	SY

The kinds of materials, estimated quantities, and work to be done for the project on which bids will be received are as shown on the bid proposal for said project.

All work is to be done in strict compliance with the Plans and Specifications prepared by Kirkham Michael and Associates, Inc. which have been heretofore approved by the City Council and which are now on file for public examination in the office of the City Clerk.

All bids shall be made on a form furnished by the City and shall be filed on or before the time specified above, in a sealed envelope addressed to the City Clerk of Ottumwa, Iowa, clearly stating that the envelope contains a bid on this project. No oral, facsimile, telegraphic or telephonic bids or modifications will be considered. Each proposal shall be accompanied by a bid bond, a cashier's check, or certified check drawn on an Iowa bank or a bank chartered under the laws of the United States, or a certified share draft drawn on a credit union in Iowa or chartered under the laws of the United States in an amount equal to ten percent (10%) of the total amount of the bid. If a bid bond is submitted, it must be on the form provided with the contract documents.

The bid security submitted should be made payable to the City of Ottumwa, Iowa, and not contain any conditions either in the body or as an endorsement thereon. This bid security is provided to the City of Ottumwa as security that if the bidder is awarded the contract by the City, the bidder will enter into a contract on the form provided by the City at prices bid and shall furnish the required performance and payment bond to the City. If the bidder fails to execute the contract and to furnish an acceptable performance and payment bond or provide a Certificate of Insurance within fifteen (15) days after acceptance of the bid by the City, the bid security may be forfeited or cashed by the City as liquidated damages.

The successful bidder will be required to furnish a performance and payment bond in the amount of one hundred percent (100%) of the contract price guaranteeing faithful performance of the contract and guaranteeing payment to all persons supplying labor and/or materials in the execution of the work provided for in the contract. Additionally, the contractor must provide the City with a guarantee of maintenance of said improvement for a period of one (1) year from the time of acceptance by the City.

By virtue of statutory authority preference will be given to products and provisions grown and coal produced within the State of Iowa and to Iowa domestic labor.

A sales tax exemption certificate will be available for all material purchased for incorporation in the project.

Work on said project shall commence within ten (10) days of a written notice to proceed and shall complete all work within **30 Working Days**. Liquidated damages in the amount of **Five Hundred Dollars (\$500.00)** per working day will be assessed for each day that the work remains uncompleted after the end of the contract period. Project shall be completed by October 14, 2022.

Payment for the work will be made by the City in cash from such funds as may be legally available including cash on hand, proceeds from the sale and issuance of General Obligation Bonds and such other funds including the proceeds from the sale and issuance of such other bonds as may lawfully be issued as the City Council may at its sole discretion determine and provide.

Payment will be made to the contractor based on monthly estimates in amounts equal to ninety-five (95%) percent of the contract value of the work completed during the preceding calendar month and will be based upon an estimate prepared by the Contractor on the first day of the month, subject to the approval of the Engineer. Any such payment by the City shall in no way be construed as an act of acceptance for any part of the work partially or totally completed. Final payment by the City will be made in accordance with Iowa statutes and the contract documents.

Bidding forms may be obtained from Kirkham Michael and Associates, Inc, 4390 114<sup>th</sup> Street, Urbandale, IA, 50322; 515-270-0848. Copies of Plans and Specifications and contract documents can be obtained at the same address. The bid documents may also be obtained from the QuestCDN site (eBidDoc #8127627)

The City reserves the right to reject any and/or all bids, or any part thereof, and to waive informalities, and to enter into such contract or contracts as shall be deemed to be in the best interests of the City.

Bids will be required to be submitted under a condition of irrevocability for a period of 30 days after submission.

Publish: \_\_\_\_\_

\_\_\_\_\_  
Chris Reinhard, City Clerk

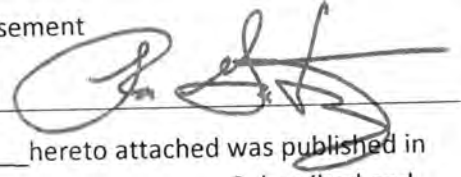


# PROOF OF PUBLICATION

STATE OF IOWA  
 WAPELLO COUNTY

I, Ron Gutierrez, being duly sworn on my oath, say I am the Publisher of the Ottumwa Courier, a newspaper printed in said Wapello County, Iowa and of general circulation there in, and that the advertisement

Notice of Hearing and Letting  
City of Ottumwa



hereto attached was published in  
 said newspaper for 1 consecutive week's to-wit: 02/10/22 Subscribed and  
 sworn to before me, and in my presence, by the said 10th day of February, 2022




Notary Public

In and for Wapello County

Printer's fee \$89.59

# COPY OF ADVERTISEMENT

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Millings 2,645 SY 5 5-Inch Modified Subbase 2,645 SY 6 7-Inch PCC Apron Paving 2,645 SY 7 5-Inch PCC Terminal Paving 260 SY The kinds of materials, estimated quantities, and work to be done for the project on which bids will be received are as shown on the bid proposal for said project. All work is to be done in strict compliance with the Plans and Specifications prepared by Kirkham Michael and Associates, Inc. which have been heretofore approved by the City Council and which are now on file for public examination in the office of the City Clerk. All bids shall be made on a form furnished by the City and shall be filed on or before the time specified above, in a sealed envelope addressed to the City Clerk of Ottumwa, Iowa, clearly stating that the envelope contains a bid on this project. No oral, facsimile, telegraphic or telephonic bids or modifications will be considered. Each proposal shall be accompanied by a bid bond, a cashier's check, or certified check drawn on an Iowa bank or a bank chartered under the laws of the United States, or a certified share draft drawn on a credit union in Iowa or chartered under the laws of the United States in an amount equal to ten percent (10%) of the totals amount of the bid. If a bid bond is submitted, it must be on the form provided with the contract documents. The bid security submitted should be made payable to the City of Ottumwa, Iowa, and not contain

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Legal Notices

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Legal Notices

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Legal Notices

Please see Iowa Court Rules Chapter 16 for information on electronic filing and Iowa Court Rules Chapter 16, division VI regarding the protection of personal information in court filings. If you require the assistance of auxiliary aids or services to participate in court because of a disability, immediately call your district ADA coordinator at (641) 684-6502. (If you are hearing impaired, call Relay Iowa TTY at 1-800-735-2942) **IMPORTANT: YOU ARE ADVISED TO SEEK LEGAL ADVICE AT ONCE TO PROTECT YOUR INTERESTS**

IN THE IOWA DISTRICT COURT IN AND FOR WAPELO COUNTY In Re: The Marriage of Brad Allen Benge and Rita Nadine Benge Upon the Petition of BRAD ALLEN BENG, Petitioner, And Concerning RITA NADINE BENG, Respondent. No. CDCV111005 ORIGINAL NOTICE TO THE ABOVE-NAMED RESPONDENT: RITA BENG You are notified that a petition has been filed in the office of the clerk of this court naming you as the Respondent in this action. A copy of the Petition (and any documents filed with it) is attached to this notice. The name and address of the attorney for the Petitioner is Ryan J. Mitchell. The attorney's phone number is 641-682-5447; facsimile number: 641-682-6940. You are further notified that the above case has been filed in a county that ut-

IN THE DISTRICT COURT OF IOWA IN AND FOR WAPELO COUNTY COMSTOCK FAMILY FARMS CORPORATION, v. EQEQ113121 Petitioner, v. DOUGLAS A. COMSTOCK, SUSAN COMSTOCK, CARON CREVLING, CHARLES CREVLING, JOHN ANDY COMSTOCK, ELIZABETH COMSTOCK, AND ANY UNKNOWN PERSONS ORIGINAL NOTICE HAVING ANY RIGHT, TITLE OR INTEREST IN OR TO THE ESTATE OF GILBERT L. COMSTOCK, DECEASED, Respondents. TO THE ABOVE-NAMED Respondents: Any persons having any right, title or interest in or to the Estate of Gilbert L. Comstock, Deceased. You are notified that a petition has been filed in the office of the clerk of this court naming you as a Respondent in this action, which petition prays for an Order declaring and establishing the rights between the parties and

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**CITY OF OTTUMWA**  
Staff Summary

**\*\* ACTION ITEM \*\***

Council Meeting of: Feb 15, 2022

Planning & Development  
Department

Zach Simonson  
Prepared By  
Zach Simonson  
Department Head

  
\_\_\_\_\_  
City Administrator Approval

AGENDA TITLE: Resolution No. 16-2022: Adopting the 2022 Ottumwa Housing Plan

\*\*\*\*\*

\*\*Public hearing required if this box is checked.\*\*

RECOMMENDATION: Pass and adopt Resolution No. 16-2022.

DISCUSSION: Throughout 2021, the Legacy Foundation worked with RDG to prepare an updated housing study to observe and understand the issues that contribute to our challenges with housing availability, affordability and values. The 2022 Ottumwa Housing Plan is result of that effort. The report is a comprehensive view of the housing market in Ottumwa that not just identifies the key issues, but makes specific recommendations for solving them.

Source of Funds:

Budgeted Item:  Budget Amendment Needed:

The full study is available here: [https://www.ottumwa.us/files/2022\\_ottumwa\\_housing\\_plan.pdf](https://www.ottumwa.us/files/2022_ottumwa_housing_plan.pdf)

The study identifies several key issues. First is that housing construction has remained relatively stagnant. Except for a few apartment projects, we have averaged just 5 new home starts every year for the last decade. With an average of 4 demolitions per year, that is just one net unit per year. This is while we show population growth in the 2020 census and project further need for population growth to meet the workforce needs of area businesses. Today Ottumwa has over 1,500 active job posts on Indeed and just 3.2% unemployment. That is lower than the pre-pandemic unemployment rate.

We also have issues with the age of our housing stock and the relationship between age and values. Ottumwa's home values are significantly lower than any of our peer communities. Lower values puts substantial pressure on the budget for the City, schools and other providers of critical services.

While the study projects a need for housing units at all price points, one key graph in the study is figure 2.16 on Page 36. That graph shows the number of units that are affordable to families in different income ranges with the number of households in each income range. The graph is key to understanding the Missing Middle phenomenon that contributes to cost burden and housing dissatisfaction. Because Ottumwa lacks an adequate supply of homes affordable to middle-income families, those middle-income families compete with lower-earners for the same units. This means drives up prices for lower earners and keeps them cost-burdened while middle-income families settle for units that do not meet their needs. Many of the plan's recommendations deal with identifying ways to create housing for this Missing Middle.

The specific goals in the plan focus on the following key areas:

1. Ramp up a non-profit developer like Rippling Waters,
2. Provide incentives for medium density infill development,
3. Gap financing,
4. Neighborhood/community campaign,
5. Workforce development.

This year's budget and CIP requests include funds to start executing these recommendations right away. Included in priorities for the Planning Department this year are:

1. Launching a program to provide a direct cash incentive for building new single-family homes,
2. Developing site plan prototypes for middle density infill development and developing demonstration projects that use the prototype site plans,
3. Renaming and retooling the Healthy Neighbors grants to provide a larger incentive while requiring the neighborhood aspect of the program,
4. Allocating grant match for upper-story apartment/adaptive reuse projects.

Completing the ambitious goals laid out by the plan is not just a City project. It will require cooperation by all of our partners. To develop that cooperation, Legacy has coordinated Mission 500, a coalition of partners who are committed to solving the housing shortage issue in Ottumwa by building 500 units of housing in the next ten years.



RESOLUTION NO. 16-2022

A RESOLUTION ADOPTING THE 2022 OTTUMWA HOUSING PLAN

WHEREAS, the Ottumwa Legacy Foundation has commissioned RDG Planning & Design to assist with the creation of an ten-year housing plan (titled: *2022 Ottumwa Housing Plan*) with the primary goal of identifying imbalances in the housing market and making recommendations for solutions; and

WHEREAS, the creation of the *2022 Ottumwa Housing Plan* was overseen by a Steering Committee made up of representatives from the Ottumwa Legacy Foundation, City Staff, Rippling Waters Property Development, Area 15 Regional Planning and other community stakeholders who met regularly throughout the process to provide guidance; and

WHEREAS, community input from stakeholder groups and the general public was obtained throughout the process including through targeted and general surveys and stakeholder interviews; and

WHEREAS, the plan includes specific goals for improving housing by making progress in the following key areas:

1. Ramp up a non-profit developer like Rippling Waters;
2. Provide incentives for medium density infill development;
3. Gap financing;
4. Neighborhood and community campaigns;
5. Workforce development; and

WHEREAS, the Ottumwa City Council has received the unanimous recommendation of the Plan and Zoning Commission that the City Council should adopt the *2022 Ottumwa Housing Plan* at the Commission's February 7, 2022 meeting; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA:

That the *2022 Ottumwa Housing Plan* as presented be hereby adopted as the City's plan for housing and become effective as of the date of this resolution.

Approved, passed and adopted this 15<sup>th</sup> day of February 2022.

CITY OF OTTUMWA, IOWA

BY Richard W. Johnson  
Richard W. Johnson, Mayor

ATTEST:

Chris Reinhard  
Chris Reinhard, City Clerk





2021

# OTTUMWA

## HOUSING PLAN





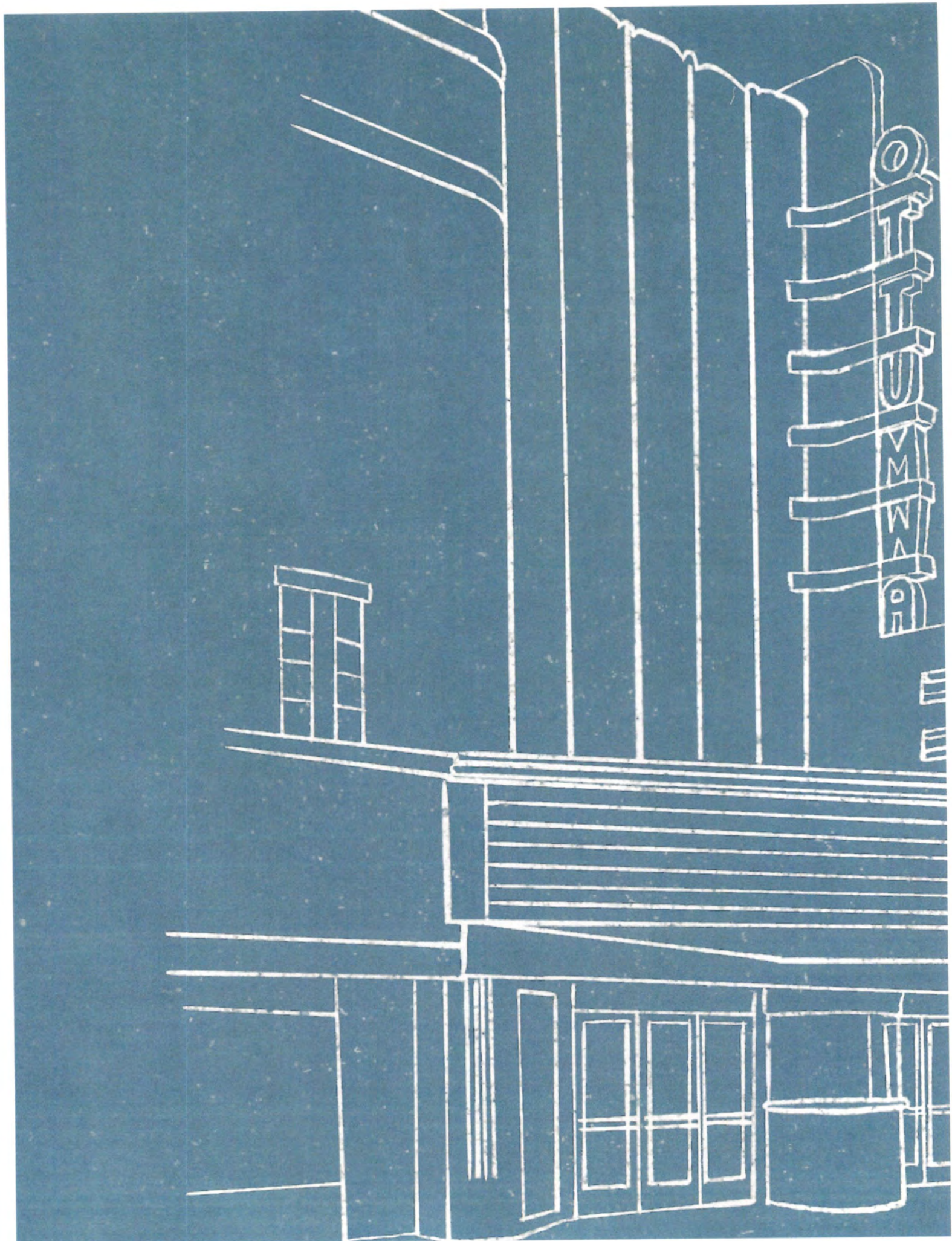




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# COMMUNITY DIRECTION

## INTRODUCTION

When creating a ten year housing study it must be assumed that during that time period the economy will experience ups and downs. It may occur at the beginning, middle, or end, but it definitely will change the economic dynamics for at least a short time. As this study was being developed the world was one year into the COVID-19 Pandemic, an unprecedented time for Ottumwa and the nation at large. None of the upheaval of the past year changed the need to provide safe attainable housing for all residents of Ottumwa. Often it further emphasized this need. This study serves this core purpose and strives to do that on many levels with a variety of strategies.



## WHY A HOUSING STUDY

A housing study serves several purposes. At a basic level, the housing market impacts the quality of life for residents of the region, people interested in moving to the area, and businesses seeking to recruit (and retain) employees. However, how much housing is built and the housing people want/need do not always correlate. This is not because builders and owners/renters do not want it to. Instead, other forces often influence decisions.

For Ottumwa, the housing market is not in balance. Like many other areas, forces are hindering a timely self-correction.

- Building Cost
- Wages versus Home and Rental Costs
- Uncertainty in the Market
- Neighborhood Disinvestment
- Age (Housing and People)

In 2021, Ottumwa leaders began a process to determine why there is no balance in the housing market and how it affects its residents. Through community engagement, interviews, community tours, and market analysis, the process unveiled the market gaps and desires of residents and stakeholders. The following chapters summarize these opportunities and identify potential strategies to correct the housing market.

The housing study should be a resource for the many people and organizations in the city, including:

- **City Staff.** Staff are instrumental in developing programs and policies, whether supplementing other housing initiatives or crafting new programs. The housing study provides recommendations and a road map, much like the Comprehensive Plan.
- **Regional Builders and Developers.** Builders and developers can use the study to understand the market and types of development to pursue in Ottumwa, giving assurance for market demand and potential programs that can help fill financing gaps.
- **Local Employers.** Employers should recognize the quality of life for their employees. Opportunities for employers to assist in the housing market can help attract and retain employees to live in Ottumwa, ultimately giving them shorter commutes and potentially less turnover in positions as employees become invested in Ottumwa.
- **Economic Development Organizations.** Similar to local employers, economic development organizations can use the tools in the study to create housing partnerships and market new opportunities for the community.



## DEVELOPING THE STUDY

The Ottumwa Housing Study uses community outreach and market analysis to help understand the vision and needs of the community. The consultant team worked closely with a technical committee, which included representatives and advocates from the City and the County.

A series of listening sessions were held over three days to better understand what is happening in the Ottumwa market, and a survey was distributed that targeted the landlords in the city. Building on the community input, various sources were used to develop the demographic and economic analysis. These included:

- The U.S. Decennial Census and American Community Survey
- County and city data on building activity
- Existing studies completed by economic development organizations, counties and cities
- County GIS Departments
- USGS and NRCS mapping data
- Multiple Listing Service (MLS) data

## HOUSING TERMINOLOGY USED IN THIS STUDY

There are many terms used to discuss housing needs and describe actions. Below is common terminology used throughout the study to describe certain situations, conditions, or intended actions.

- **Appraisal.** Assesses the current market value and is usually a key requirement when a property is bought, sold, insured, or mortgaged. Comps (comparables) are needed; these are properties located in the same area, have similar characteristics, and have an established value (recent sales).
- **Assisted Housing.** In the context of this study, assisted housing is defined and refers to housing that caters to households that want or need additional services. This could include provided meals, cleaning service, shared maintenance, and other similar accommodations. This definition includes "assisted living units." Often those in assisted housing are older adults that live independently well after retirement.
- **Attainable Housing.** Any housing that is not financially burdensome to a household in a specific income range. Financially burdensome could be housing expenses that exceed 30% of household income. However, it could also include situations where a household has high daycare costs, student debt, or other costs that limit income to spend on housing. Housing in terms of housing subsidized by Federal programs can be included in this definition.
- **Contract Rent.** For renter-occupied units, the contract rent is the monthly rent agreed upon regardless of any furnishings, utilities, or services that may be included. Data for contract rent excludes units that pay no cash rent. (Census.gov)
- **Cost Burdened.** The household spends more than 30% of HUD Area Median Income on housing.
- **Empty-Nester.** A single or couple without children living at home. Empty-nesters can include any age range but most often refer to older adults whose children have moved out and no longer live at home.



- **Filter Effect.** It occurs when higher-income households are “filtered” out of housing units that are well below the price points they can afford. Often it involves “move-up” housing that frees up existing, more affordable housing. Today, the moves can be lateral in square footage and upgrades in locations or amenities with smaller home square footages.
- **Gap Financing.** Refers to a short-term loan to meet an immediate financial obligation until sufficient funds to secure the longer-term financial need.
- **Gross Rent.** Gross rent is the contract rent plus the estimated average monthly cost of utilities (electricity, gas, and water and sewer) and fuels (oil, coal, kerosene, wood, etc) if these are paid by the renter (or paid for the renter by someone else). (Census.gov)
- **Leverage.** It can describe engaged partner organizations (financial, organizational, and human capital) to enable a more significant outcome, provide funding, or gain access to additional funds such as grants by pledging local resources.
- **Market Rate.** The price that the broad number of homebuyers or renters are willing to pay for housing. Market rate housing does not have any restrictions on price. Generally, when the demand goes up or supply goes down, the market rate price will increase. Note, the market rate price may also be a price buyers must pay because there are no other options for their situation, putting them housing cost-burdened.
- **Median Household Income.** This includes the income of the householder and all other individuals 15 years old and over in the household, whether they are related to the householder or not. The median divides the income distribution into two equal parts: one-half of the cases falling below the median income and one-half above the median. For households and families, the median income is based on the distribution of the total number of households and families, including those with no income. (Census.gov)
- **Mixed-Use.** Mixed-use districts are areas with two or more different uses such as residential, office, retail, and civic in a compact urban form. Typical residential uses in a mixed-use district range from medium density to very high density uses.
- **Move-up Housing.** The natural cycle of how people move in the housing market, referring to the process of moving from renting to mid-sized owner-occupancy to larger single-family homes. The “move-up” generally occurs with income increases, assuming adequate housing supply and variety is available, opening more affordable housing options for others. Recent trends indicate that “move-up” housing may not mean square footage, but may mean better finishes and amenities.
- **Universal Design.** The process of creating products that are accessible to people with a wide range of abilities, disabilities, and other characteristics. Ideally, the concept extends to neighborhoods.





## COMPREHENSIVE PLAN HOUSING GOALS

The 2020 Comprehensive Plan took great strides to identify housing goals and action items, one action item being the completion of this housing study. The specific housing goals identified in the study were:

- Maintain and improve the existing residential neighborhoods
- Foster investment and growth in new housing in all categories and prices

In addition to these two goals, the plan identified 18 action items for implementing these goals. The Technical Committee reviewed the goals and all of the action items to identify the highest priority actions.

## ACTIONS ITEM RANKING CRITERIA

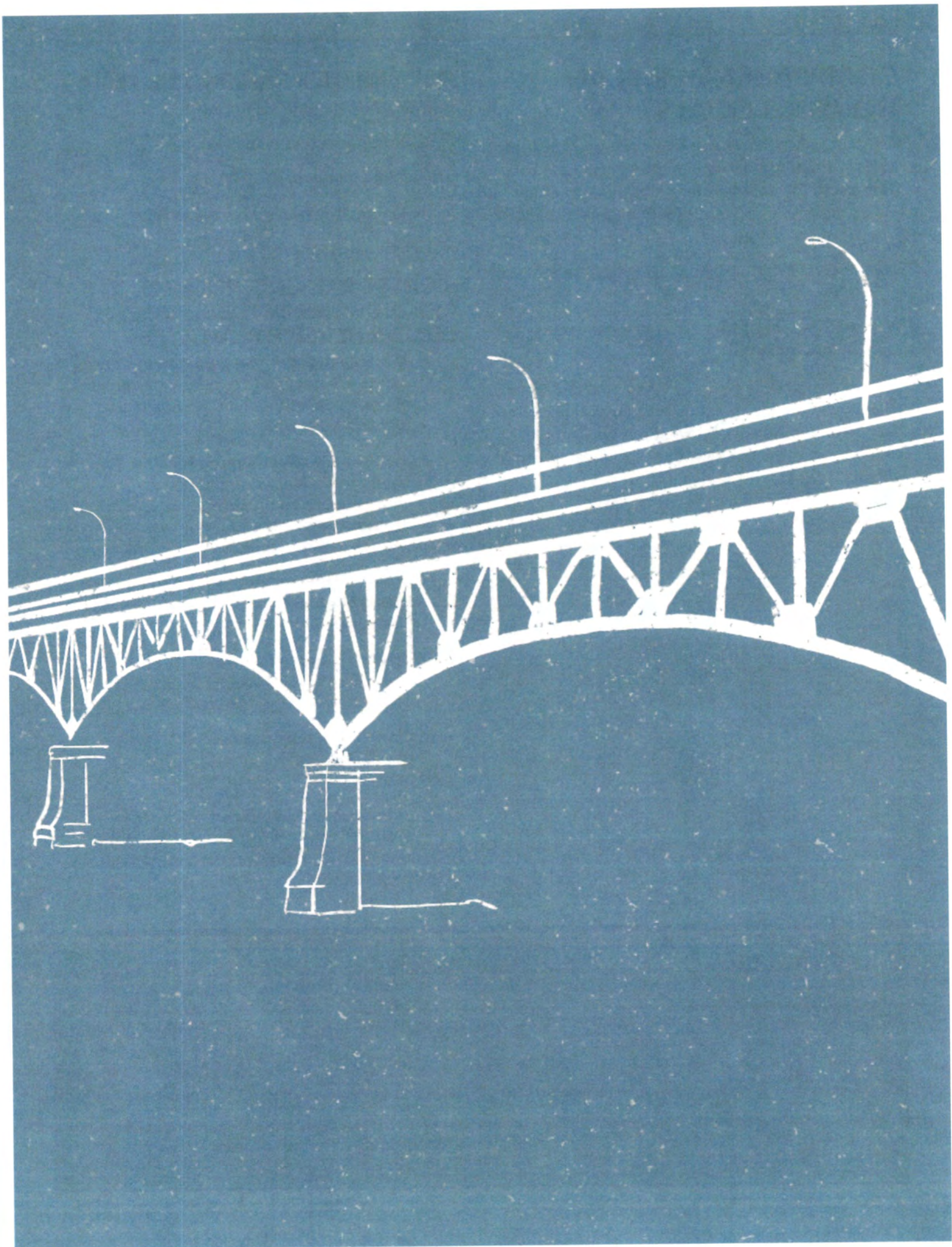
- Available help getting started
- Maximizing market response
- Elevating image of an area
- Implement in a reasonable time frame
- Community support

## HIGHEST RANKING HOUSING ACTION ITEMS IN THE COMPREHENSIVE PLAN

- Annually **identify and target neighborhoods** for cleanup assistance, code enforcement, nuisance abatement and demolition of dilapidated structures.
- Improve **community outreach and communication** regarding home improvement and housing assistance **programs available** to Ottumwa residents and residential developers.
- Create an **enhanced program to acquire and award blighted** or vacant residential lots for in-fill development.
- Develop a **tiered incentives program** and policy to support new residential construction: Type, size, and price point.
- Continue to **seek partnerships** with the development community to build new housing.
- Promote the development of accessible, **senior housing across the continuum of care** and accessible housing for people with disabilities.











# COMMUNITY INSIGHTS

The data, analysis, and community observations discussed throughout this document cannot tell the whole story of housing needs in Ottumwa. The housing market analysis builds from the valuable ideas and opinions obtained from the community members.



# LISTENING SESSION AND COMMUNITY SURVEY INSIGHTS

Residents, real estate agents, builders, employers, and industry members provide vital input for understanding a community and its housing market. Listening sessions were conducted, and a community survey was conducted to gain insight from the community members' perspectives. This chapter will provide a broad overview of the community input. Additional comments are spread throughout the chapters.

## COMMUNITY SURVEY

The community survey was open in the summer of 2021 and received over 480 responses.

### Demographics

The demographic patterns of survey respondents help understand the situations these households are in when answering the housing perception questions. A comparison with reported Census data in the next section shows whether survey respondents are representative of the broader city.

**Age of respondents (Figure 1.1).** Many of the survey respondents are in their family forming years or are empty-nesters. Proportionally this is a good representation of those heading households as reported by the Census.

**Owner and renter occupancy (Figure 1.2).** A higher percentage of respondents own their homes than the city's overall population - 77% compared to 60% reported in the Census.

**Household incomes (Figure 1.3).** The estimated median household income in Ottumwa in 2019 was approximately \$41,700. However, the majority of respondents to the survey had household incomes over \$75,000. It is easy to assume that these households could afford more for housing and could skew the survey toward higher price points and larger units, but generally, Iowans are fiscally conservative and tend to spend less on housing.

Figure 1.1: Age of Survey Respondents

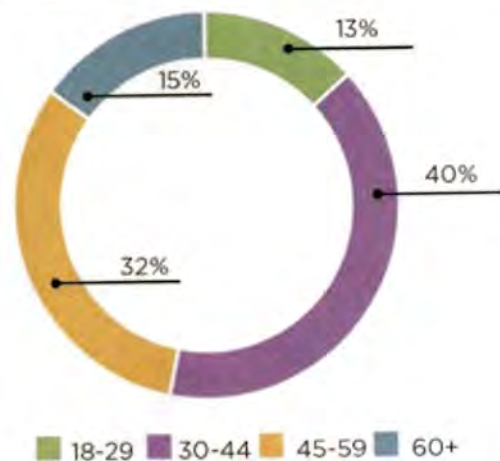


Figure 1.2: Occupancy Status of Survey Respondents

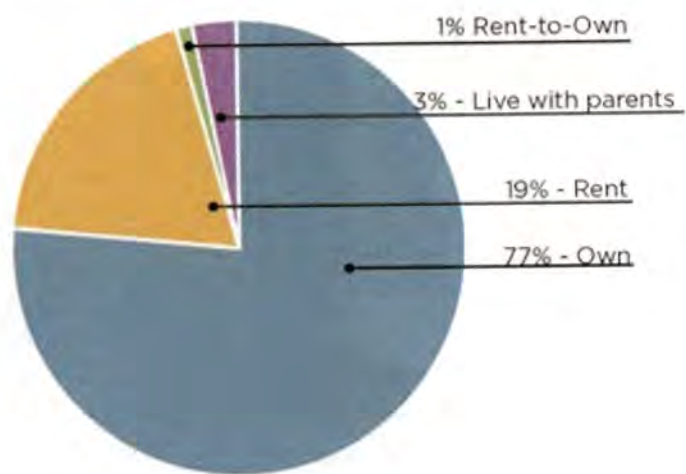
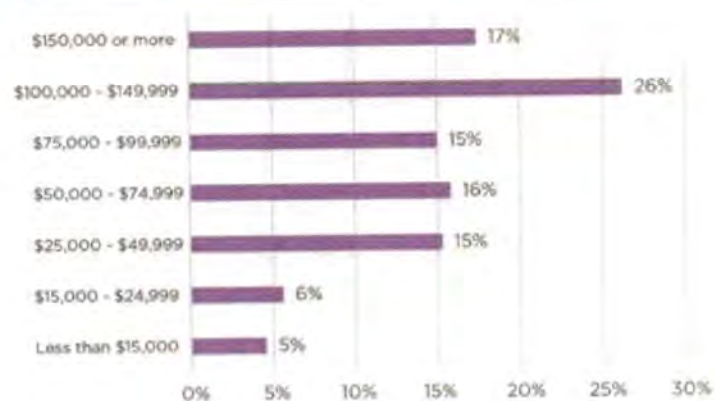


Figure 1.3: Household Income of Survey Respondents



**Cost of housing (Figure 1.4).** Only 33% of respondents spend more than \$1,000 a month on housing. Compared to respondents' income ranges, it can be assumed that most respondents spend well below 30% of their income on housing.

**Survey Themes and Issues**

**Household Needs (Figure 1.5).** Respondents felt there was a shortage of housing for every type of household. However, the need was seen as most acute for multi-generational families and seasonal workers.

**Senior and retiree options (Figure 1.6).** Smaller owner-occupied units with or without shared maintenance were seen as being the most popular option. It is important to note that over 50% of respondents are under the age of 44 and it could be inferred that they are answering this question based on what they think their older family members would want.

Figure 1.4: Housing Costs for Respondents

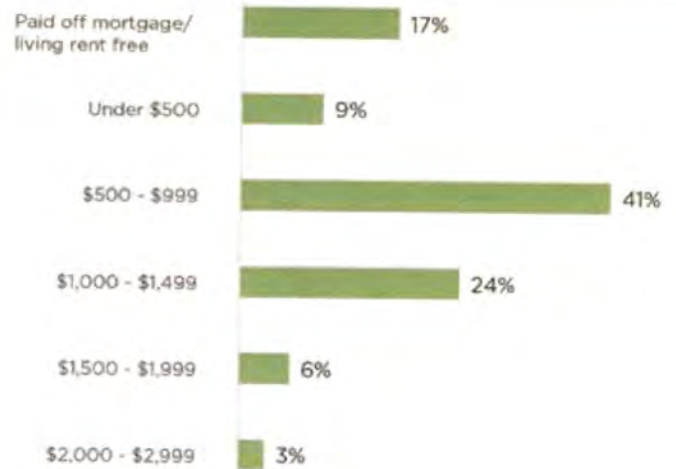


Figure 1.5: Households Needs Not Being Met

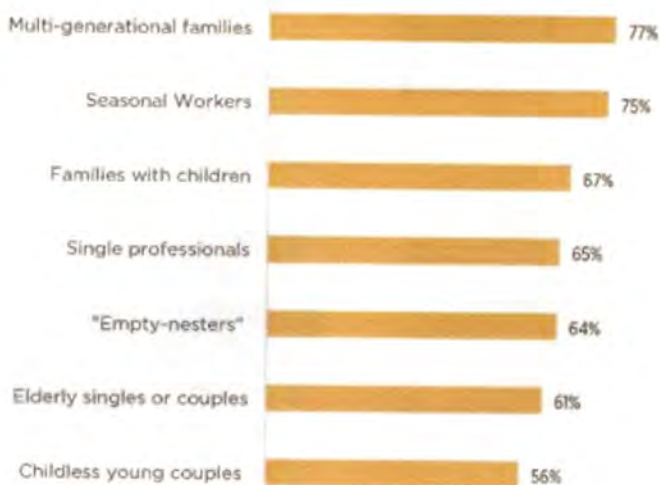
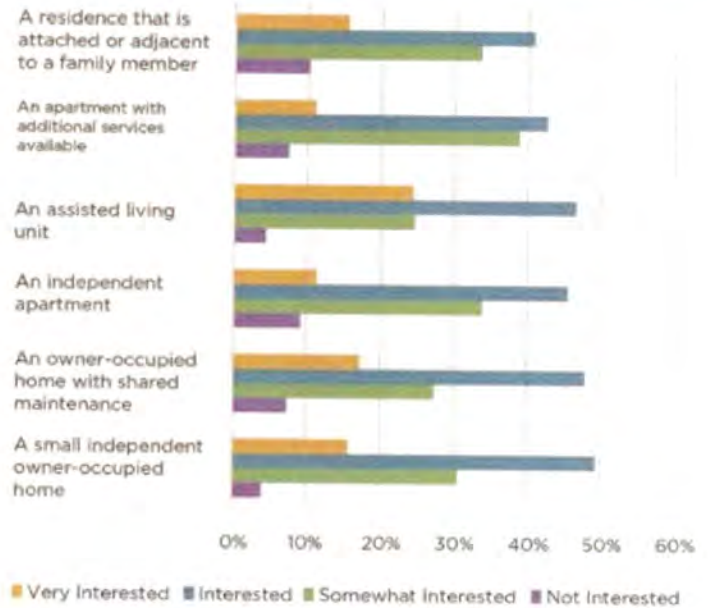


Figure 1.6: Senior Housing Options





**Needed Product Types (Figure 1.7).** Respondents were asked how successful certain product types would be if they were available. Similar to the question on which households were under-served by housing (Figure 1.6) every housing type was seen as needed. The sense that production of units would be successful was strongest (over 80%) for a wide range of housing. This is a good sign and potentially an understanding by respondents that a healthy housing market needs to be diverse.

**Lot supply.** New housing requires desirable and available lots. Almost 60% of respondents felt there is an undersupply of buildable lots in the city. The city has an undersupply of lots in newer developments but has many infill lots. However, these lots are often not seen as desirable due to size or the condition of surrounding properties.

Figure 1.7: Products That Would Be Successful

Very Strong Interested



92%- Affordable 2 or 3 bedroom houses



90%- Mid-size, 3-bedroom



84%- Independent Senior Living



81%- Townhouse or Duplex



80%- Apartments



69%- Downtown upper-story



69%- Row Housing



58%- Accessory Dwelling Units



53%- Larger home, 4 or more bedrooms

Strong Interested



**Movement in the market.** Respondents were asked why they would look to move. Most respondents were not interested in moving. The two most frequently selected options for those interested in moving were to up-size to a larger home or move to a different community for quality of life reasons. Movement in the market is necessary for existing affordable units to become available to others wanting to live in Ottumwa, but community leaders need to continue to invest to avoid losing residents.

**Housing supply.** For those who have looked for housing in the last three years, there was a perception of an undersupply of houses priced between \$100,000 and \$200,000 (Figure 1.8) and renting under \$1,000 per month (Figure 1.9). It should be emphasized that 77% of respondents are homeowners and have likely not had recent rental experience. Additionally, many of these households do not pay over \$1,000 a month on their mortgage and, therefore, paying over that in rent is not perceived as practical.

**Support for programs.** Several questions were asked regarding different programs and housing solutions. Respondents indicated (Figure 1.10):

- Over the past decade the city has worked hard to increase code enforcement. Most respondents felt that this could continue and even be ramped up.
- In support of greater code enforcement, respondents also felt that public funding for removal of dilapidated housing was critical.
- Respondents were also highly supportive of funding additional housing rehabilitation.

Figure 1.8: Supply of Housing - Owner Perceptions

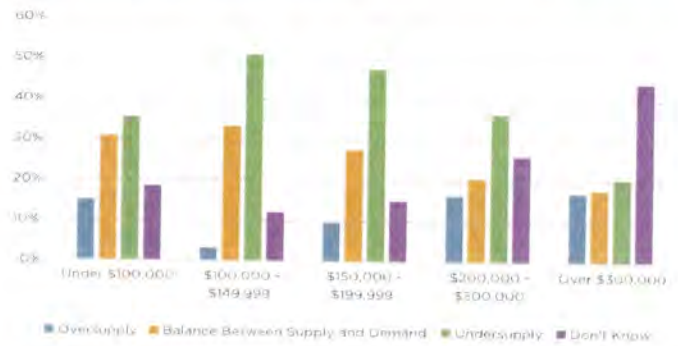


Figure 1.9: Supply of Housing - Renter Perceptions

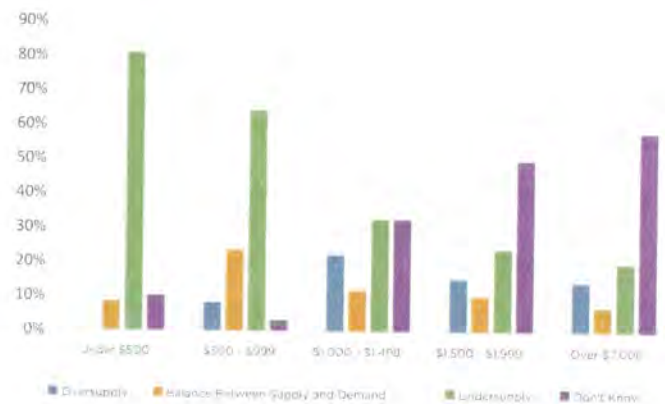


Figure 1.10: Support for...

Greater code enforcement



Public funding for removing dilapidated housing



Public funding of housing rehabilitation



## LANDLORD SURVEY

As part of the market analysis, vacancy rates reported by the U.S. Census Bureau appear to be high. Reported high vacancy was especially true for rental units, where the Census was reporting over an 11% vacancy rate. At the same time, stakeholders shared that finding rentals was tough. A survey of landlords helped to understand this disparity better. Findings from the survey included:

- Approximately 470 units with only 20 vacant units for a rental vacancy rate of 4.3%.
- Over 70% of landlords indicated that it took less than two weeks to find a new renter when a unit became available.
- Most respondents felt there were no units that were hard to fill.
  - › Over 60% of respondents single-family homes and 2- and 3-bedroom multi-family units were never vacant.
- Majority of respondents were asking for less than \$1,000 a month for units in multi-family structures and \$600 to \$1,000 for duplexes, townhomes, or single-family rentals.
- 85% of respondents did not accept rental assistance vouchers.

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"Not a lot of rentals when we first moved here in 2019 we had no choice but to buy." - Community Survey Respondent

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"I've been looking for a rental for two months and not able to find available rentals. No supply. Incoming teacher that cannot find a place to live." - Community Survey Respondent

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"...From my experience, we have a shortage of short-term, professional rentals. I lived in a park until I closed on my house because I could get a lease less than 12 months." - Community Survey Respondent

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"Not having enough rental properties cheap enough for low income workers." - Community Survey Respondent

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## LISTENING SESSIONS

A series of discussions with community stakeholders, including Realtors, lenders, builders and developers, city staff, council members, employers, young professionals, and social service providers offered the most direct and beneficial insight into housing conditions in Ottumwa.

The assets, issues, and opportunity themes reflect the conversations. The conversations with stakeholders match the quantifiable data in the Census, MLS listings, and local data. However, a few other themes from the conversations are not as easily shown in measurable data:

**Housing Conditions.** Participants were concerned about the perceived gap between the cost of housing and the condition. This was especially true for rental units. Overall condition of neighborhoods was seen as an issue and the impact poor condition houses have on the ability to reinvest in an area.

**Downtown.** Most people were very enthusiastic about the direction of downtown. Recent residential projects were seen as very successful, and these units fill quickly. What is perceived as high rents for Ottumwa are not an issue because people are willing to pay for quality. Most felt there were still significant opportunities, but some of these would be the more challenging rehab projects.

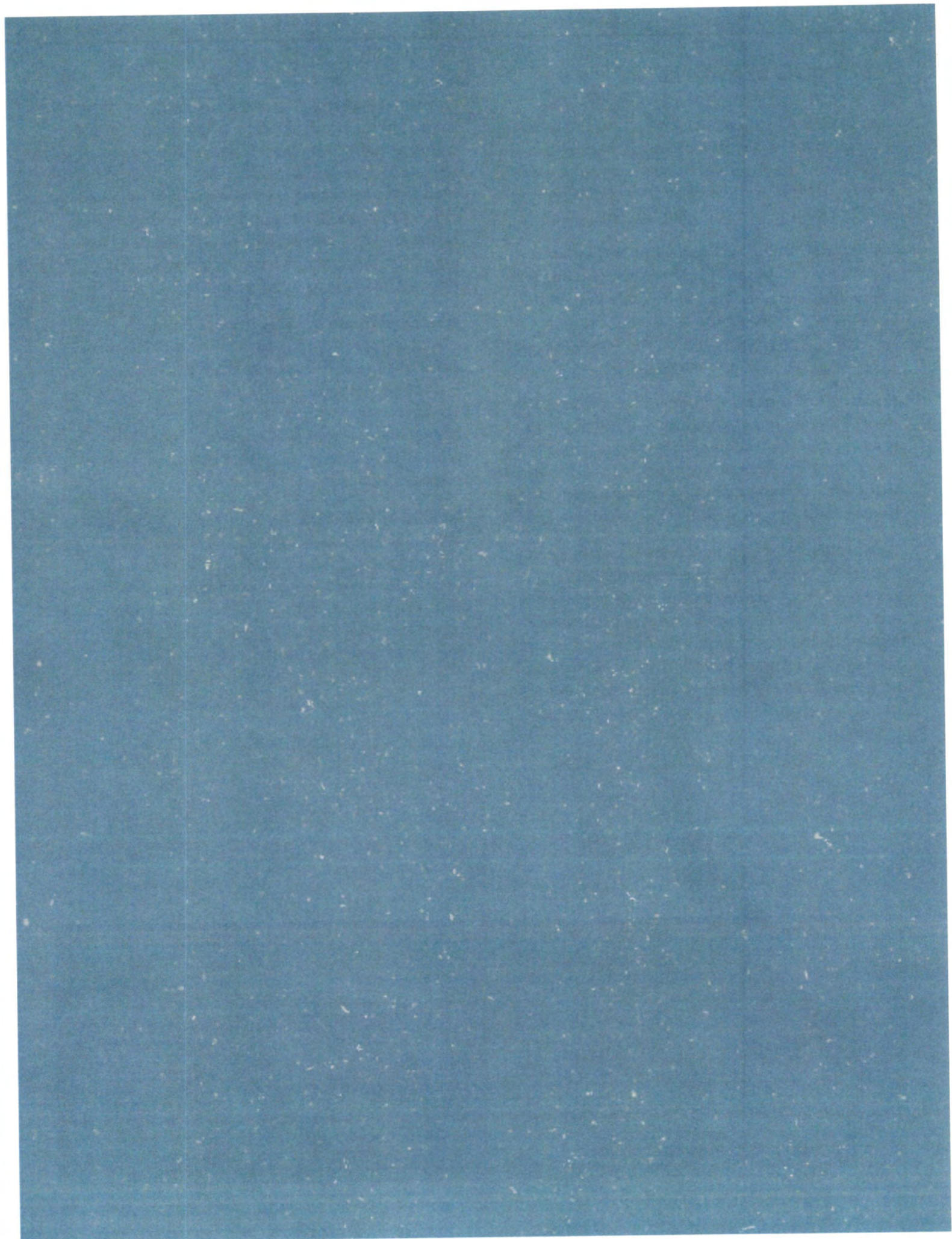
**Housing Diversity.** There are few options in the market if you are looking for something other than a single-family detached home or traditional rental unit. There are few innovative infill products that blend into neighborhoods, maintenance free units (owner or renter) that appeal to retirees, empty-nesters, and young professionals. Accessible units that meet the needs of our region's aging population and the disabled are also lacking.

**New Construction.** Little to no new construction of single-family homes has occurred in the past decade. One of the growing reasons for this is the lack of lots outside of infill lots with much lower adjacent home values. While most participants acknowledged that existing infrastructure is critical, they also realized that a healthy market needs options.

**Quality of Life.** Most participants acknowledged that quality of life and the perception of Ottumwa were important issues to address. These perceptions have made it challenging to attract and retain the workforce to live in Ottumwa. These range from the lack of sidewalks and walkability to the sense of safety and security.











# OTTUMWA TODAY

The careful examination of Ottumwa today -its historic trends, population demographics, economy, and conditions of the housing market - enable this study to understand current challenges, forecast future needs, and articulate a program to improve Ottumwa's housing market. This chapter summarizes the characteristics of Ottumwa that strongly impact the housing market. A thorough understanding of demographics and housing conditions provide the first steps in crafting the housing plan.

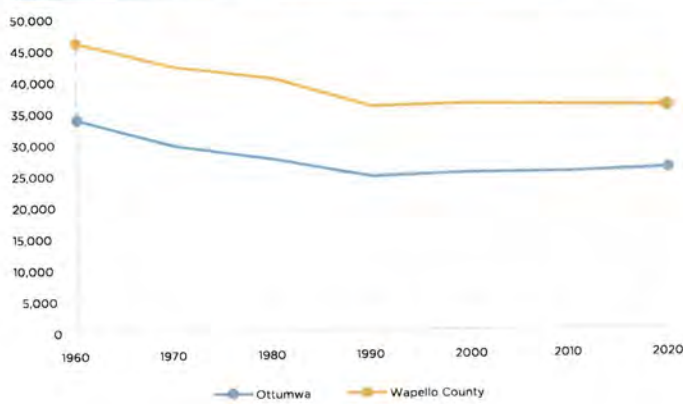


## OTTUMWA'S DEMOGRAPHIC CHARACTER

This section reviews Ottumwa's demographic trends including population, housing characteristics, income, employment, affordability, and housing demand. Combined, they have a tremendous impact on the nature of the local housing market.

At the time of this report not all of the 2020 Census data had been released. Therefore, 2019 estimates from the American Community Survey will be used and noted accordingly.

**Figure 2.1: Population from 1960 to 2020**

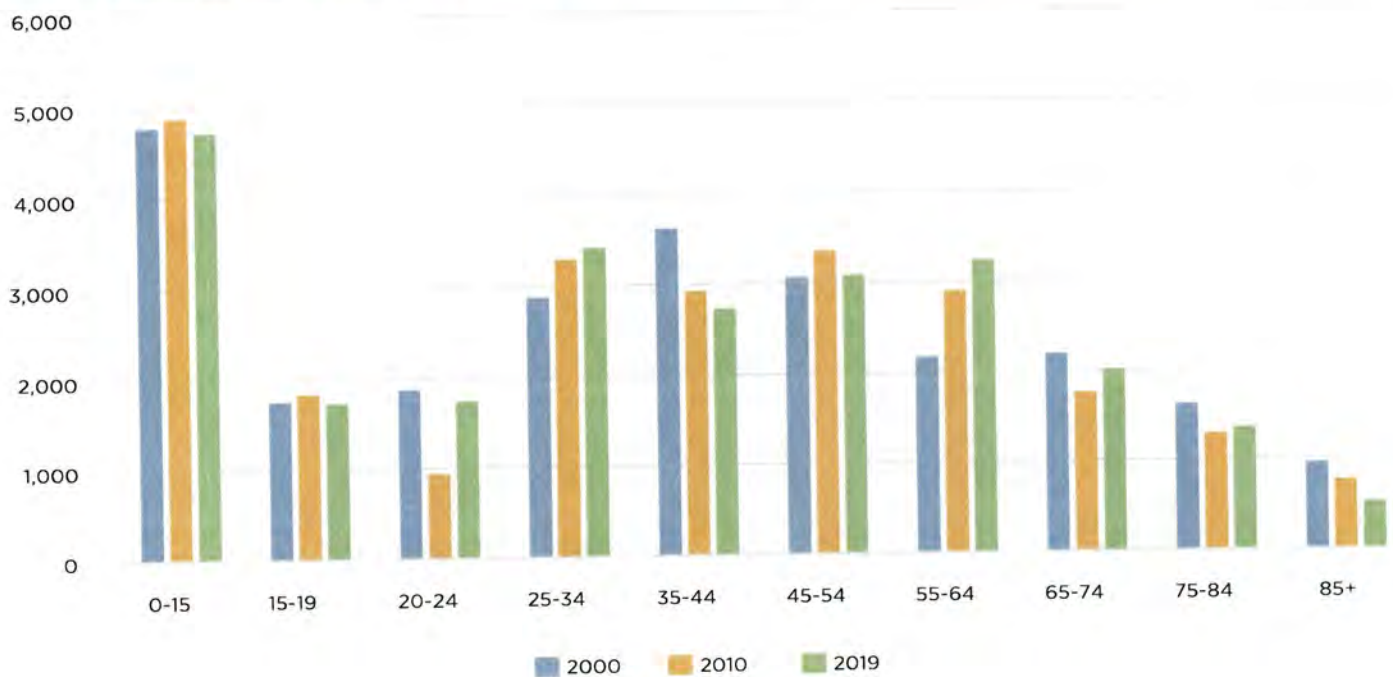


## POPULATION HISTORIC CHANGE

Historic population change provides context for how the community has changed and a trajectory for future growth and development. Figure 2.1 shows that for three decades, Ottumwa experienced a slow population decline. Since 1990 the city has reversed this trend and captured back 1,000 of the 9,300 residents lost in the previous 20 years. Despite the reversal in population decline, many still feel the loss of population that occurred in the latter half of the 20th Century. In addition to losses in the city, the county has also lost population and continued to do so in the 2010s. All of these residents are important to supporting the infrastructure and commercial businesses in Ottumwa.

A closer analysis of the city's population in Figure 2.2 tells an interesting story. During the 2000s the city successfully attracted young workers under the age of 25. However, retaining those individuals as they age appeared to be a problem. This trend may have reversed during the 2010s. The new units downtown have helped, but a lack of appealing home-ownership options may continue to be an issue for this group.

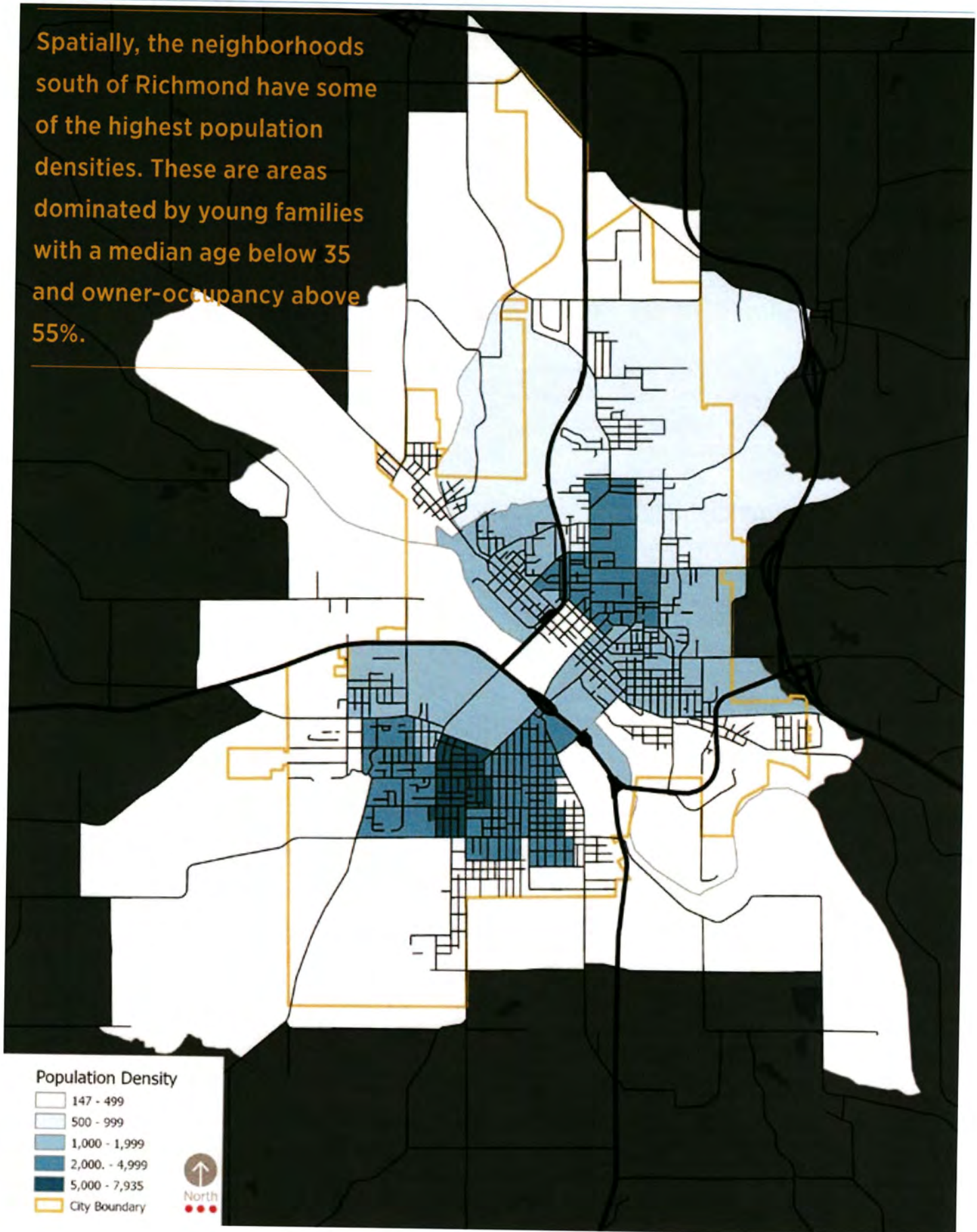
**Figure 2.2: Population by Age Over Time**





May 2.1: Population Density

Spatially, the neighborhoods south of Richmond have some of the highest population densities. These are areas dominated by young families with a median age below 35 and owner-occupancy above 55%.



## PEER COMMUNITY COMPARISONS

Five communities were identified as peer communities to Ottumwa, listed in Figure 2.3. The criteria for selection included regional proximity, population size, and similar economic mix. Over the past 20 years Oskaloosa experienced most of its growth in the 2000s, while Ottumwa's growth has been in the last decade, similar to Muscatine. Young families are an important part of reversing historic population loss. Clinton and Burlington have the largest population losses and the oldest populations, while Oskaloosa and Muscatine have the youngest populations and the largest percentage gain.

As expected, the city areas with the oldest median age have some of the highest percentage owner occupancy (Map 2.2 and 2.3). Many of these neighborhoods will be transitioning in the next decade to new ownership.

## COUNTY POPULATION INSIGHTS

When excluding Ottumwa, Wapello County experienced a population decline of over 1,000 people. With this loss, Ottumwa's percentage of the county's population (72%) is almost back to what it was in 1960 (73%). It should also be noted that a number of the peer community's new housing construction is occurring in areas just outside the city. Based on the county's population loss, this does not appear to be the case for Ottumwa.

## POPULATION PROJECTION

The previous analysis and discussions with community stakeholders indicate that Ottumwa has the potential to continue to grow. However, the right housing will be essential for this growth to occur. For Ottumwa, that might not all be in new construction. If the city were dependent on historic construction trends, the city would grow at 0.14% annually and reach 25,881 people. However, pushing the 0.20% annual growth rate of the 2010s to 0.25% would result in a 2030 population of 26,174. This growth rate can be reached through a combination of rehabilitation and new construction.

Figure 2.4: Population Projection

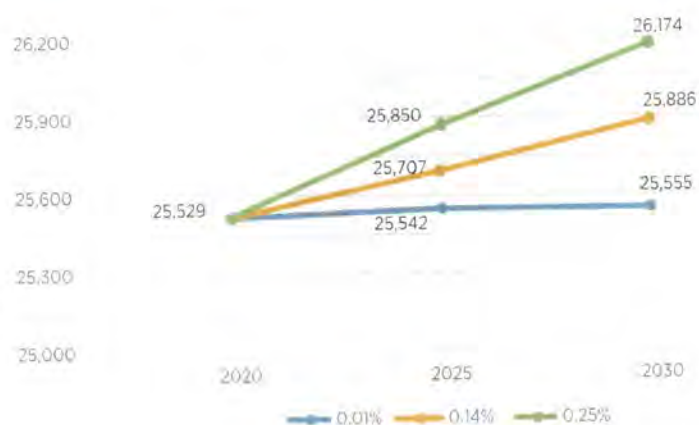


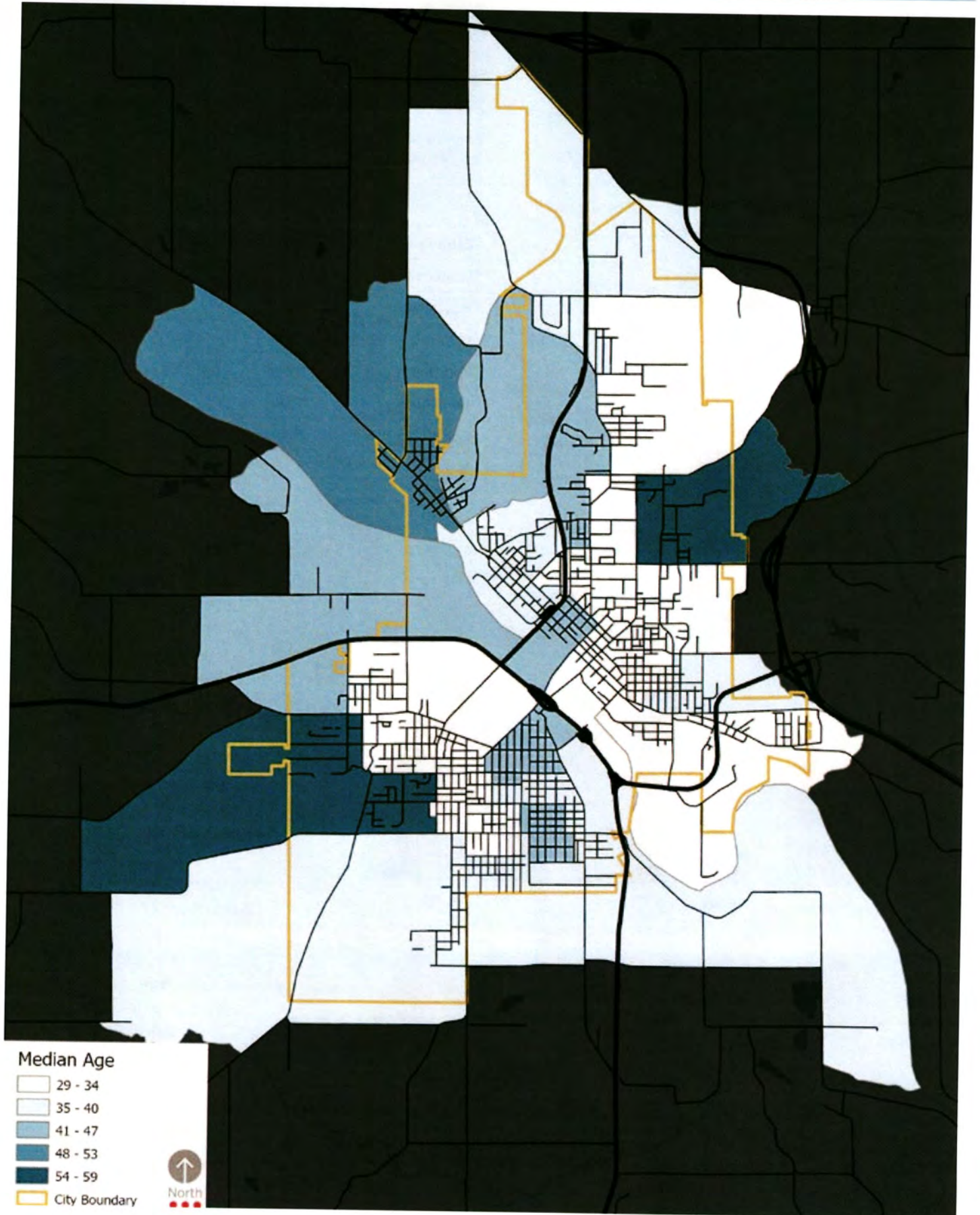
Figure 2.3: Peer Community Population Change, 2000-2020

	2000	2010	2020	DIFFERENCE 2000-2020	PERCENT CHANGE	MEDIAN AGE (2019)
<b>Ottumwa</b>	24,998	25,023	25,529	531	2.1%	37.3
<b>Wapello County</b>	36,051	35,625	35,437	-614	-1.7%	39.6
<b>Muscatine</b>	22,697	22,886	23,797	1,100	4.8%	36.1
<b>Clinton</b>	27,772	26,885	24,469	-3,303	-11.9%	40.9
<b>Fort Dodge</b>	25,136	25,206	24,871	-265	-1.1%	36.3
<b>Burlington</b>	26,839	25,663	23,982	-2,857	-10.6%	42.5
<b>Oskaloosa</b>	10,938	11,463	11,558	620	5.7%	35.0

Source: U.S. Census Bureau; American Community Survey



Map 2.2: Median Age by Census Block Group



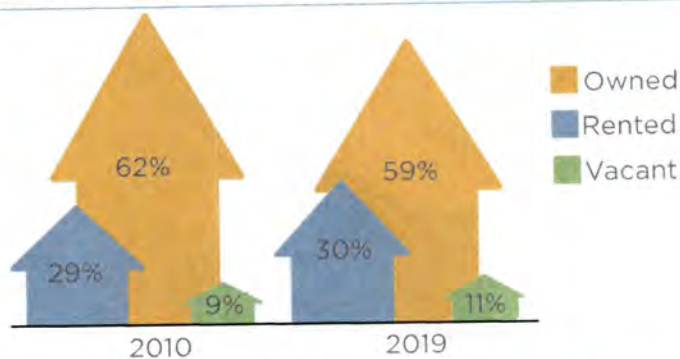


# HOUSING CHARACTERISTICS

## HOUSING OCCUPANCY

Since 2008 most cities saw more rental units converted or added to the market than owner-occupied units. This is for several reasons, including more restrictive lending practices, more young households who traditionally enter the market as renters, and pent-up demand after nearly two decades of no rental construction. All of the peer cities have a similar occupancy mix, shown in Figures 2.5 and 2.6.

**Figure 2.5: Percent of Homes Owned, Rented, or Vacant in Ottumwa - 2010 vs. 2019**



**Figure 2.6: Percent of Homes Owned, Rented, or Vacant in Peer Communities - 2019**



The total number of units and vacancy numbers were released for 2020 at the time of this study. All of the communities appear to have fairly high vacancy rates. These numbers would not reflect the significant shortage of “for sale” vacant units in late 2020 and into 2021.

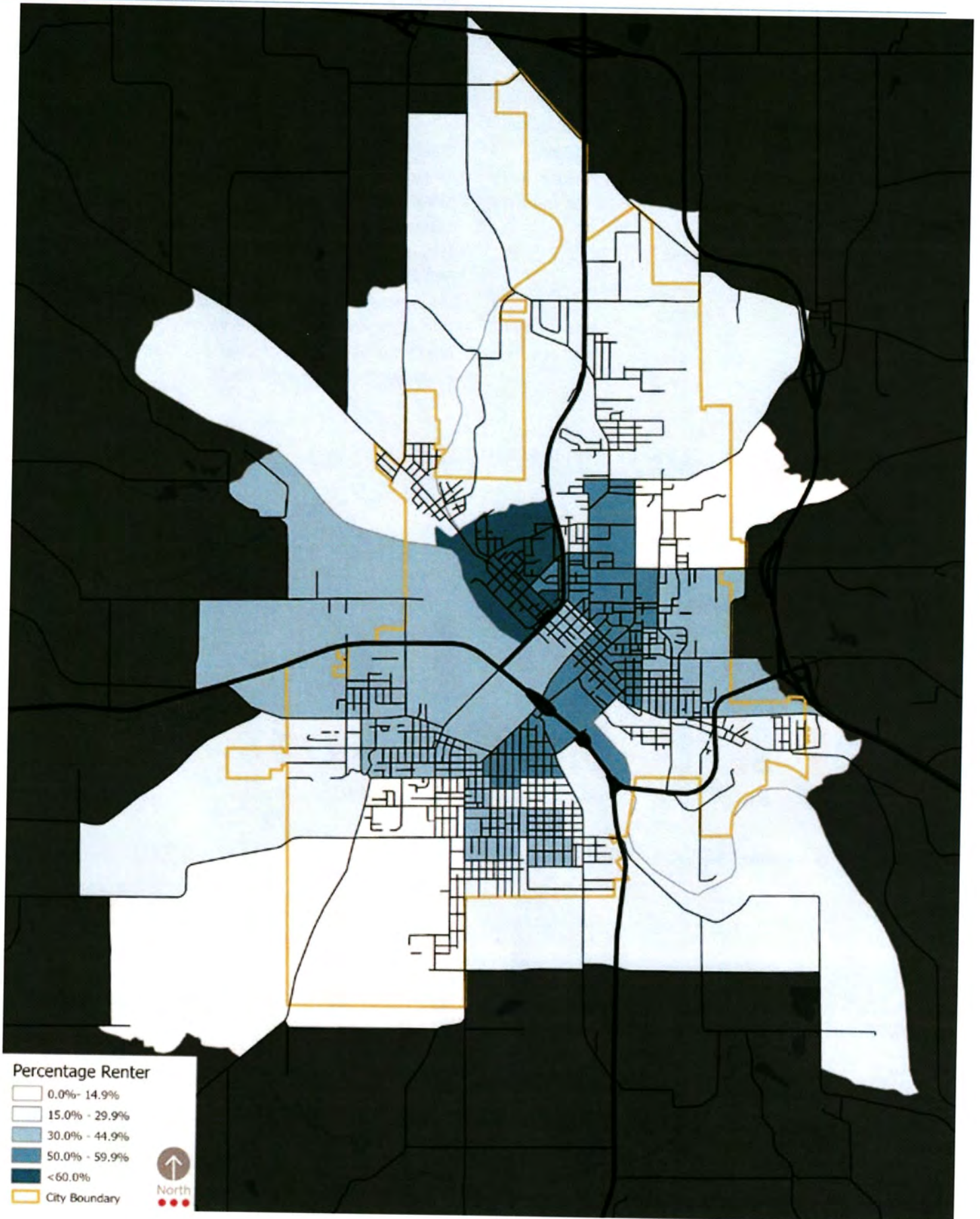
**Figure 2.7: 2020 Census Housing Units and Vacancy**

	TOTAL UNITS	VACANT	VACANCY RATE
Ottumwa	11,254	1,156	10.3%
Wapello County	15,734	1,567	10.0%
Muscatine	10,541	918	8.7%
Clinton	11,864	1,424	12.0%
Fort Dodge	11,298	1,352	12.0%
Burlington	12,016	1,387	11.5%
Oskaloosa	5,181	517	10.0%

Source: U.S. Census Bureau

Using the more detailed data available for 2019, the rental vacancy in Ottumwa was estimated at over 452 units in 2019, or 12.3% of all renter units (occupied, for rent, and rented not occupied). This is significantly higher than the 4.3% vacancy rate reported by the landlords in the 2021 survey (see previous chapter for the landlord survey). The Census estimated that 470 units were vacant for other reasons such as poor condition, being used for storage, or occupant being in nursing care. This would be over 4% of the city's total housing stock. Many of these units need to be brought to the market as affordable and entry-level housing while others will need to be demolished.

Map 2.3: Renter Occupancy by Census Block Group





## HOUSING OCCUPANCY BY AGE

Over the decade, there were a growing number of owner-occupied households over the age of 55. Most of these households are empty-nesters, potentially looking for housing that better fits their current stage of life than the homes they raised families. However, fewer households under the age of 55 owned their home and more rented. This could be from rising other debts, increases in home prices, and stagnant wages.

## AGE OF HOUSING

Much of the city's housing stock was built before 1959, illustrated in Map 2.4. This correlates to the value of housing. The older the housing stock, the lower the median home value. This has a significant impact on the ability to produce new housing. The price of a newly constructed home will always be greater than an existing home and when the difference between these numbers is significant, it can make it challenging to produce new housing. The impact of an older housing stock on value can be seen in Figure 2.10. Cities with the oldest housing stock tend to have the lowest values and gaps between these values and construction costs for new units of over \$200,000 can be very challenging to overcome.

Figure 2.8; Occupancy by age of Householder 2011

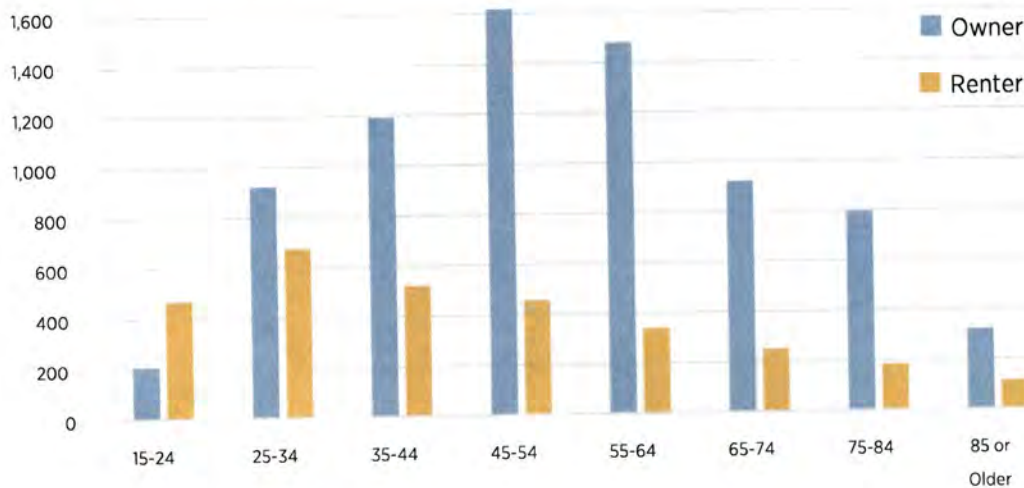
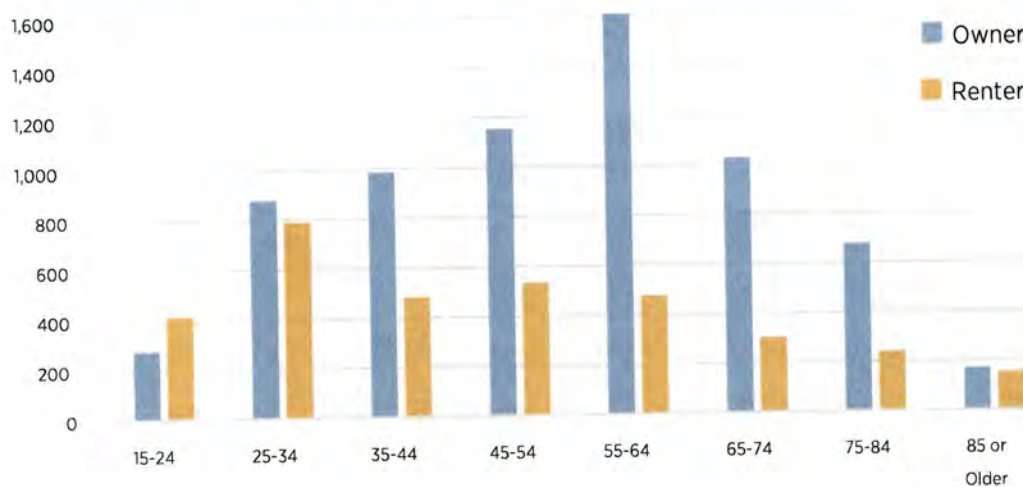


Figure 2.9: Occupancy by age of Householder 2019





Map 2.4: Median Year Built by Census Block Group

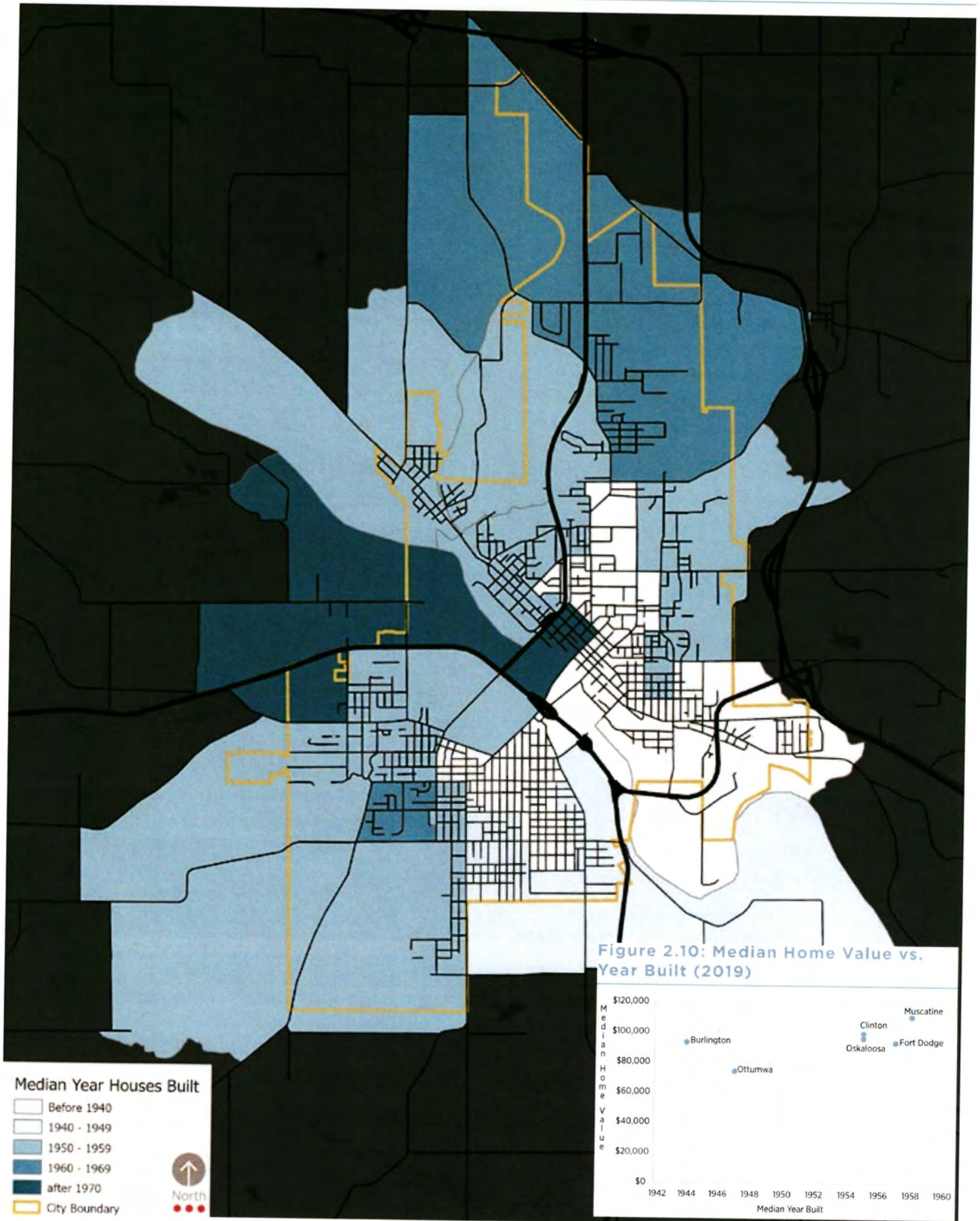
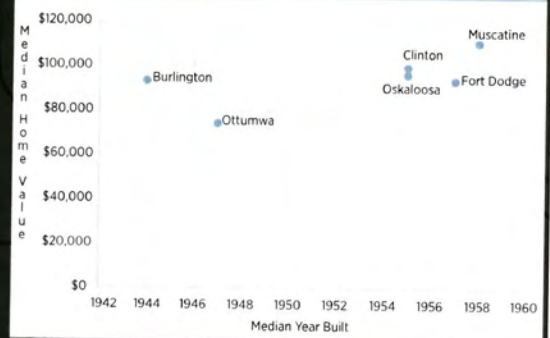


Figure 2.10: Median Home Value vs. Year Built (2019)



## CONSTRUCTION ACTIVITY

Figure 2.11 breaks down construction activity by housing type. Over the past decade, construction activity has been low. Over half of all the decade's units were constructed in one year. On average, only five single-family units were built a year. Simultaneously, four structures were being demolished in an average year.

## HOME SALES

While data sources like the Census and Bureau of Labor Statistics lag current conditions by some extent, the level of home sales is monthly data that can be obtained through the Multiple Listings Service. As mentioned previously, various conditions in 2020 has led to historically low inventory in homes for sale. Figure 2.12 shown this change in just one year from 2019 to 2020.

- Sales price jumped by 21% in one year.
- Of all the homes listed in 2020, nearly all of them sold, leaving little extra inventory into 2021.
- While average days a home was one the market increase, this is likely the result of the lower inventory and very unique or undesirable homes staying pulling up the market average.

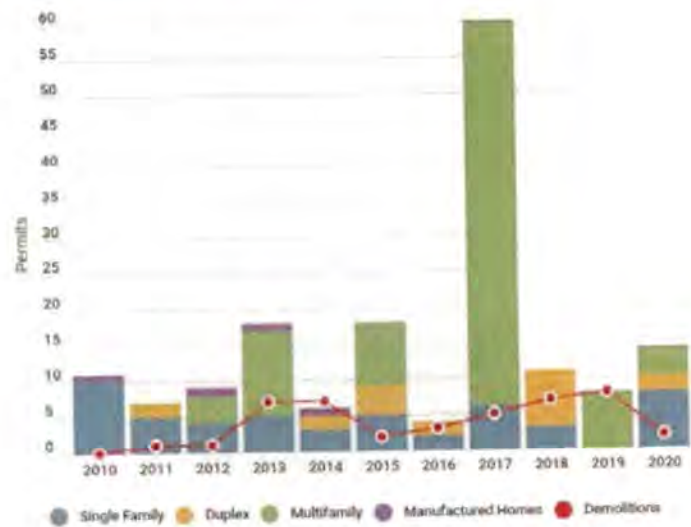
This is only two years of data, but illustrates the extreme conditions facing the local housing market at the time of this study. The impact of this means less people moving, more people staying in homes that do not meet their needs, and more competition for rental units.

**Figure 2.12: Single-Family Homes Sales, Wapello County**

	2019	2020
<b>Number Sold</b>	347	401
<b>% of listed Sold</b>	71.25%	96.16%
<b>Average Days on Market</b>	42	48
<b>Average Sales Price</b>	\$100,632	\$121,865

Source: Multiple Listing Service

**Figure 2.11: Residential Building Permits**



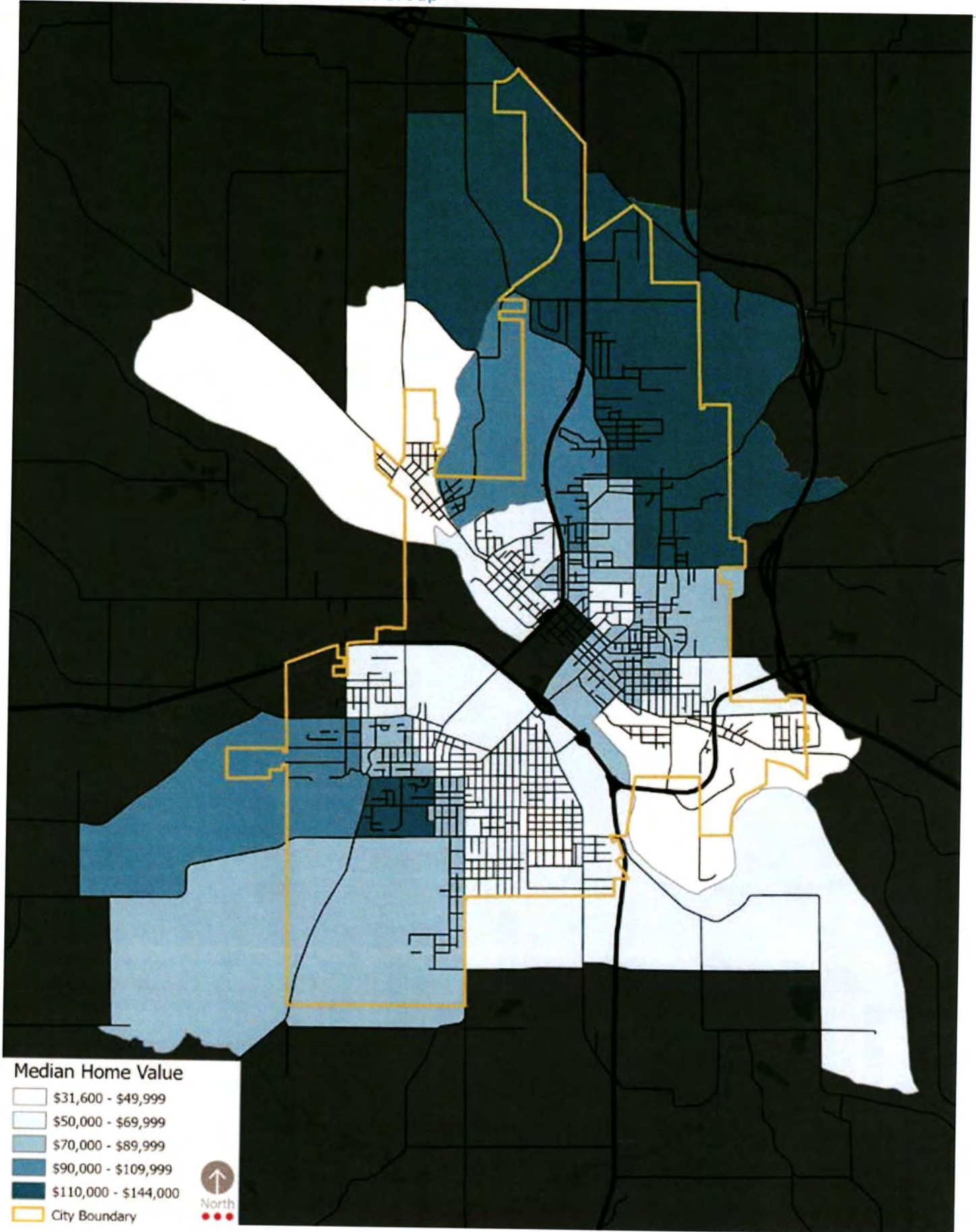
## HOME VALUES

Median sale price only provides one image of a city's ownership market. Median home value includes all homes in the city. But again, home value is not the same as sales price (market value). Sales prices are often inflated over home value, especially in a low supply market.

Map 2.5 shows how home values are different across Ottumwa. Naturally, areas of newer development on the north tend to have higher home values. However, there is also a node of higher values around Liberty Elementary School as well. There is a park in this area that also might contribute to higher values.



Map 2.5: Median Value by Census Block Group



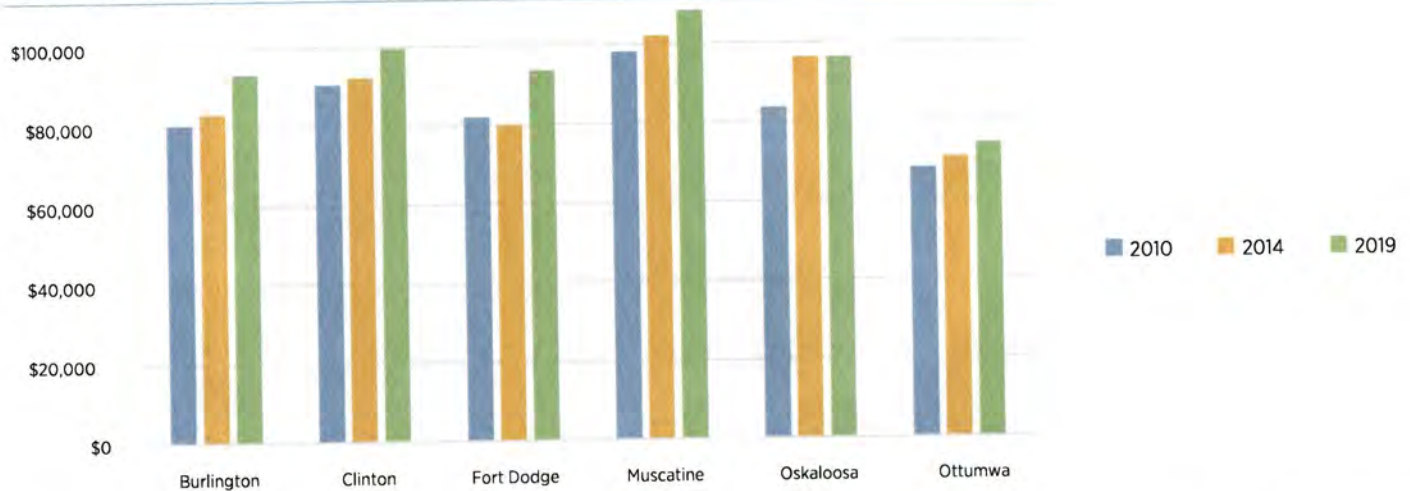


In comparison to peer cities. Figure 2.13 shows:

- Ottumwa has one of the lowest cost housing markets in the state. Compared to other peer cities Ottumwa's median home value was \$20,000 lower.
- The 2019 new home construction costs made it difficult to build a new home for less than \$200,000 compared to a median home value of \$74,000.

- › The 9% increase in median value over the 10 year period was the lowest of all cities and well below the rise in costs for new construction.
- › The recent undersupply of for sale units and the competition this has created has pushed some prices higher, which may actually be good for the overall health of the Ottumwa market.

Figure 2.13: Median Home Value

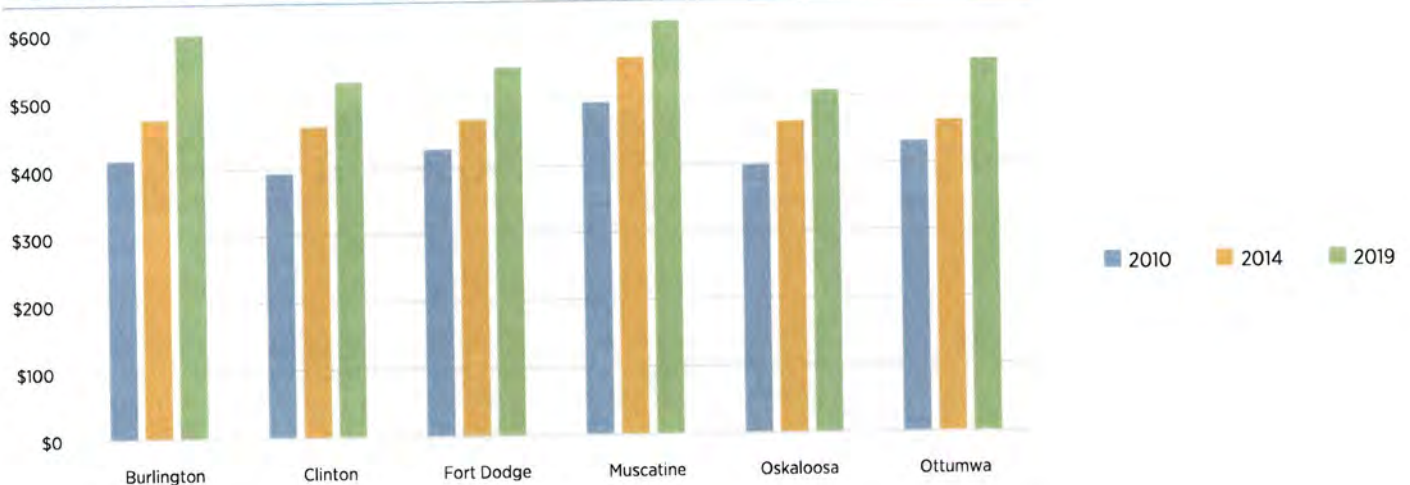


## CONTRACT RENT

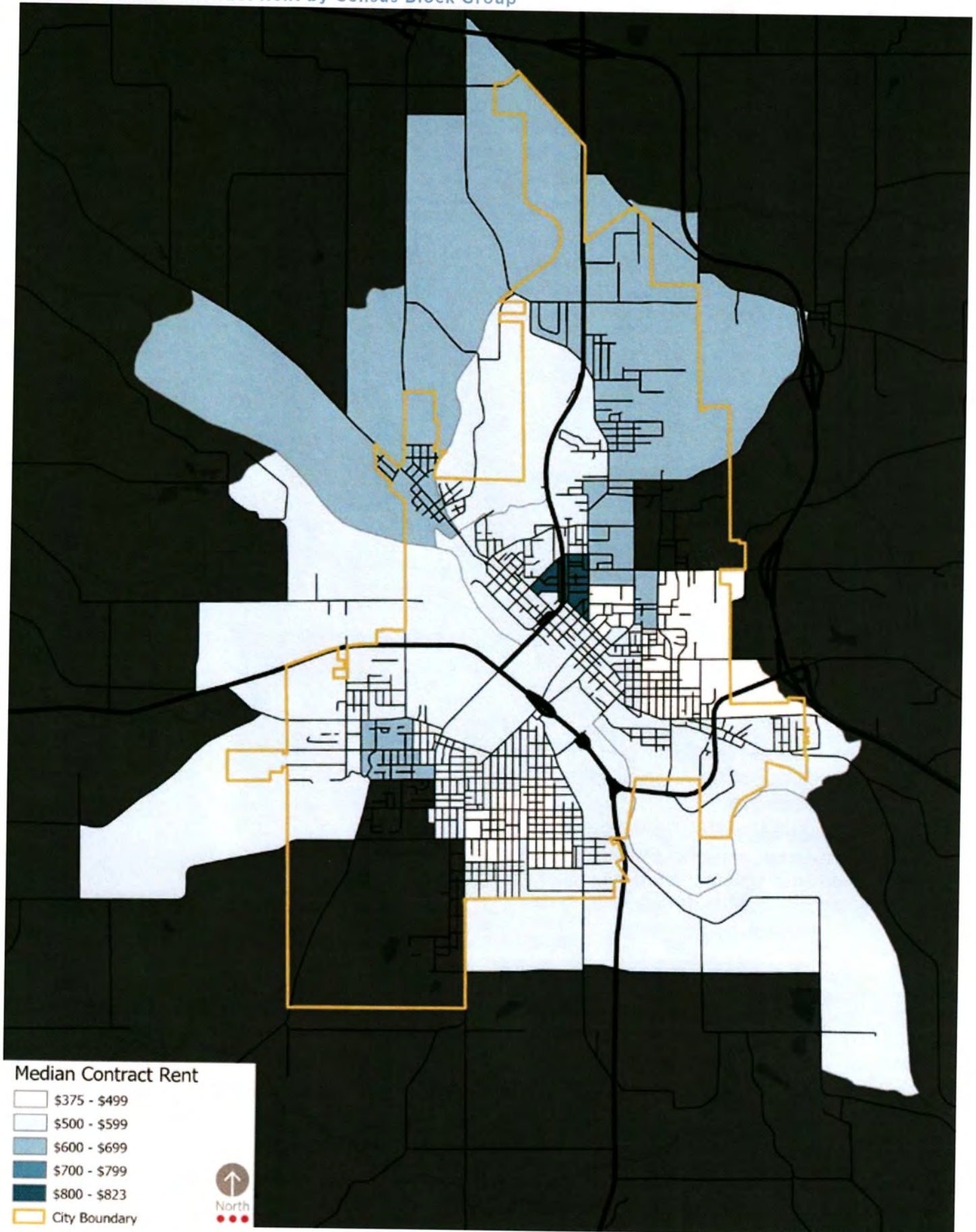
Contract rent is the rent agreed upon regardless of any furnishings, utilities, or services that may be included. Map 2.6 shows higher rents north of downtown, likely attributed to adaptive reuse/redevelopment projects.

- Since 2010 Ottumwa's median contract rent has grown by approximately \$120 while the average of the other cities is \$142.
- In 2010 the difference between the highest and lowest median rent was \$100, by 2019 the difference had grown to nearly \$150.
- While Ottumwa's home values increased by 9% over the past decade rent levels have increased by 28%.

Figure 2.14: Median Contract Rent



Map 2.6: Median Contract Rent by Census Block Group





## AFFORDABILITY

### COST BURDENED HOMEOWNERS

A cost-burdened household is defined by HUD as one that spends more than 30% of their income on housing (including utilities, taxes, insurance), either for a mortgage or rent. Maps 2.7 and 2.8 show the percent of households paying more than 30% of their income on housing by census block group.

- Due to financing requirements, owner-occupied households are less likely to be spending more than 30% of their income on housing, in addition to lower mortgage rates over the past decade.
  - › Ottumwa's lower appreciation rate along with greater lending scrutiny after 2008 have resulted in fewer households in Ottumwa spending more than 30% of their income on their mortgage.
- Map 2.8 showing cost burdened homeowners is somewhat inversely related to the value of homes. Meaning, higher home values do not necessarily mean more cost burdened residents. This makes sense, as people with higher incomes can afford higher cost homes, but still have a choice to not get into cost burdened situations. Lower income households do not have as many choices where to live and may have to spend more of their income on housing than optimal.
  - › The high percentage of cost burdened residents shown on the east side of Ottumwa could be because of seniors living in this area who are on fixed incomes.
- While Muscatine has some of the highest housing costs, most households are paying less than 30% on housing and the total number of house burdened households decreased since 2010.

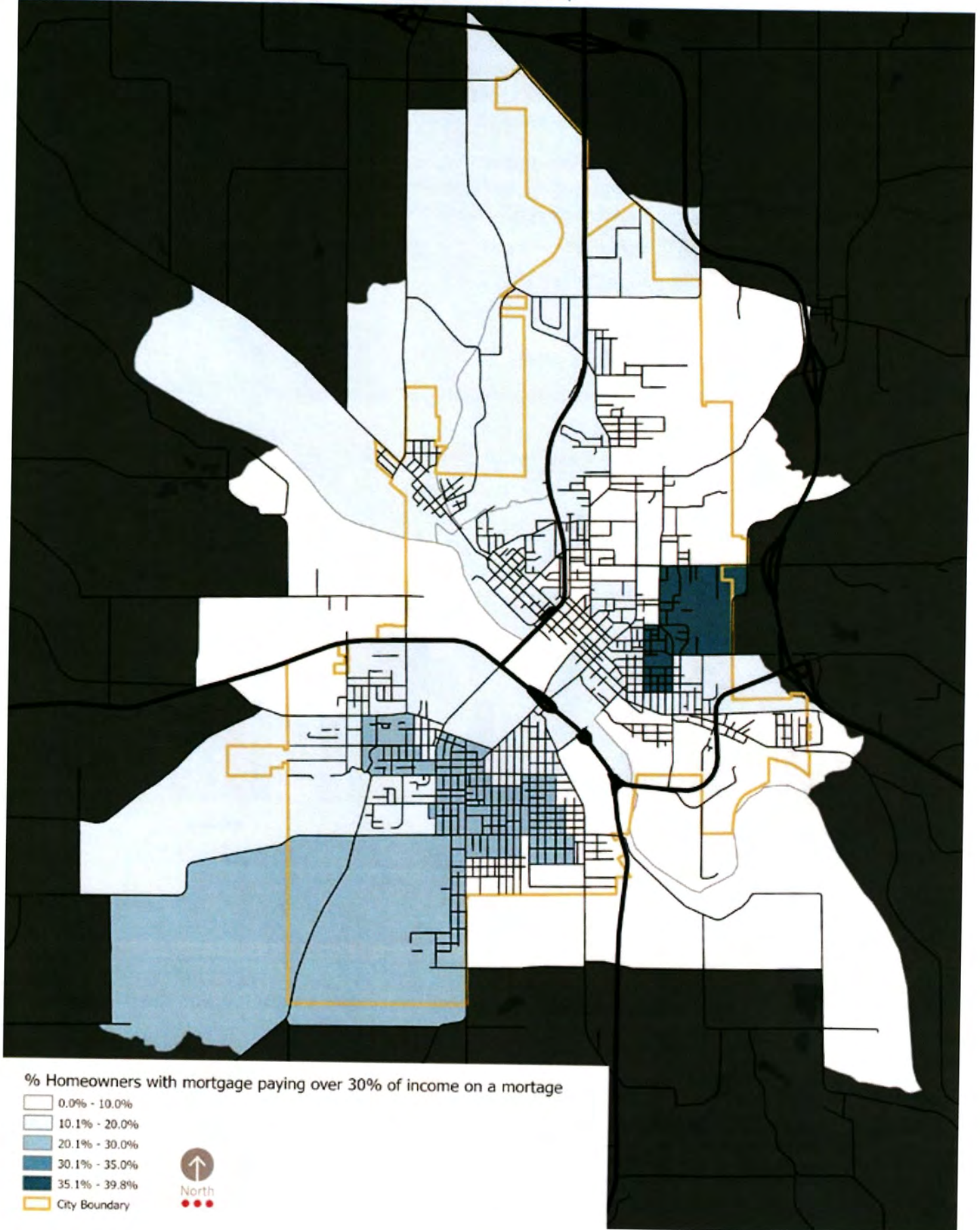
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Cost burden takes into consideration both local housing costs and incomes. Therefore, if a market has very high housing costs but also has higher incomes then the level of cost burden may be similar to a market with low costs and low incomes.

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Map 2.7: Cost Burdened Homeowners by Census Block Group



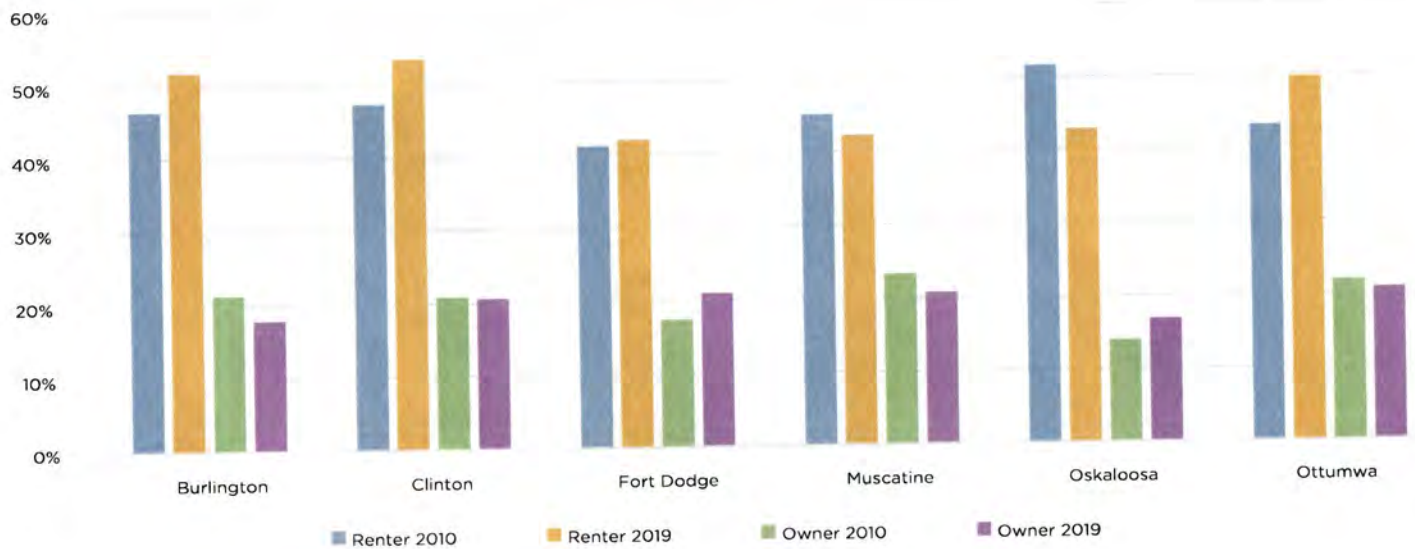
## COST BURDENED RENTERS

Cost burdened renters show in Map 2.9 are spread throughout the city with a pocket of higher percentages in south central Ottumwa. Most contract rents citywide are at least \$500 a month, although the area with the highest renter cost burden has one of the lowest median contract rent ranges. The people living here are making low wages and have few other choices where to live.

When compared to peer cities, Ottumwa saw a higher increase in the number of cost burdened renters since 2010, while nearby Oskaloosa saw a decrease. The number of cost burdened homeowners stayed virtually the same, similar to most other cities. Possible reasons include:

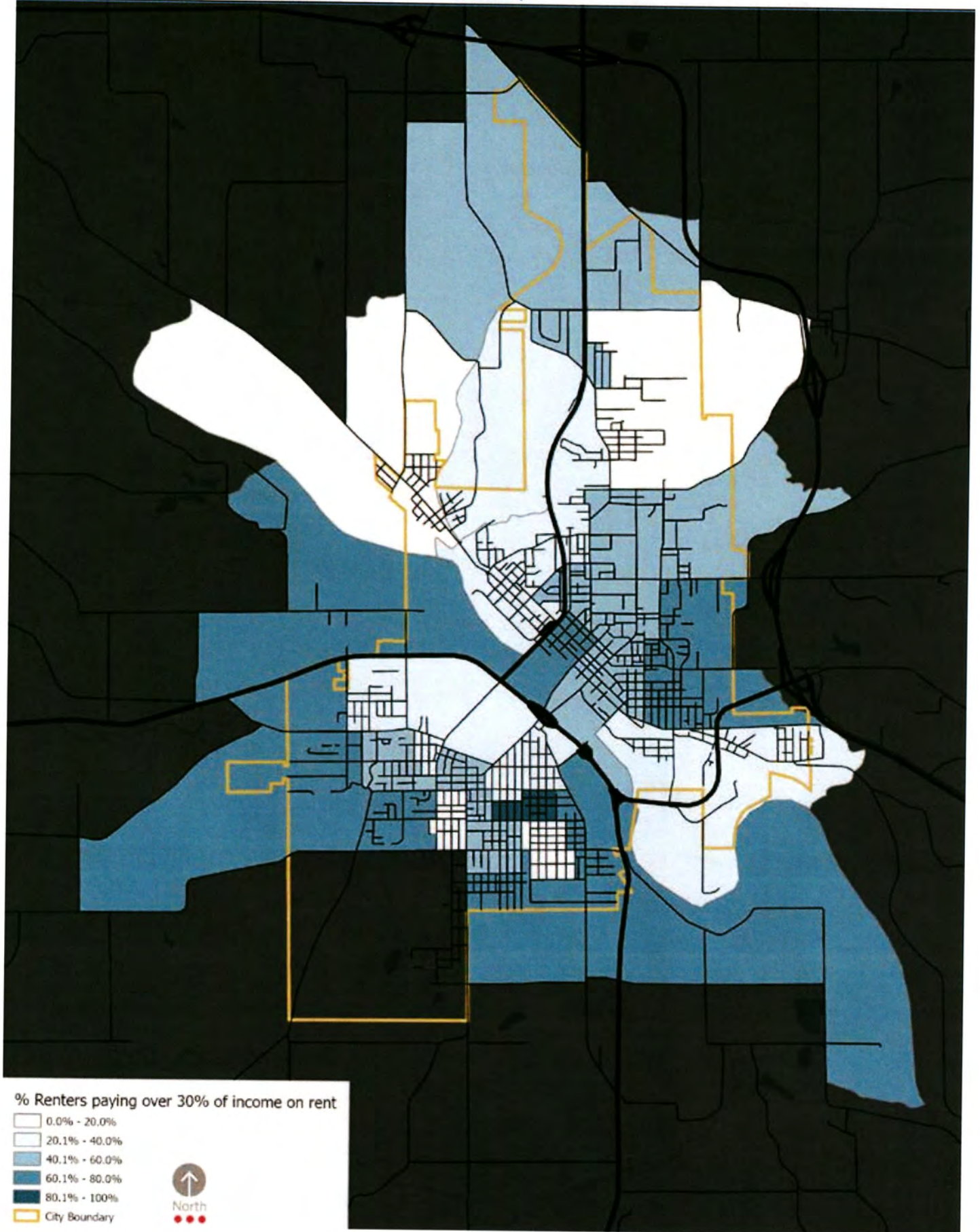
- Low rental inventory that drives up rental prices
- Stagnant local and regional wages
- An aging housing stock that lowers home values
- Lower mortgage interest rates that increase homeownership affordability

**Figure 2.15: Change in Housing Costs as a Percent of Income**





Map 2.8: Cost Burdened Renters by Census Block Group



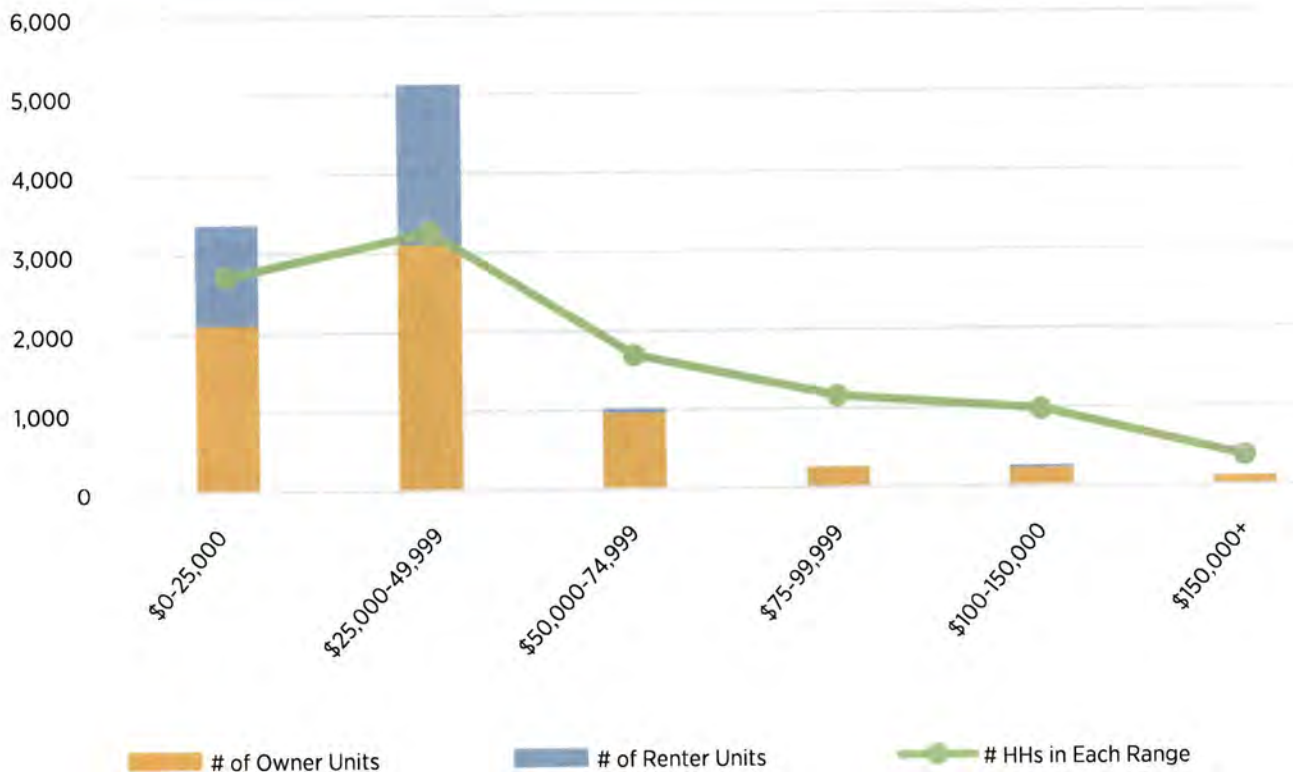


## AFFORDABILITY BY HOUSEHOLD

Figure 2.16 breaks down the number of households by income and the number of owner and renter units available based on affordable ranges requiring households to pay no more than 30% of income towards housing.

- Ottumwa has a large stock of housing affordable to households making less than \$50,000 annually.
- The limited supply of rentals affordable to households making more than \$50,000 is not only reflected in the numbers in Figure 1.X, but in the demand for the new units, such as those in the downtown, that are quickly rented.
- The largest gap in ownership options exists for households that could afford housing priced between \$200,000 and \$250,000 a price point that takes less incentives to produce by the private market.
  - › Participants in the listening sessions noted a need for more options in general, especially for move-up or downsizing options, which are not being met by a market dominated by older housing products priced below \$125,000.
- Lower income households are impacted more by the lack of housing in the higher price points due to the competition that it creates for the existing units that are affordable to them.

Figure 2.16: Housing Affordability & Availability



The U.S. Department of Housing and Urban Development (HUD) further defines income limits for housing assistance based on household size. Most housing programs require that households earn less than 80% of the Area Median Income (AMI). Figure 2.17 identifies those income limits based on extremely low, very low, and moderate income and size of households. The maximum affordable rent is 30% of a household's gross income. It is important to note that for many households, this may be more than they can afford based on other household expenses including daycare, car loans/maintenance, student loans, and even utilities for low energy-efficient homes.

**Figure 2.17: HUD Affordability Levels by Household Size, 2019**

HOUSEHOLD SIZE	30% AMI (EXTREMELY LOW)		50% AMI (VERY LOW)		80% AMI (MODERATE)	
	Income	Maximum Affordable Rent	Income	Maximum Affordable Rent	Income	Maximum Affordable Rent
1	\$15,100	\$378	\$25,150	\$629	\$40,250	\$1,006
2	\$17,420	\$436	\$28,750	\$719	\$46,000	\$1,150
3	\$21,960	\$549	\$32,350	\$809	\$51,750	\$1,294
4	\$26,500	\$663	\$35,900	\$898	\$57,450	\$1,436

Source: U.S. Census Bureau; American Community Survey





## VALUE TO INCOME RATIO

A traditional metric for evaluating affordability in the ownership market is to compare household income to the home's value. Map 1.XX on the next page shows the ratio of median home values to median household income by census block group.

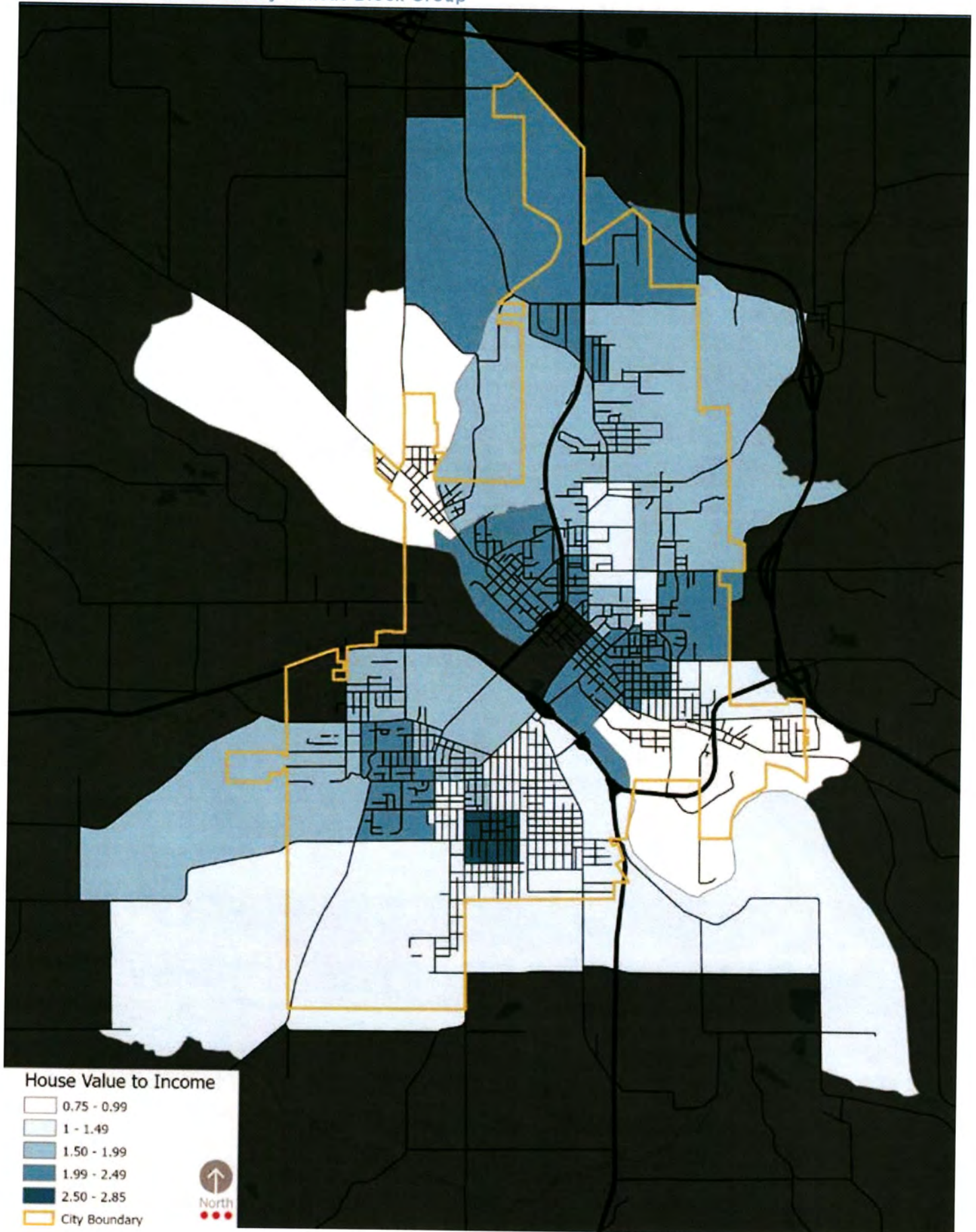
- An affordable, self-sustaining ownership housing market, with adequate value and revenues to support market-rate new construction, typically exhibits a value to income ratio between 2.5 to 3.0.
  - › Ratios above 3.0 present affordability issues while ratios below 2.0 are significantly undervalued relative to income.
- Ottumwa's values to income are all within the normal to low ranges. There is no one neighborhood with most households that are cost-burdened as homeowners (Map 2.9). This is evident because there is not one census block group where the ratio between median value and median income is above 2.85.
- There are several neighborhoods with values that are potentially too low to support new development.
  - › Most of the city's oldest neighborhoods have values above 2.00 but for neighborhoods on the eastern and western edges of the city, values are at levels that make reinvestment harder to finance.
    - » It should be noted that some participants also mentioned concerns over conditions and property maintenance (residential or commercial) at these entrances to the city.

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Why is an undervalued market concerning? The real or perceived instability in a neighborhood may create problems securing funding for new construction or renovation of existing structures in addition to creating concerns or investment security and growth.

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Map 2.9: Value to Income by Census Block Group



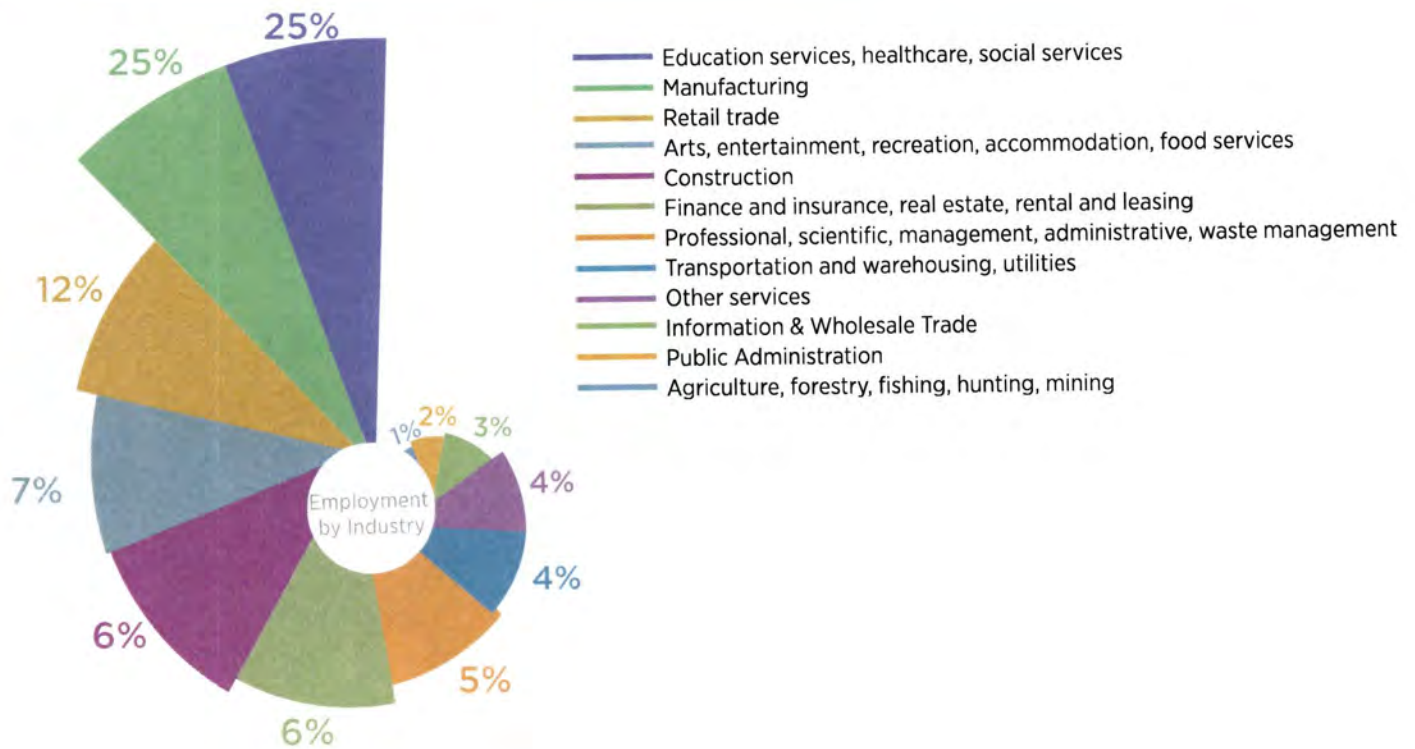


# INCOME AND EMPLOYMENT

## EMPLOYMENT SECTORS

There are over 11,500 individuals over the age of 16 employed in Ottumwa. The largest industries are educational services and manufacturing. These two industries comprise nearly 50% of all the jobs for residents. These two industries can be impacted in different ways during a downturn in the economy. For example, manufacturers have seen record demands during the recent pandemic, and educational institutions saw a significant infusion of federal funds to address increased costs.

Figure 2.18: Employment By Industry



## HOUSEHOLD INCOME

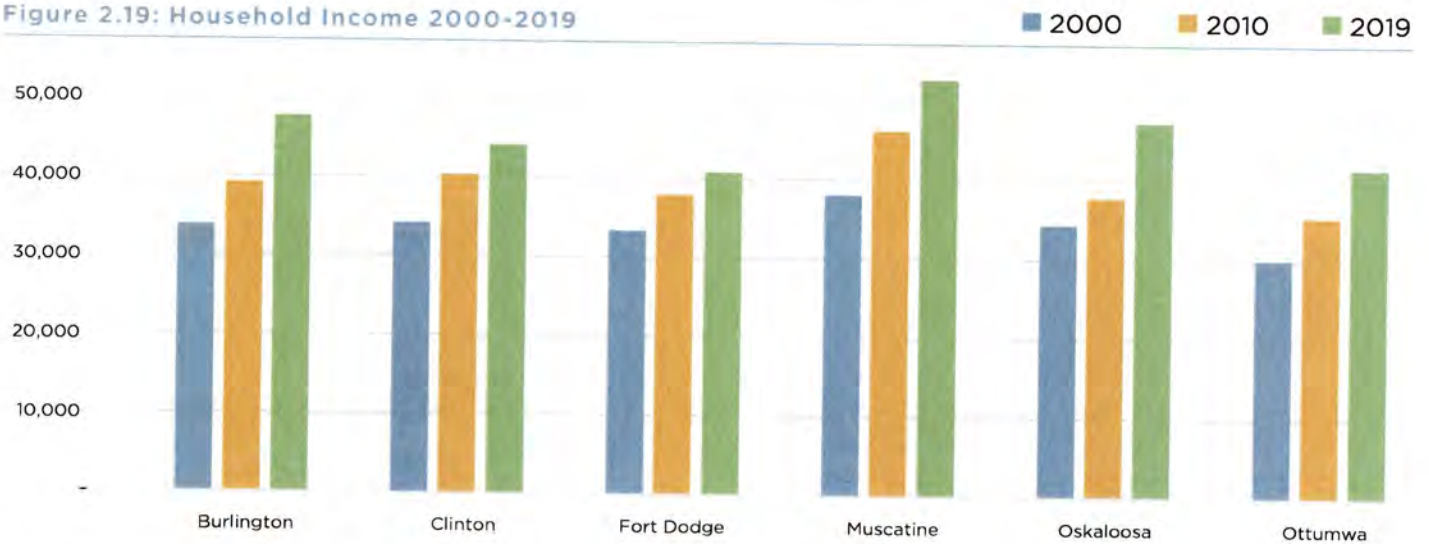
A household's income includes everyone in the household earning an income. As a result, today many households have at least two sources of income.

- Over the past decade, Ottumwa's median household income increased at about the same rate as the previous decade (18%/17%).
- Between 2000 and 2010, Ottumwa had one of the highest percentage increases in income,

but it was still the lowest total income of all communities in Figure 2.19.

- From 2010 to 2019 the city's median rent increased by 28% while household incomes increased by 17%.
  - › During the same nine year period the minimum wage remained the same at \$7.25 an hour. Therefore, households making at or just above the minimum wage were impacted more by the increase in rental rates.

Figure 2.19: Household Income 2000-2019



## COMMUTING PATTERNS

Ottumwa and Wapello County do not operate in a vacuum. Employees come and go, with an increasing trend for younger prospects to decide where they want to live rather than first seek employment. Therefore, cities must look beyond strong employers to attract and retain people. Quality housing is one component, along with other amenities like parks, trails, a vibrant downtown, events, schools, and appearance.

- Despite its large manufacturing base nearly 50% of the county workforce leaves for work.
- Wapello County sees about 1,000 fewer workers traveling to the county for work each day than they see living and working outside the county.
- Capturing a portion of the workforce living outside of the county is important because they add to the city's tax base and sales taxes. However, just as important is the human capital these individuals provide through their engagement in a community.

Figure 2.20: Commuting Patterns, Wapello County





## OTTUMWA TOMORROW

Ottumwa's projected future housing needs stem from a demand model that builds on the population projections, housing trends, and community conversations to forecast the demand for additional housing. A calculated approach to housing demand helps create policies, partnerships, and strategies to meet these needs and enhance existing strengths in the housing market.

### HOUSING DEMAND MODEL: 2030

The housing demand analysis builds on the population projections presented in this chapter, trends, and community conversations to forecast the demand for additional housing. The model is built on the following assumptions:

- Household population remains stable through 2030.
- Average people per household is expected to remain constant over the next decade. Some growth may occur as Millennials move into their childbearing years, but this forecast focuses on the demand created by increased rentals, which tend to have lower people per household.
- Unit demand at the end of the period is calculated by dividing household population by the number of people per household. This equals the number of occupied housing units.
- A manageable housing vacancy rate provides housing choices for residents moving to the community. The 2020 Census is reporting a vacancy rate closer to 10%. However, the rental landlord survey indicated a point in time vacancy rate of about 4.3%. Assuming a total vacancy rate of 5%, this is still borderline for what is considered a healthy market. The model increases the rate over time which means more units are needed to satisfy pent-up demand and increase the number of units on the market at any one time.
- Unit needs at the end of each period are based on the actual household demand plus the number of projected vacant units that will support a healthy housing market.
- Replacement need is the number of housing units demolished or converted to other uses. Homes in poor condition or obsolete should be gradually replaced in a city's housing supply. The number of units lost annually is based on historic demolition trends and the community's desire to return historic single-family homes to their original use. While some units will be lost, the first priority should always be on saving units as these are often the most affordable units in a city.
- Cumulative need shows the number of total units needed between the base year of 2020 and the year indicated at the end of the period.

Figure 2.21: Housing Demand Model

	2020	2025	2030	TOTAL
<b>Population at the End of Period</b>	25,529	25,850	26,174	
<b>Household Population at End of Period</b>	24,686	24,996	25,310	
<b>Average People Per Household</b>	2.36	2.36	2.36	
<b>Household Demand at End of Period</b>	10,460	10,592	10,725	
<b>Projected Vacancy Rate</b>	5.0%	5.5%	6.0%	
<b>Unit Needs at End of Period</b>	11,011	11,208	11,409	
<b>Replacement Need (total lost units)</b>		50	50	100
<b>Cumulative Need During Period</b>		247	251	498
<b>Average Annual Construction</b>		49	50	50

Source: RDG Planning & Design

Figure 2.21 shows an average annual construction need of about 50 units. This rate is more than double what was produced in the previous decade, but necessary if the City wants to attract more workers.

## HOUSING DEVELOPMENT PROGRAM

Building on the housing demand model, the development program (see Figure 2.22) forecasts production targets for owner and renter occupied units based on the following assumptions:

- Distributions are based on percentage of current households within the income ranges.
- Owner-occupied units will be distributed roughly in proportion to the income distributions of the households for whom owner occupancy is an appropriate strategy.
- Most low-income residents will be accommodated in rental units.
- The city currently has a split of approximately 68% owner-occupied and 32% renter-occupied unit. The increasing cost of construction and land will likely continue to support higher density owner-occupied configurations and rental units. To meet this demand, the demand model assumes a 55/45 split between rental and ownership units.

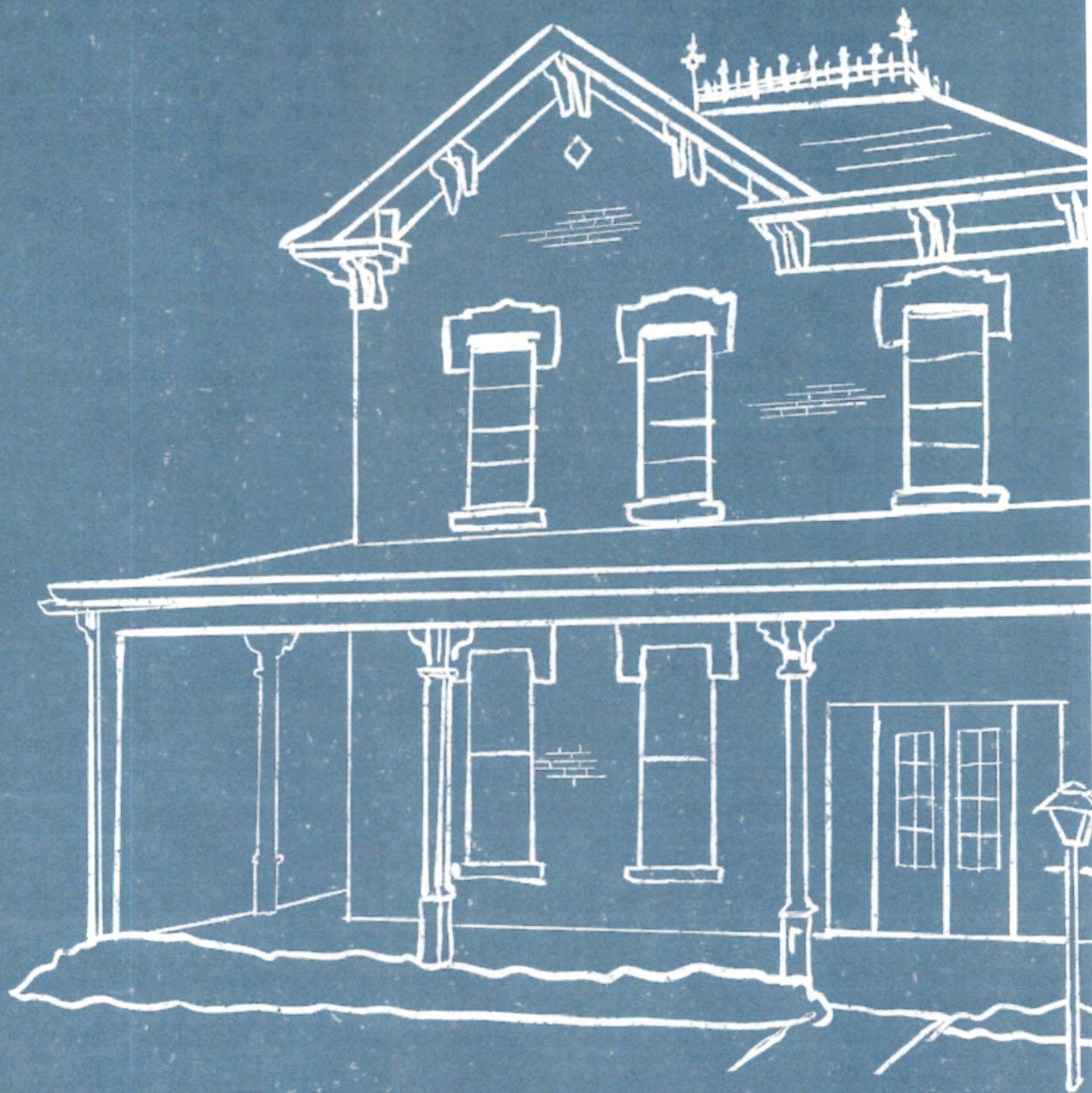
- Approximately 69 new rental units should rent for less than \$500 a month.
  - › New rental housing construction traditionally demands rents in the range of \$1.30 or more per square foot. Therefore, to produce housing priced below \$500 per month, programs like low income housing tax credits will need to be leveraged.
  - › Some units right at the \$500 range can also be produced by producing higher priced units and the "filter" households do when they take the higher priced unit.
- Approximately 182 additional owner units should be priced under \$200,000.
  - › Products being constructed today will not meet this demand. This demand will only be met through older existing units and the construction of products in denser configurations with land or infrastructure cost assistance.

Figure 2.22: Housing Development Program

	2025		2030		TOTAL		
<b>Total Owner Occupied</b>							
Affordable Low: <\$125,000	59	}	60	}	120		
Affordable Moderate: \$125-\$200,000	31		31		62		
Moderate Market: \$200-\$250,000	21		136		21	138	43
Market: \$250-\$350,000	18		18		36		
High Market: Over \$350,000	7		7		14	274	
<b>Total Renter Occupied</b>							
Low: Less than \$500	34	}	35	}	69		
Affordable: \$500-\$1,000	41		42		83		
Market: \$1,000-\$1,500	21		111		22	113	43
High Market: \$1,500+	15		15		29		
						224	
<b>Total Need</b>							

Source: RDG Planning & Design









# OPPORTUNITIES & STRATEGIC GOALS

The previous chapters established the outcomes from the market analysis and the public engagement process which brought to light a variety of issues that Ottumwa will need to navigate in the years to come. These issues include workforce housing, the production of a variety of housing opportunities, more rental housing options, and enhancing neighborhoods that will serve as a foundation for continued growth. The purpose of this chapter is to explore the primary issues and opportunities gathered from the previous chapters to create a strategic housing program to build policy and incentives around.



## NEIGHBORHOOD DEVELOPMENT

A fundamental element of neighborhood development or redevelopment is building upon existing assets or recreating those assets. In the context of neighborhoods, the physical assets are the elements that form the fabric of the community including parks, trails, natural features, and character districts such as the downtown or schools. These framework elements provide an anchor and identity for the surrounding neighborhoods, supporting property values, reinvestment, and property maintenance.

### CREATING NEIGHBORHOOD MOMENTUM

- Use investment in physical assets to create private market investment in housing.
- Promote direct and safe access to physical asset areas for pedestrians of all ages.
- Encourage new neighborhoods to provide access to existing assets or to develop new assets where appropriate for both the benefit of the new neighborhood and existing neighborhoods.
- Treat new and existing physical assets as a public amenity created for the benefit of all residents.

## OPPORTUNITY AREAS

Ottumwa has a rich history of development on both sides of the river, spreading north and south from the historic commercial centers. From its early historic neighborhoods, the city expanded outward to contemporary developments. These diverse neighborhoods present distinct needs and opportunities based on existing conditions. The following section details high-level policy opportunities based on existing neighborhood conditions. The next chapter includes a series of tactical interventions to develop catalyst projects.

Map 2.1 identifies targeted housing opportunity areas in Ottumwa. The map is based on community visits and tours completed to identify potential reinvestment, redevelopment, and development areas. This was a general assessment and not based on a house-by-house inventory but on broader neighborhood evaluation. The opportunity categories include:

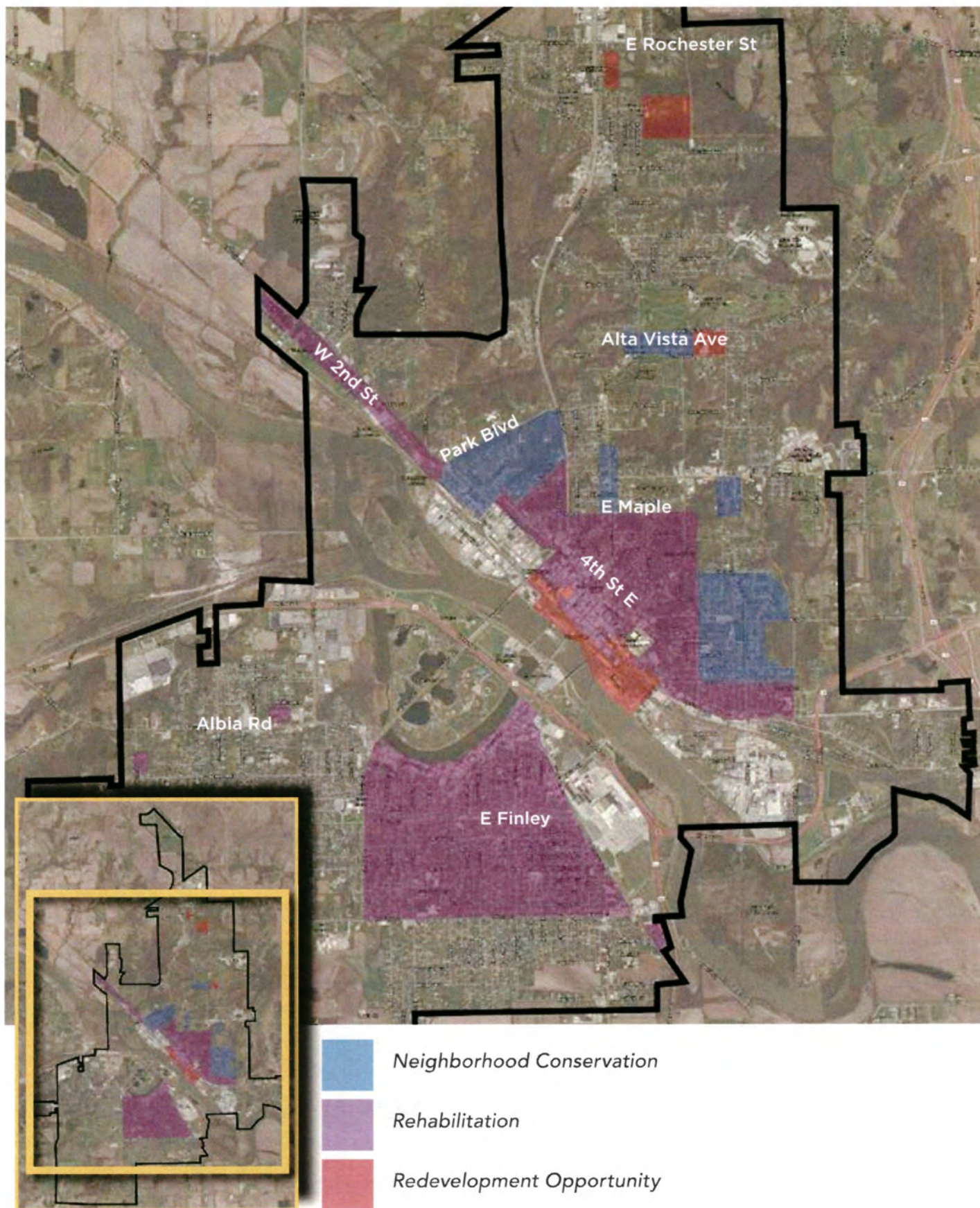
- **Neighborhood Conservation.** These areas have a cluster of housing in fair condition. Policies for this area should focus on conserving the existing housing stock through a coordinated rehabilitation strategy. These areas often include entry corridors, where visitors have the first impressions of a community.
- **Rehabilitation.** These areas have more serious housing deficiencies and vacant lots. Sites are large enough & clustered enough that a target program to remove deteriorated structures & develop vacant lots will have a major impact.
- **Redevelopment Opportunity.** These areas have the most deteriorated structures. Infrastructure improvements and removal of deteriorated structures should create safe, affordable housing & stronger neighborhoods.

Not every neighborhood in the city is applied a category. Housing programs are most effective when targeted at specific areas. Additionally, the map does not identify new developments identified in the City's Comprehensive Plan. These areas tend to be adjacent to or within city limits. Access to water services, sewer services, and transportation connections are some of the most important factors when considering sites for new development.



The map provides a strong foundation for the policies and programs identified in the following chapters.

**Figure 3.1: Opportunity Program Target Areas**





## NEIGHBORHOOD CONSERVATION

These neighborhoods are in relatively good condition with only a limited number of blighted properties that require attention. Some areas are or could be historic neighborhoods. As an opportunity, conservation areas represent a large stock of ready and relatively affordable housing in neighborhoods that require only a limited amount of attention. However, some conservation areas are the next wave of the housing stock to reach 50 to 60+ years old. Neglecting them could lead to a need for future stabilization measures.

### *Principals*

- Engage the neighborhood to identify priority projects.
- Connect neighborhoods safely to commercial centers, schools, parks, and recreation for all residents, with or without a car.
- Enhance public safety and minimize hazards.
- Make decisions in a transparent and collaborative manner.

### *Policy recommendations:*

- Reinforce public features and amenities to encourage private market action. Appropriate enhancements in conservation neighborhoods include park improvements and pedestrian and bicycle safety improvements.
- Maintain the housing stock in a state of good repair.
- Target property maintenance initiatives on properties with moderate infractions. Appropriate actions would include clean-up days, neighborhood trash collection, not-for-profit clean-ups, and if desired, targeted code enforcement.
- For any structures that cannot be rehabilitated, the parcels should be targeted for infill development that respects the character of the surrounding neighborhood in terms of use, style, and density.
- For historic neighborhoods, continue to seek state assistance and historic status for neighborhoods of potential significance. Maintain the character of the area as repairs and infill development occurs. Historic designation opens up rehabilitation incentives and acts as a marketing tool to attract new residents and generate neighborhood pride.

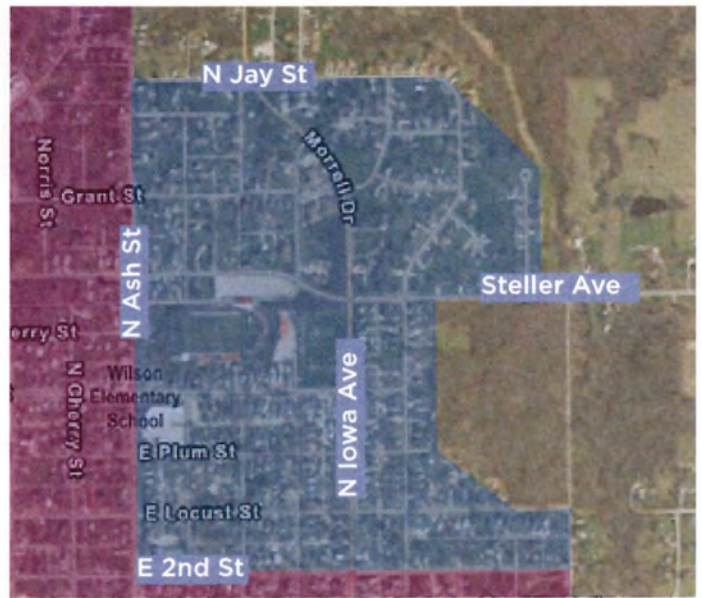




James Elementary School Area



West Wilson Elementary School Area



Hillcrest Park Area



Penn Ave and N Elm St Area



Horace Mann Elementary School Area





## REHABILITATION

Characterized by an aging housing stock, these neighborhoods differ from the conservation areas in condition and the level of blight. While much of the housing in these areas may be in good condition, more homes remain in poor-to-average condition in addition to larger pockets of vacancy. In the same way conservation areas represent an affordable housing opportunity, the rehabilitation areas present this same opportunity, but these areas require greater attention and investment, particularly because of the socioeconomic conditions of its residents.

### *Principles for rehabilitation:*

- Engage the neighborhood in the process.
- Rehabilitate units to preserve the housing stock.
- Enhance through investment in public amenities.
- Remove slum/blight conditions through clean-ups, rehabilitation, and, if needed, demolition.
- Focus investments on a confined area to create the most visible positive impact, to demonstrate the commitment to the neighborhood, and to build private market confidence.
- All efforts should be designed to strengthen the neighborhood incrementally.
- Funding must be sufficient to make a significant impact over several years.



### *Policy recommendations:*

- Reinforce public features and amenities to encourage private market action. Appropriate enhancements in infill and stabilization areas may include new parks, new park features, bicycle infrastructure, pedestrian improvements, community gardens, and gathering places.
- Often neighborhood deterioration occurs, in part, because of compatibility issues with adjacent land uses. These compatibility issues should be explored and the impacts should be mitigated through relocation of the use or an improved buffer between the land uses.
- Targeted land assembly and appropriate infill redevelopment. The greatest challenge to infill redevelopment is often assembling the land on which redevelopment can occur. The City or a not-for-profit entity should be empowered to acquire and hold property until enough of land can be assembled to solicit redevelopment proposals. As a condition of the time and resources involved in the land assembly, the development agreement should specify the price-points for new homes.
- Target rehabilitation programs to blighted areas with the highest priority given to those homes with structural issues and a lower priority given to homes with aesthetic issues only. Appropriate actions include an owner-occupied rehab program, a rental rehab program, a first-time home-buyer rehab and downtown payment program, and an exterior paint program.

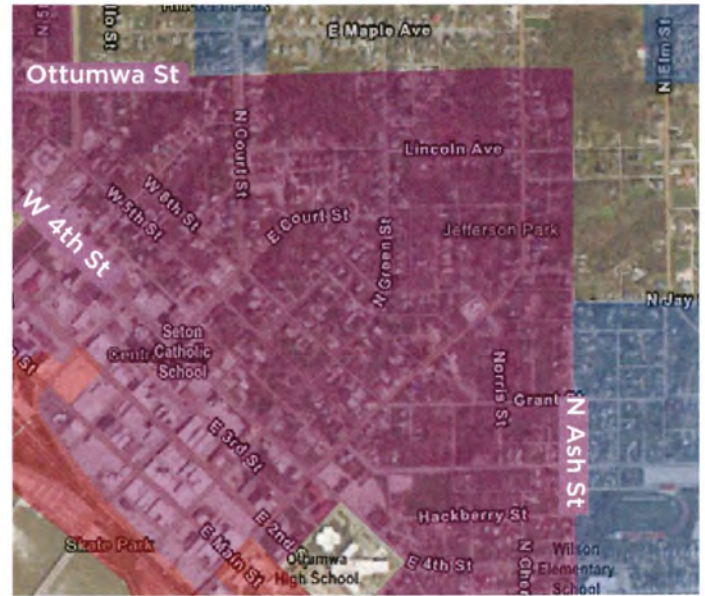




Northwest Downtown Area



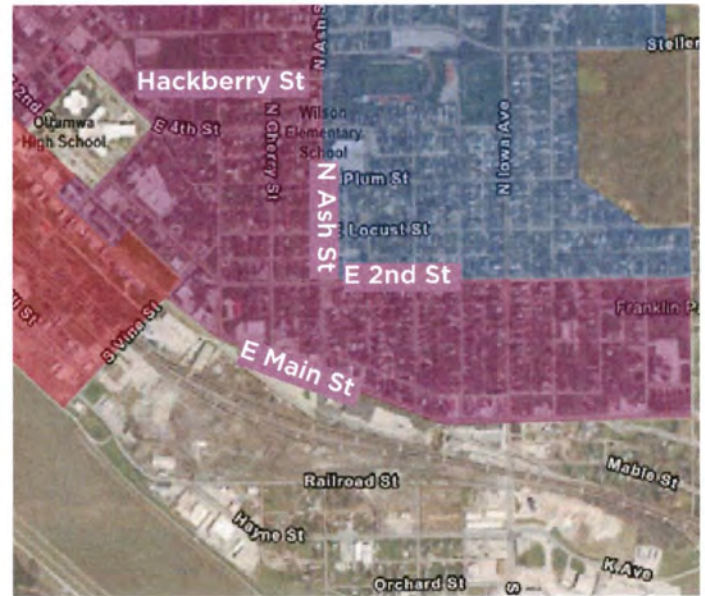
Jefferson Park Area



Downtown Area



Wilson Elementary School Area





- Target property maintenance initiatives on properties with moderate infractions. Appropriate actions would include clean-up days, neighborhood trash collection, not-for-profit clean-ups, and if desired, targeted code enforcement.
- For any structures that cannot be rehabilitated, the parcels should be targeted for demolition and acquired for infill redevelopment. It is important to recognize that these units often represent the greatest blight factor on the neighborhood. Demolition can be an appropriate intervention if the property cannot be rehabilitated, the property poses a risk to public health and safety, and the land can be acquired and held for redevelopment or appropriate reuse.
- Activate vacant lots and homes for productive use. The eventual goal for vacant lots in urban neighborhoods should be infill redevelopment for several reasons:
  - › Urban neighborhoods already have urban services.
  - › Vacant lots and reduced density produce a lower tax yield.
  - › Historic neighborhoods with greater density are perceived more positively and are more walkable.

Several communities have adopted Vacant Lot Toolkits to guide the interim use of vacant lots in urban neighborhoods, including the City of Omaha; the toolkit can be found here: <https://planninghcd.cityofomaha.org/images/stories/pdfs/VLT%20Reduced.pdf>. For abandoned homes, procedures under Iowa Code 657A can be a tool for the city to take possession and sell the home at an affordable price with conditions for tenancy and rehabilitation, which the City has explored use in the past.

## A note on historic preservation versus rehabilitation

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*The are several schools of thought about historic preservation when maintaining properties. At one end is strict adherence to the historic materials, methods, and look no matter the cost - this may mean "mothballing" the building until funds are secured. The other end is sacrifice "historic significance" for the sake of rehabilitation and improvements.*

*For Ottumwa, this is a tricky balance. The older housing stock, and particularly the designated Historic Districts, add character and a certain value to the community. This document recommends having these conversations with the community using its already active Historic Preservation Commission. There is often compromise that can be made for the sake of cost and having a historic property should not create an overly burdensome financial cost to the owner, especially when publics gets to enjoy the benefits of the district.*

## Rehab & Universal Design

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*Universal Design is creating spaces that are accessible to a wide variety of users from the elderly, those with mobility issues, or sensory impairments. By rehabbing or preparing other units using Universal Design, allows seniors to remain in their home communities for longer.*

*For Ottumwa, incorporate Universal Design standards into redevelopment and rehabilitation projects when possible. Single-level homes, accessible living communities, or universal design rehabilitations are an opportunity to offer a needed product in Ottumwa and prevent situations where these population cannot adequately maintain their homes because of design barriers.*



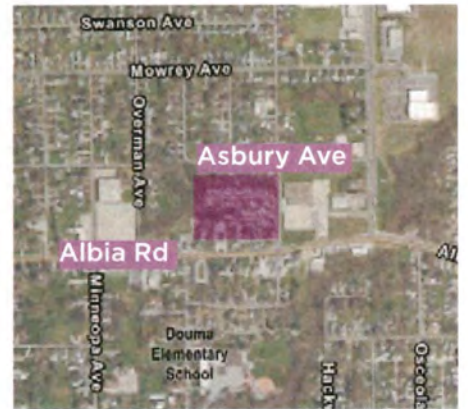
South Side Neighborhoods



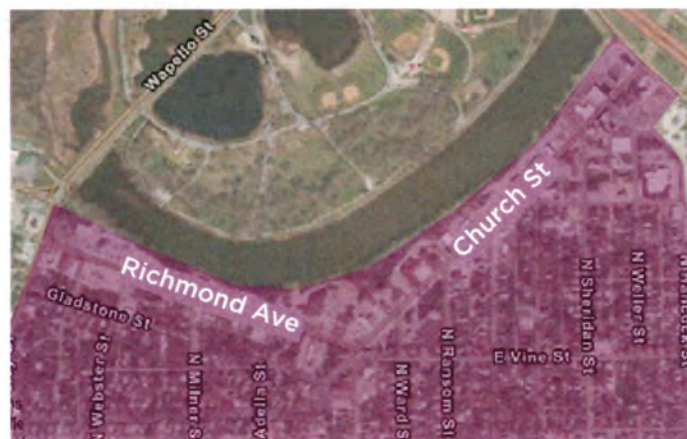
W 2nd Street Corridor



Various Mobile Home Parks



Church Street





## REDEVELOPMENT OPPORTUNITY

Redevelopment opportunities are localized examples of blighted or vacant land that redevelopment could transform into an attractive and productive residential use. The redevelopment of these strategic sites should be designed to: eliminate blight conditions, support private market reinvestment in surrounding areas, and create new taxable value and uses.

### *Principles for redevelopment opportunities:*

Be sensitive to any displacement that may occur because of the redevelopment. In Ottumwa, the targeted redevelopment opportunities are the former St. Joseph site, surrounded by a neighborhood fabric and just off of the downtown where momentum is building that can be carried to this site. These areas would also not require the movement of existing residents. However, plans to relocate residents impacted by the redevelopment should occur first through outreach and public awareness of alternative housing opportunities for any future areas. Offering alternative housing options while construction is happening on a site may also be essential. This is often the case when addressing older deteriorate mobile home parks. These units are often rented at rates that are hard to find in a city, and offering an alternative is an essential part of the process. If state and federal funds are used, there are specific laws and requirements on the relocation of residents.

### *Policy recommendations:*

- Target areas with high concentrations of vacant or underutilized land for acquisition, redevelopment, and/or rehabilitation. Acquisition can be accomplished through tax delinquency, bank foreclosures and their Community Reinvestment Act abilities, and through estate gifts to the City or not-for-profit agencies. Maintenance and management should accompany any acquisition in the interim period before rehab or redevelopment occurs.
- Solicit competitive proposals from the development community to generate the best reuse/redevelopment plan for strategic redevelopment opportunities. A municipal or not-for-profit role in the acquisition and assembly of land creates a public interest in the reuse of the property and, therefore, a development agreement can place conditions on the redevelopment including use, bulk, density, and the price points for units created.
- Consider an expedited review process for infill and redevelopment projects led by the private market.
- Explore creative financing and program applications to create a positive and concentrated impact on a neighborhood.





Riverfront and Church Street Area



Railport Relocation Area



St. Josephs Site



Bonita Site



Walsh Site





## STRATEGIC DIRECTIONS

The need for housing was articulated through surveys, small group discussions, and market analysis. The reasons for this need and the causes for gaps in the market vary. The following section outlines some of the major themes that impact Ottumwa's housing market. Themes include issues that will need to be addressed and opportunities to capitalize. Building on these themes, strategic goals are identified. Strategies to help move these goals forward are laid out in the final section of this plan.

### THEMES

**Lack of infrastructure for new lot development and infill.** New housing requires adequate and usable lots. It has been several years since a new subdivision has been developed, and while infill lots are available, they may not be appealing for a variety of reasons, including older infrastructure and adjacent housing in poor condition.

**Some preference for infill over greenfield development.** Many community members are concerned about the amount of infrastructure in the city today and the ability to maintain and service that infrastructure. For these reasons, they see the need to continue to use the resources at hand and to find ways to make those sites more appealing.

**Scale needed for infill development to work.**

Often to truly impact a neighborhood, adequate scale is necessary. The scale creates security for the private market that the money risked on a project will provide the required returns. Assembling lots and creating that scale may be necessary to build momentum.

**Value and appeal of certain neighborhoods.**

Many neighborhoods have strong appeal. Carrying that energy to other areas of the city will be very important.

**Tax rates (real or perceived).** Many participants in the planning process noted the concerns with high property taxes. Ottumwa has one of the state's highest tax rates, so using the existing resources will be important. Building value in the downtown and existing neighborhoods has to be an essential part of the strategy to address housing needs and control the tax rate.

**Overall community perceptions (real or perceived); gateway appearance.** First impressions significantly influence whether someone will move to a community, but so does the message the existing residents send out in their daily conversations. The current comprehensive plan addresses how to approach these enhancements in the future.





**Aging population and deferred maintenance.**

Ottumwa has a relatively large population of older adults, with about 29% of its residents over age 55. This generates a demand for single-level units with common space, community facilities, and provided maintenance. Addressing this market offers a setting that meets the needs of a substantial population and opens existing homes suitable for younger households.

**Support for public funds on maintenance and upkeep.** Housing policy is clearly important to the community, especially for maintenance and rental conditions. Residents are experiencing rising prices and a lack of options but feel investment is still necessary across the city.

**Smaller homes and lots preferred by community members.** Some different types of housing are gaining interest locally, primarily to achieve greater affordability. A couple of attractive examples include accessory dwelling units on deep single-family lots and owner-occupied duplexes. These housing forms allow the property owner to supplement mortgages with rental income.

**Tenant education - Taking care of your property.** Many comments from the community in this study referenced a lack of quality renter and property conditions. There is a general educational component to this that is already in place somewhat through various organizations in Ottumwa. However, reaching these populations remains difficult as they often do not have a vested interest in the community.

**Value versus price realities.** Many in the community have a learning curve to understand that prices are not what they used to be. Many people only know the price they paid for their house, which may have been many years ago. While taxes in Ottumwa are high relative to other cities in Iowa, there needs to be an understanding of what residents can actually get in a house for their money. Note that several strategies in this document focus on infill development, which can help reduce individual property taxes in the long run.

**Resources available.** Ottumwa has a variety of programs that cover both owner and renter-occupied housing. The appendix summarizes these program offerings. However, the City may be spreading resources over many programs. As a result, the maximum assistance levels for specific programs may be too small to accomplish the desired results. On the other hand, some small grant programs that address external appearance may have significant and very cost-effective benefits, although their impact on the overall condition of the structure and its basic systems may be limited.





HIGHEST RANKING HOUSING ACTION ITEMS IN THE COMPREHENSIVE PLAN

Annually **identify and target neighborhoods** for cleanup assistance, code enforcement, nuisance abatement and demolition of dilapidated structures.

**A**

Improve **community outreach and communication** regarding home improvement and housing assistance **programs available** to Ottumwa residents and residential developers.

**B**

Create an **enhanced program to acquire and award blighted** or vacant residential lots for in-fill development.

**C**

Develop a **tiered incentives program** and policy to support new residential construction: Type, size, and price point.

**D**

Continue to **seek partnerships** with the development community to build new housing.

**E**

Promote the development of accessible, **senior housing across the continuum of care** and accessible housing for people with disabilities.

**F**

## STRATEGIC HOUSING GOALS

### I. NEED TO RAMP UP A NON-PROFIT DEVELOPER LIKE RIPPLING WATERS

Comp Plan Action items: **A C E F**

*Description*

Need to fill the gap where the private market can't be successful or the risks area or appear to be too great.

### II. PROVIDE INCENTIVES FOR MEDIUM DENSITY INFILL DEVELOPMENT

Comp Plan Action items: **C D F**

*Description*

Give developers the tools, incentives, and easy approval processes necessary to make this product marketable.

### III. GAP FINANCING

Comp Plan Action items: **A C D F**

*Description*

Pool of funding to address the gap between costs and values.

### IV. NEIGHBORHOOD/COMMUNITY CAMPAIGN

Comp Plan Action items: **A B**

*Description*

Build "ownership," hope, and pride in the at the neighborhood level.

### V. WORKFORCE DEVELOPMENT

Comp Plan Action items: **E**

*Description*

Without the workforce to build or renovate housing little movement can be made.

## MOVING FORWARD

Figure 3.2 summarizes how the goals apply to different income ranges, housing price points, and housing types. The next chapter details the strategic actions and tools to implement each of these goals.

**Figure 3.2: Housing Price Points and Financial Resources**

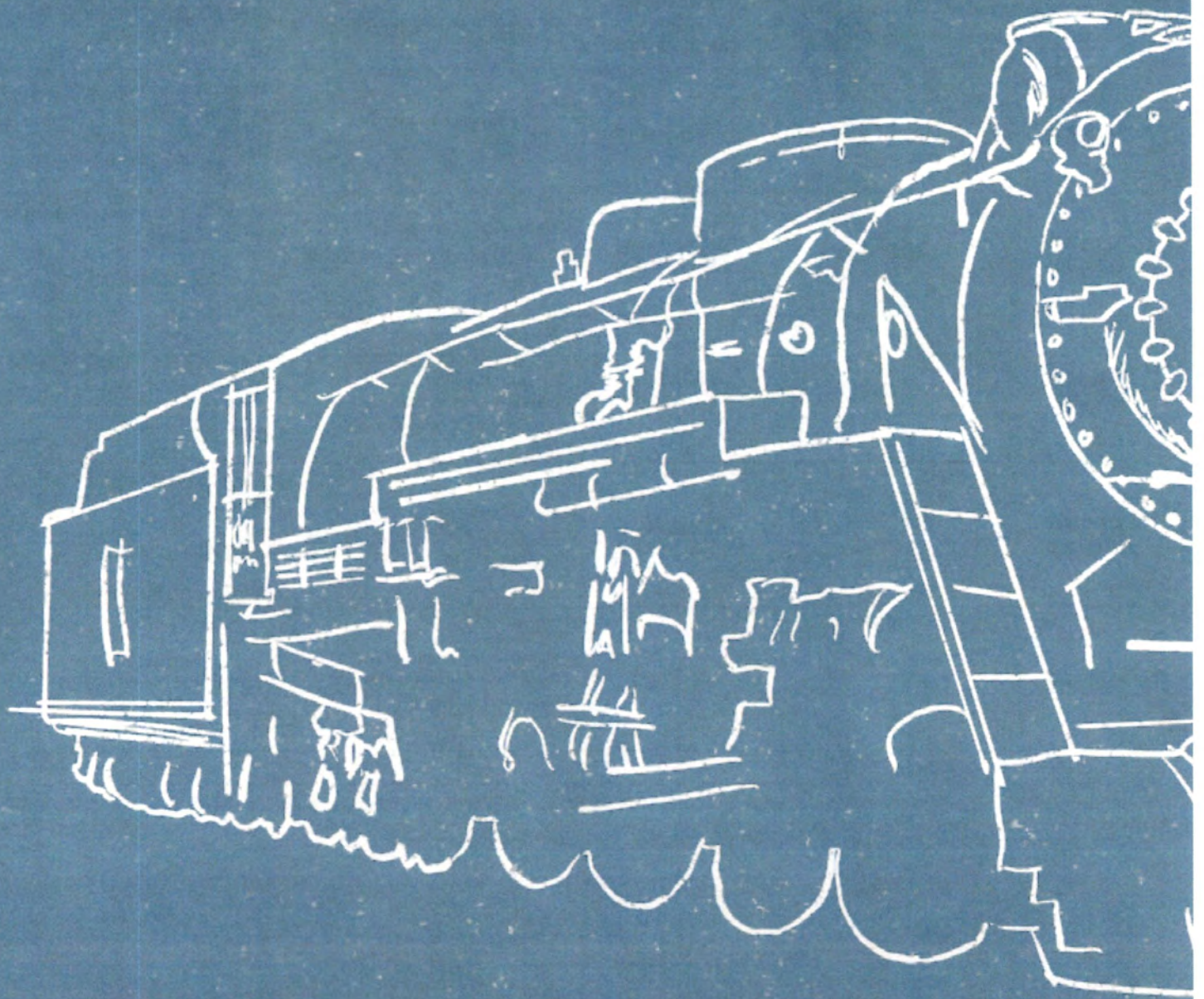
HOUSEHOLD INCOME RANGE	AFFORDABLE MAX. MONTHLY RENT*	AFFORDABLE HOME OWNERSHIP*	FEASIBLE HOUSING TYPES	APPLICABLE POLICY/GOALS TO FOCUS
<\$25,000	<\$700	Most in rental units	<ul style="list-style-type: none"> <li>• Lower quality rentals</li> <li>• Public/subsidized housing</li> </ul>	I. Ramp up a non-profit developer like Rippling Waters  IV. Neighborhood/Community Campaign
\$25,000- \$50,000	\$700-\$1,200	Purchase price under \$150,000	<ul style="list-style-type: none"> <li>• Market rate rentals</li> <li>• Existing small homes (rental or owner)</li> </ul>	I. Ramp up a non-profit developer like Rippling Waters  IV. Neighborhood/Community Campaign
\$50,000- \$75,000	>\$1,200	\$150,000- \$200,000	<ul style="list-style-type: none"> <li>• Market rate rentals</li> <li>• Entry-level home ownership in existing housing</li> <li>• New ownership housing that is subsidized/heavy financing help</li> </ul>	II. Incentives for medium-density infill  III. Gap Financing
\$75,000- \$100,000	>\$1,500, but most will own homes	\$200,000 - \$250,000	<ul style="list-style-type: none"> <li>• Market rate rentals</li> <li>• Market rate ownership that has financing help</li> </ul>	II. Incentives for medium-density infill  III. Gap Financing  V. Workforce Development
>\$100,000		>\$250,000	<ul style="list-style-type: none"> <li>• Market rate development</li> <li>• Financing help generally not needed or provided</li> </ul>	V. Workforce Development

Source: RDG Planning & Design

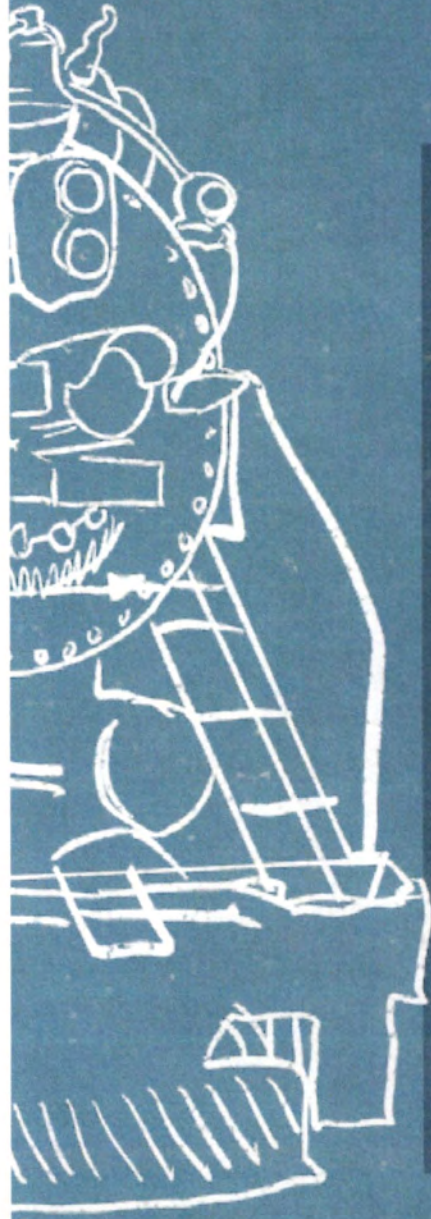
\*Assumes little to no other debt and area average costs for transportation, utilities/taxes, and other monthly expenses. Individual household costs will vary, such as for child care, student loan debt, and the amount available for a downpayment.











# **DIRECTIONS FORWARD**



# HOW WE CAN MOVE FORWARD

There are many forces influencing why housing does and does not get built. Not just quantity, but also the type of housing and its location. The information in this document shows why certain products are not getting built in Ottumwa and also why the existing housing stock is such a valuable resource. Thinking about these data, input, themes, and goals, this chapter presents an action strategy to move forward. The strategy follows the initial strategy presented in the 2020 Comprehensive Plan.

## WHAT THIS ACTION STRATEGY CAN AND CANNOT DO

This action strategy is not a silver bullet to overcome all housing challenges. The private market has a role to play as well, including macroeconomic situations at the state and national level. However, approached collectively with the right partners, these action strategies can stimulate needed steps to move the housing market forward in Ottumwa.

## Influencers on the Housing Market



### ***What the Action Strategy CAN do***

- Establish a blueprint for new public policy and programs geared toward different housing products.
- Stimulate conversation on existing programs and level of funding.
- Show builders and developers the high demand for housing products in Ottumwa, and the price points needed.
- Motivate other partners and employers to get involved in solutions. Whether staff assistance, housing development, or direct funding of programs.
- Show residents the opportunities available to them to improve their homes and living conditions.

### ***What the Action Strategy CANNOT do***

- Force builders or developers to construct a certain housing product, or housing at all.
- Force residents to make improvements to their homes (although code enforcement can).
- Affect challenges at the national level including interest rates, lending standards, raw material costs, and federal funding sources.
  - › However, it can help organize policy/programs that decrease risk in lending, create gap financing methods, and offset material costs when appropriate.
- Require redevelopment of any specific site or building.

## **WHO NEEDS TO BE AT THE TABLE?**

Like the make-up of the committee that led the process to create this study, a wide spectrum of partners will help bring together expertise from across the community. As shown in this chapter, these partners include:

- City of Ottumwa
- Legacy Foundation
- Area 15 Planning
- Greater Ottumwa Partners in Progress
- Realtors
- Builders and Developer
- Ottumwa High School
- Indian Hills Community College
- Lending Community - Banks, non-profits, etc.
- Habitat for Humanity
- Employers
- Rippling Waters
- State of Iowa

## **HOW DO WE GET STARTED?**

Action will be ongoing and ever changing. For example, no one could have reasonably predicted the nature of the 2020 pandemic and how exactly it would affect housing. Thus, the strategy is flexible and should use tools as opportunities arise and warrant. But the action strategy is also targeted to address the most imminent needs in Ottumwa.

Figure 4.1 summarizes the potential tools that can be used to achieve each housing goal from the previous chapters. Note, when price points and household incomes are referenced, these are in 2021 dollars and will need to be updated over time.



Figure 4.1: Summary of Tools in the Action Strategy

HOUSING GOAL	TOOLS	TARGET HOUSING PRODUCT	TARGET HOUSEHOLD INCOME	TARGET OUTCOME
I. Ramp up a non-profit developer like Rippling Waters	Purchase-Rehab-Resale program	<ul style="list-style-type: none"> <li>Entry-level home ownership in existing housing</li> </ul>	<\$25,000-\$50,000	Focus on homes in moderately poor condition - target keeping them affordable and stabilizing neighborhoods
	Medium density infill development	<ul style="list-style-type: none"> <li>Market rate rentals</li> <li>Existing small homes (rental or owner)</li> </ul>		Use of sites served by infrastructure but vacant. Help alleviate city tax burdens, fill missing market option.
II. Incentives for medium-density infill	Proto-types, zoning, gap financing	<ul style="list-style-type: none"> <li>Market rate rentals</li> <li>Entry-level home ownership in existing housing</li> </ul>	<\$50,000-\$100,000	Give developers the toolkits and easy approval processes
	Use Neighborhood revitalization strategy areas to tier the program	<ul style="list-style-type: none"> <li>New ownership housing that is subsidized/ heavy financing help</li> </ul>		Stimulate other investment by focusing investment in one area at a time
	Micro-TIF	<ul style="list-style-type: none"> <li>Market rate ownership that has financing help</li> </ul>		Site specific TIF - usually focuses on adding density
III. Gap Financing	Lending Consortium	<ul style="list-style-type: none"> <li>Market rate rentals</li> <li>Entry-level home ownership in existing housing</li> </ul>	<\$50,000-\$100,000	Pool of funding to address the gap between costs and values
	Community Development Financial Institutions (CDFI)	<ul style="list-style-type: none"> <li>Untested or new products (owner or renter)</li> <li>Market rate ownership that has financing help</li> </ul>		Tailored resources and innovative programs that invest federal dollars alongside private sector capital - serves mission-driven financial institutions that take a market-based approach to supporting economically disadvantaged communities.
IV. Neighborhood/ Community Campaign	Community marketing campaign	<ul style="list-style-type: none"> <li>Various</li> <li>Older housing stock</li> </ul>	Various	Build "ownership," hope, and pride at the neighborhood level
	Neighborhood level programing & outreach			Organized or informal neighborhood groups that build social capital in the area and assist in spreading information
V. Workforce Development	Build trades program at Indian Hills Community College	<ul style="list-style-type: none"> <li>Market rate rentals</li> <li>Market rate ownership that has financing help</li> </ul>	Various	Long-term workforce to build or renovate housing; opportunity to assist in improvements at a small scale
	Partnership with Ottumwa High School	<ul style="list-style-type: none"> <li>Market rate development</li> <li>Financing help generally not needed or provided</li> </ul>		Small scale production of single-family housing units

Source: RDG Planning & Design

\*Assumes little to no other debt and area average costs for transportation, utilities/taxes, and other monthly expenses. Individual household costs will vary, such as for child care, student loan debt, and the amount available for a downpayment.





## GOAL: RAMP UP A NON-PROFIT DEVELOPER LIKE RIPPLING WATERS

### TOOL: PURCHASE-REHAB-RESALE PROGRAM (P-R-R)

#### *Description*

Houses are acquired and sold in a rehabilitated or “turnkey” state to owner-occupants. Under the program, a development corporation buys existing homes, rehabilitates them, and resells them to new homebuyers.

Used usually to fill the gap where the private market can't be successful or the risks are or appear to be too great.

#### *Lead*

Non-profit housing developer or development corporation

#### *Partners*

- Lending community - providing interim financing. Mortgage financing for low- and moderate-income buyers may be assisted by CDBG or HOME “soft-second” loans.
- Realtors - may reduce commissions on selected projects
- Area 15 Planning

#### *Target Household & Housing Types*

Focus on homes in moderately poor condition and target keeping them affordable and stabilizing neighborhoods.

#### *Application*

P-R-R works best when candidate houses can be purchased at relatively low cost, usually because of their quality.

#### *Initial Outcomes & Measures of Success*

Funding stream established and one project complete in the first year.

#### *Examples & Ideas*

- [Wayne, NE](#)
- [Neighborworks, Columbus, NE](#)

## Neighborworks of Northeast Ne. Purchase/Rehab/Resale Program: Columbus, NE

Over five years, NeighborWorks Northeast Nebraska has implemented a highly successful Purchase Rehab Resale program. Under the program, a qualifying household identifies a home and completes an assessment of the home for structural stability. Subsequently, NeighborWorks Northeast Nebraska purchases the home to complete any repairs needed. Repairs can range from \$2,000 to \$25,000. Following the completion of the repairs, the home is sold to the applicant who identified the home. Down payment assistance can also be provided at 20% of the final purchase price (up to \$20,000). For Columbus, Nebraska, this has resulted in 140 homes being updated and owned, often by first time home buyers.

<http://www.nwnen.org/what-we-do/homeownership-assistance/purchase-rehab-resell-program/>





## TOOL: MEDIUM DENSITY INFILL DEVELOPMENT (DEMONSTRATION PROJECT)

### Description

Attracting missing middle housing infill will require a combination of several action tools in this chapters. However, focusing efforts on a demonstration project may be a good idea to show builders, and residents, the financial success such a project can have.

A demonstration project is typically a public-private partnership effort to construct a housing type not being built in the city today. The "demonstration" is to show how that product can be built, but more importantly, showing the demand when the units is sold of filled quickly.

### Lead

City of Ottumwa; Non-profit developer

### Partners

Lending Community; Realtors

### Target Household & Housing Types

Missing middle products not present in Ottumwa today or product on difficult infill sites.

### Application

Vacant infill sites in the City that are within conservation areas. Locating in conservations areas for the first project might be more appealing to potential buyers and more visible. It could be beneficial to pursue a demonstration project after more targeting neighborhood improvements have been completed to future ensure success and value appraisals.

### Initial Outcomes & Measures of Success

Completion of a product type not widely visible in Ottumwa today; fully occupied.

### Examples & Ideas

- [Incremental infill development guides](#)
- [Housing Next Fund, Ottawa County, MI](#)

## Missing Middle for Chattanooga, TN

With help from the Incremental Development Alliance, Chattanooga leaders and stakeholder undertook an intensive developer workshop to identify solutions for missing middle housing types. The process resulted in a development packet that lays the framework for a developer to pursue these projects including:

- Picking a building type based on the developer's financing options and site circumstances.
- Guides and site plans for good urban design amid traditional single-family neighborhoods.
- Technical considerations for packaging development applications.
- Bank packages for different building types to show how to bring the project to life by proving profits for lenders.

<https://www.incrementaldevelopment.org/>

<https://www.cneinc.org/creating-homes>





# GOAL: PROVIDE INCENTIVES FOR MEDIUM DENSITY INFILL DEVELOPMENT

## TOOL: PROTO-TYPES, ZONING

### Description

Builders and developers will stick to what they know best to reduce risk and financial insecurity. Several incentives can start to encourage other housing models, in addition to financing mechanisms when appropriate for lower price point models.

One method is having various example site plans and products that will get approved. This may be in the form of RFPs but can also simply be prototypical housing arrangements on typical lot that may be seen as hard to build on.

### Lead

City of Ottumwa

### Partners

- Builders and Developers; Financing Institutions; Legacy Foundation; Area 15 Planning

### Target Household & Housing Types

Missing middle products not present in Ottumwa today or product on difficult infill sites.

### Application

- Create a package of example site plans and products that will get approved administratively to take a level of risk off the builder.
- Provide technical assistance in application procedures and design for less experienced local builders, investors, or community members interested in a community project.
- Adjusting codes to allow these site plans. A separate memo of possible zoning amendments was provided as a supplement to this study.

### Initial Outcomes & Measures of Success

Infill development toolkits with the input of builders and developers; Updates to zoning code to remove housing barriers; Feedback every two years on development process and regulations.

### Examples & Ideas

- [Incremental infill development guides](#) (see previous case study)
- [Housing Next Fund, Ottawa County, MI](#)

## Housing Next - Ottawa County, MI

Housing Next was formed as a 5-year pilot initiative to work closely with local units of government, developers and non-profits to remove barriers to the creation of more housing supply at all price points.

It is an independent organization, not a non-profit, acting as a middle person to navigate resources and connect developers with projects. It is nested within the structure of the Greater Ottawa County United Way and funded by the community foundations of Holland/Zeeland, Grand Haven and private donors in Ottawa County. Some of its initiatives include:

- Evaluate local zoning standards to find ways to reduce regulatory barriers.
- Works with developers to find available land, assemble preliminary development plans that align with a community master plan and seek out funding opportunities.
- Works with other non-profits and housing advocates to seek out long term funding mechanisms and organizational structures.

<https://www.housingnext.org/>





## TOOL: USE NEIGHBORHOOD REVITALIZATION STRATEGY AREAS TO TIER THE PROGRAM

### Description

Many case studies and research shows that more targeted neighborhood investment strategies do better at stimulating investment and neighborhood appeal. For Ottumwa, this means setting priorities on which neighborhoods to target first for focused investment programs. The policy should include various programs with adequate funding to allow many households in the target area to access.

### Lead

City of Ottumwa

### Partners

Non-profit developer; Area 15 Planning, Realtors

### Target Household & Housing Types

Repair, rehabilitation, and redevelopment in targeted neighborhood areas. All housing types.

### Application

Use the opportunities map in Figure 3.1 as a starting point. The first tier of targeted investment should be one to three areas that:

1. Has a mix of stable home conditions and homes with visible needs for repair.
  - › This would be a first pilot area to gain momentum for continuing the approach in other areas. Starting in the most blighted area may make it more difficult or take longer to gain momentum.
2. Is on a visible corridor in Ottumwa. An area that could influence first impressions.
3. An area where there has been interest from residents in the past, or current use of existing programs.
  - › This will help with outreach and initial program start-up if people are familiar with the City or other agency.
4. Are not overly large.
  - › Each investment area tier could be around twenty to thirty blocks, but ultimately follows what local neighborhood boundaries.

The first tier may last several years, evaluating the successes and barriers each year. After making adjustments from lessons learned, the approach can then move on to another area.

### Initial Outcomes & Measures of Success

- Use of investment programs by ten homes in the first target investment area.
- Increase in funding for programs when used in the target investment area.

### Examples & Ideas

- [Invest DSM Special Investment Districts](#)
- [La Crosse Promise, La Crosse, WI](#)

## La Crosse Promise - La Crosse, WI

The La Crosse Promise program provides up to \$50,000 in grants from La Crosse County to acquire and prepare a property. The Washburn Neighborhood is a priority area for the program. Applicants are required to finance a minimum of \$150,000 in person funds or market rate financing to qualify.

In addition to the funding offered to rehabilitation or build on a property, the program provides up to \$50,000 to families that build, buy a new home, or renovate a home in select La Crosse neighborhoods as education scholarships.

## Impact

Since the program began, many properties have been improved. Of the 68 replacement homes sold citywide between 2010 and 2018, 10 were located in the Washburn Neighborhood with three of them on 9th Street.



Historic home in the foreground adjacent to three new La Crosse Promise homes on 9th Street



## TOOL: MICRO-TIF

### Description

Traditionally TIF has been used on larger scale projects due to the need to create an increment in the tax increase that creates enough funding. However, some communities have used it on smaller site when density is added, when a single-family or a vacant lot can be replaced with a missing middle product. TIF is also regularly used on conversion of older structures to housing and should be explored for the use of upgrading older rental housing developments. Some communities are considering the tying this type of TIF use to affordability requirements. However, for Ottumwa, this may be a later policy consideration once momentum is built in the market. Additionally, TIF for market rate residential development in Iowa is limited to public improvements and must include a Low to Moderate Income (LMI) set aside. Other economic development grants or rebates can be used for LMI residential.

### Lead

City of Ottumwa

### Partners

Other taxing districts; Non-profit developer; for-profit developers

### Target Household & Housing Types

Medium to higher density rental units likely in the targeted conservation area. Note, TIF for residential uses are limited to only public improvements like streets and would need to be updated in the Urban Renewal Plan.

### Application

- Site specific TIF that usually focuses on adding density
- Removing one single-family unit and adding back a duplex (stacked or side-by-side)
- Rehabilitation of existing older multi-family

### Initial Outcomes & Measures of Success

Completion of one project as a demonstration of applicability.

## Grand Island, NE Micro Blight Redevelopment

The City of Grand Island used tax increment financing (TIF) to support small scale infill development in existing neighborhoods. Through the use of "micro-tax increment financing," the city targets small concentrations of blight (vacant lots or dilapidated structures that require demolition). By calculating the additional value that would be created with a new duplex or four-plex, the CRA then issues a grant or loan that is given or sold to a developer that can be used to secure financing from a bank. Allowable expenses include:

- Property acquisition
- Demolition
- Site preparation
- Utility extensions and connections
- Sidewalks and landscaping
- TIF fees and contracts
- City development fees
- Engineering and architecture costs
- Interest and financing costs

The City of Grand Island used micro-TIF to support the demolition of a dilapidated single-family home valued at \$48,000 and the development of two duplexes with an estimated value of \$320,000. The redevelopment removed a blighted structure, created four additional affordable housing units, and brought additional tax base to the city without requiring additional infrastructure.

### Examples & Ideas

- Grand Island, NE Micro-TIF



## GOAL: GAP FINANCING

### TOOL: LENDING CONSORTIUM

#### Description

A lending consortium is a cooperative venture among lending institutions active in the market to spread individual risk. In addition, these cooperative ventures can attract the support of major employers or other agencies, like the Federal Home Loan Bank and Community Development Financial Institutions (CDFI). A lending consortium is an ideal instrument to pool of funding to address the gap between costs and values, and for gap financing on desired housing products.

#### Lead

Legacy Foundation; Area 15 Planning

#### Partners

Lending Community; Employers

#### Target Household & Housing Types

Any products identified in this chapter.

#### Application

The lending consortium can be a supplemental financing mechanism for most program tools identified in this chapter. Partners in the consortium can identify the parameters for funding such as:

- Projects with housing for households making a certain percentage of area median income to target either the lowest income people or workforce housing ranges (missing middle).
- Projects that provide a specific type of housing, such as Universal/accessible design or small lot.
- Projects within a specified area in Ottumwa. For example, coupled with the tier investment areas discussed previously.

#### Initial Outcomes & Measures of Success

Create a partnership with parameters set for lending projects.

#### Examples & Ideas

- [Housing Fund, Grand Rapids, MI](#)
- Lending Consortium & CDFI - Lincoln, NE
- [CDFI Friendly Program, Bloomington, IN](#)

## Omaha 100 Incorporated Omaha, Nebraska (Lending Consortium)

Omaha 100 was incorporated to provide homeownership opportunities enabling low and moderate income borrowers to own their own home. The group provides affordable mortgage loans, grant underwriting, and down payment assistance services.

Omaha 100, Inc. works with a consortium of lenders to provide lower interest rates on home loan products, down payment assistance, and city second mortgages to make homeownership affordable. Clients must complete a home-buyer education course.

[www.omaha100.org](http://www.omaha100.org)

## Affordable Housing Fund - Grand Rapids, MI

The City of Grand Rapids set an aggressive policy target for a citywide inventory of 30% affordable housing units. One tool created to help with the effort is an Affordable Housing Fund leveraged by dedicated city revenues, private contributions, and interest earnings. Additionally, a board provides recommendations for policy changes and managing allocations. Funds come from:

- City appropriations from tax growth
- Private contributions, State funds, County, other grants
- Excess revenues from General Operating Fund

Eligible applicants include non-profits and for-profit affordable housing developers, and public housing authorities. Individuals are eligible for homeownership financial assistance. Fund allocation is used only for situations that meet city needs like mixed-use development, projects with other funding sources, and small scale development.

<https://www.grandrapidsmi.gov/Government/Programs-and-Initiatives/Housing-NOW>



## GOAL: NEIGHBORHOOD/ COMMUNITY CAMPAIGN

### TOOL: COMMUNITY MARKETING CAMPAIGN

#### *Description*

Community marketing is much broader than housing, but critical for general pride of residents. The comprehensive plan details this effort broadly but still warrants being mentioned in this study.

#### *Lead*

Greater Ottumwa Partners in Progress; City of Ottumwa

#### *Partners*

Legacy Foundation, Employers, Wapello County

#### *Target Household & Housing Types*

N/A

#### *Application*

Focus more significant efforts on entryway corridors along with the programs identified in this chapter. Potentially develop an marketing campaign aimed at residents highlighting the great things happening in Ottumwa combined with recognition of those making Ottumwa a better place for all.

#### *Initial Outcomes & Measures of Success*

This could be a continuation of current work. The effort would build more momentum for the neighborhood level movement.

## Invest DSM Block Challenge Grant Program

An initiative started in 2020, Invest DSM offers programs targeted to specific local neighborhoods in Des Moines. One program called the Block Challenge Grant aims to create momentum through a batch improvement approach. To participate in the program, groups of at least five neighbors within a visible distance of one another's front doors must apply together. They are then eligible for matching funds up to \$2,500 for exterior improvements depending on the size of the application.

Six months into the program, Invest DSM has granted funds to 240 homeowners and landlords who were current on their taxes or lease obligations. The average investment per property was \$4,576.

[Invest DSM Block Challenge Website](#)

## Premium Park Enhancements - Brookings, SD

The City of Brookings recognized the importance of Hillcrest Park and the opportunity to use its strategic location to market the premium image of the park but also the community as a whole. Located along U.S. Highway 14 between Interstate 29 and the downtown, in spite of high quality amenities, Hillcrest Park had an unassuming highway frontage and was frequently overlooked by visitors. Through a conscious investment in the image of this park - gateway signage, landscaping, and an iconic art installation - Hillcrest Park is now recognized as a premium amenity that reinforces the quality of the Brookings to residents and visitors alike.





## TOOL: NEIGHBORHOOD LEVEL PROGRAMING & OUTREACH

### *Description*

The comprehensive plan and the 2013 housing study identify the need to create neighborhood associations. Groups of neighbors can be either formally recognized by the City or informally organized such as on social media. Either way, organization provides a way to assist in targeted programming and general outreach.

However, to see real change occur, neighborhoods will need to foster a grassroots movement. Support for projects needs to come from many, not just a few. Also, the more residents connect with each other, the more opportunities to build partnerships to improve neighborhoods.

### *Lead*

Legacy Foundation or a new non-profit like Community Renewal

### *Partners*

City of Ottumwa; Residents

### *Target Household & Housing Types*

N/A

### *Application*

The application could come from the City but often the staff nor budget is available for this kind of work. Non-profits like Community Renewal specifically work in this realm. Community Renewal identified neighborhood champions and offers structural assistance. There are several things these neighborhood champions can be empowered to do:

- Connect with neighbors on social media and at community events. - Create a social media page on a chosen platform for the designated area.
- Participate in City meetings and/or organize local neighborhood meetings/gatherings.
- Organize volunteer efforts that improve the neighborhood and bring neighbors together.

## Pride of Maryville

The City of Maryville initiated the Pride of Maryville project to recruit community members to help keep the city "cleaner, safer, and more beautiful place to live." There are four programs that provide an opportunity to participate, three of which directly impact housing:

- Adopt a neighborhood (currently inactive)
- Beautification awards
- Neighbors helping neighbors

When active, the neighborhoods in the adopt a neighborhood were supported by volunteers helping to keep the city litter, debris, and weed free. The beautification awards program honors homes and businesses for the beautification and improvements made to their property. Neighbors helping neighbors pairs volunteers with residents in need which could include maintaining their property by cleaning leaves, pulling weeds, or painting shutters.



Volunteer efforts can be managed by the non-profit or individually in each neighborhood. This could include:

- › Hosting celebratory events such as home improvement showcases, block parties, BBQ cookouts, garden tours, holiday events, and other new events at a neighborhood gathering place like a park.
- › Promoting a neighborhood curbside cleanup day.
- › Establishing a volunteer program to help neighbors, particularly the elderly, who need assistance with home maintenance, yard work, or running errands.
- › Revamp a Community-wide National Night Out event. The event intends to foster community partnerships with the police and strengthen neighborhood spirit.
- Volunteer for city commissions, boards, or committees to improve understanding of the city's challenges and support advancement of important civic work. Spread the word for opportunities for engagement, civic events, and neighborhood needs to their local connections.
- Leadership Training - The Ottumwa Leadership Academy, managed by the Legacy Foundation, is an excellent program for residents to apply and participate. Leadership training will help residents connect to decision-makers and help influence resources to their neighborhood.
- Assign a neighborhood liaison (to help the champion) - Communicate with the City, relay information to residents. Attend meetings.

#### ***Initial Outcomes & Measures of Success***

- Coalition of neighborhood champions identified and engaged.
- Creation of formal neighborhood organizations or more informal neighborhood groups that meet regularly whether to conduct business or simply gather.
- Establishing at least one unique annual volunteer event per neighborhood.
- Tracking of volunteer hours to calculate impact.

## Oshkosh Healthy Neighborhoods

Oshkosh Healthy Neighborhoods is a private/public nonprofit community development corporation dedicated to strengthening Oshkosh neighborhoods by engaging residents, encouraging reinvestment and elevating community pride through the creation of community investment partnerships for the benefit of residents in the greater Oshkosh area. They have a small staff and volunteers who work closely with resident leaders to:

- Sponsor community building events where residents can meet, have fun, build trust and social capital in the neighborhood;
- Sponsor special resident-led projects to improve physical conditions in the neighborhood;
- Provide technical assistance, tools, and resources to existing and emerging neighborhood associations;
- Develop resident leadership education curriculum and sponsor workshops to expand the leadership skills in our partner neighborhoods; and
- Partner with residents, neighborhood groups, and community institutions to identify and implement special neighborhood initiatives aimed at improving the quality of life in neighborhoods.

<https://www.gohni.org/>

#### ***Examples & Ideas***

- [Community Renewal – Community Renewal of Pottawatomie County, OK](#)
- [Pride of Maryville project](#)
- [Oshkosh Healthy Neighborhoods, Being a GOOD Neighbor; Rock the Block](#)



## GOAL: WORKFORCE DEVELOPMENT

### TOOL: BUILD TRADES PROGRAM AT INDIAN HILLS COMMUNITY COLLEGE

#### *Description*

Address the workforce needs in the building trades is not a short-term effort. This is a generational change to replace the retiring baby boom generation and few students entering the field after high school in the early 2000s. However, while training this next generation, there are opportunities to help the local housing market, even if on a small scale.

Indian Hills Community College is an asset where students learning these skills could be assigned real world projects through partnerships with local builders or non-profit organization.

#### *Lead*

Indian Hills Community College; City of Ottumwa

#### *Partners*

Builders; Employers

#### *Target Household & Housing Types*

Small scale single-family residential

#### *Application*

Student project assistance particularly targeted on rehab or new build projects receiving other forms of assistance in this chapter. This helps further leverage the "free" labor in the financing pro forma.

#### *Initial Outcomes & Measures of Success*

Complete efforts to establish a building trade program at the Ottumwa campus and extend that program to the Ottumwa High School.

#### *Examples & Ideas*

- Garden City Community College - Garden City, KS
- Southeast Community College - Milford, NE
- Indian Hills is currently partnering with the local Housing Trust Fund to build housing as part of the curriculum. Looking to expand on campus with high school students.

## A Note on Workforce Development:

Retiring baby boomers and decreasing interest by young people in the skilled trades warrants public sector action for the labor supply to meet housing demand. A workforce development program can market the career satisfaction and economic rewards that the construction industry offers young people. Partners in the program may include:

- **Area Community Colleges.** Community Colleges offer a variety of programs for students to gain experience and complete hands on projects in the building trades. The ability to retain these students in the region after graduation can be achieved by developing internships while they are in school and creating communities with the desirable amenities younger populations desire.
- **Area School Districts.** Many school districts over the years have moved away from traditional building trade classes and focused more on college preparation. With the demand for skilled trades people this trend should shift but will need support from the broader community. Working with the school districts, programs should be put in place that include architecture and drawing, focuses on English/communication and math learning, construction skills, and business education.
- **The Building Community.** Through internship programs students can learn first-hand experience. An introduction session may need to be developed that prepares students for their internships to create an asset to the builders rather than a burden.
- **Cities, County, and Private Sector.** Through risk sharing, resources, funding, and internships, all of these groups should play a role in expanding the area's workforce.



## TOOL: PARTNERSHIP WITH OTTUMWA HIGH SCHOOL

### *Description*

Reintroducing trades courses into the High School could have a similar effect as a program at IHCC. Although, time and skill levels may be more limited. However, several schools in Iowa and other states have successfully had students “build” one house each year.

### *Lead*

Ottumwa High School; Indian Hills Community College

### *Partners*

Builders; Employers

### *Target Household & Housing Types*

Small scale single-family residential

### *Application*

The City or other organization provides the initial lot funding and assist with upfront costs. Some high schools have been able to develop a revolving fund where the sale of the previous house funds the upfront costs of the next year's house. For Ottumwa, the City or other organization may still have to provide the lot at a free or reduced cost.

### *Initial Outcomes & Measures of Success*

Develop partnership between Ottumwa High School and Indian Hills Community College

## Employee Housing - Schuyler, NE

The Colfax County School District adopted a Workforce Housing Initiative Pilot Program (WHIPP) to reinforce their commitment to the philosophy that employees should reside within the community they work. This philosophy recognizes the mutual benefits to the organization (increased retention), the community (additional residents), and the employee (increased stability and decreased transportation costs). In addition, to developing new single family homes, the WHIPP offers the following incentives to employees to rent or buy the new housing units:

- Eligibility for a \$1,000 bonus to employees moving into the district and the following:
- Home renter subsidy of \$1,000 annually for a maximum of five years; or
- Home owner subsidy;
- \$2,000 annually for a maximum of five years; or
- Lump sum subsidy of \$10,000 for downpayment and closing costs on a WHIPP approved home

Funding is budgeted annually by the school district for the program.



Figure 4.1: Summary of Tools in the Action Strategy

HOUSING GOAL	TOOLS	TARGET HOUSING PRODUCT	TARGET HOUSEHOLD INCOME	TARGET OUTCOME
I. Ramp up a non-profit developer like Rippling Waters	Purchase-Rehab-Resale program	<ul style="list-style-type: none"> <li>Entry-level home ownership in existing housing</li> <li>Market rate rentals</li> <li>Existing small homes (rental or owner)</li> </ul>	<\$25,000-\$50,000	Focus on homes in moderately poor condition - target keeping them affordable and stabilizing neighborhoods
	Medium density infill development			Use of sites served by infrastructure but vacant. Help alleviate city tax burdens, fill missing market option.
II. Incentives for medium-density infill	Proto-types, zoning, gap financing	<ul style="list-style-type: none"> <li>Market rate rentals</li> <li>Entry-level home ownership in existing housing</li> </ul>	<\$50,000-\$100,000	Give developers the toolkits and easy approval processes
	Use Neighborhood revitalization strategy areas to tier the program	<ul style="list-style-type: none"> <li>New ownership housing that is subsidized/ heavy financing help</li> </ul>		Stimulate other investment by focusing investment in one area at a time
	Micro-TIF	<ul style="list-style-type: none"> <li>Market rate ownership that has financing help</li> </ul>		Site specific TIF - usually focuses on adding density
III. Gap Financing	Lending Consortium	<ul style="list-style-type: none"> <li>Market rate rentals</li> <li>Entry-level home ownership in existing housing</li> </ul>	<\$50,000-\$100,000	Pool of funding to address the gap between costs and values
	Community Development Financial Institutions (CDFI)	<ul style="list-style-type: none"> <li>Untested or new products (owner or renter)</li> <li>Market rate ownership that has financing help</li> </ul>		Tailored resources and innovative programs that invest federal dollars alongside private sector capital - serves mission-driven financial institutions that take a market-based approach to supporting economically disadvantaged communities.
IV. Neighborhood/ Community Campaign	Community marketing campaign	<ul style="list-style-type: none"> <li>Various</li> <li>Older housing stock</li> </ul>	Various	Build "ownership," hope, and pride in the at the neighborhood level
	Neighborhood level programing & outreach			Organized or informal neighborhood groups that build social capital in the area and assist in spreading information
V. Workforce Development	Build trades program at Indian Hills Community College	<ul style="list-style-type: none"> <li>Market rate rentals</li> <li>Market rate ownership that has financing help</li> </ul>	Various	Long-term workforce to build or renovate housing; opportunity to assist in improvements at a small scale
	Partnership with Ottumwa High School	<ul style="list-style-type: none"> <li>Market rate development</li> <li>Financing help generally not needed or provided</li> </ul>		Small scale production of single-family housing units

Source: RDG Planning & Design

\*Assumes little to no other debt and area average costs for transportation, utilities/taxes, and other monthly expenses. Individual household costs will vary, such as for child care, student loan debt, and the amount available for a downpayment.

Figure 4.2: Implementation Table

HOUSING GOAL	TOOLS	LEAD	PARTNERS	FUNDING/FINANCING OPPORTUNITIES	PRIORITY LEVEL
I. Ramp up a non-profit developer like Rippling Waters	Purchase-Rehab-Resale program	<ul style="list-style-type: none"> <li>Non-profit housing developer or development corporation</li> </ul>	<ul style="list-style-type: none"> <li>Lending community</li> <li>Realtors</li> <li>Area 15 Planning</li> </ul>	<ul style="list-style-type: none"> <li>Project-based Section 8 certificate and vouchers</li> <li>Low Income Housing Tax Credit rental development</li> <li>Senior only housing</li> <li>Items applicable to lower income ranges</li> </ul>	Medium-term
	Medium density infill development	<ul style="list-style-type: none"> <li>City of Ottumwa</li> <li>Non-profit developer</li> </ul>	<ul style="list-style-type: none"> <li>Lending Community</li> <li>Realtors</li> </ul>	<ul style="list-style-type: none"> <li>Rehab and revitalize programs for existing homes</li> <li>State and Federal grants, credit programs</li> </ul>	Medium-term
II. Incentives for medium-density infill	Proto-types, zoning, gap financing	<ul style="list-style-type: none"> <li>City of Ottumwa</li> </ul>	<ul style="list-style-type: none"> <li>Builders and Developers</li> <li>Financing Institutions</li> <li>Legacy Foundation</li> <li>Area 15 Planning</li> </ul>	<ul style="list-style-type: none"> <li>Rehab and revitalize programs for existing homes</li> <li>Special assessment or deferred payments for new development</li> <li>TIF</li> <li>State and Federal grants, credit programs for ownership</li> </ul>	Short-term
	Use Neighborhood revitalization strategy areas to tier the program	<ul style="list-style-type: none"> <li>City of Ottumwa</li> </ul>	<ul style="list-style-type: none"> <li>Non-profit developer</li> <li>Area 15 Planning</li> <li>Realtors</li> </ul>	<ul style="list-style-type: none"> <li>Infrastructure financing</li> <li>TIF</li> <li>Special assessment or deferred payments for new development</li> </ul>	Medium-term
	Micro-TIF				
III. Gap Financing	Lending Consortium and CDFIs	<ul style="list-style-type: none"> <li>Legacy Foundation</li> <li>Area 15 Planning</li> </ul>	<ul style="list-style-type: none"> <li>Lending Community</li> <li>City of Ottumwa</li> <li>Employers</li> </ul>	<ul style="list-style-type: none"> <li>Rehab and revitalize programs for existing homes</li> <li>Special assessment or deferred payments for new development</li> <li>TIF</li> <li>State and Federal grants, credit programs for ownership</li> <li>Infrastructure financing</li> <li>TIF</li> <li>Special assessment or deferred payments for new development</li> </ul>	Short-term
IV. Neighborhood/Community Campaign	Community marketing campaign	<ul style="list-style-type: none"> <li>City of Ottumwa</li> <li>Legacy Foundation</li> </ul>	<ul style="list-style-type: none"> <li>Realtors</li> <li>Partners in Progress</li> <li>Residents</li> <li>Employers</li> </ul>	<ul style="list-style-type: none"> <li>Project-based Section 8 certificate and vouchers</li> <li>Low Income Housing Tax Credit rental development</li> <li>Senior only housing</li> <li>Items applicable to lower income ranges</li> </ul>	On-going
	Neighborhood level programing & outreach	<ul style="list-style-type: none"> <li>City of Ottumwa</li> <li>Legacy Foundation</li> </ul>	<ul style="list-style-type: none"> <li>Residents</li> </ul>	<ul style="list-style-type: none"> <li>Rehab and revitalize programs for existing homes</li> <li>State and Federal grants, credit programs</li> </ul>	Short-term & on-going
V. Workforce Development	Build trades program at Indian Hills Community College	<ul style="list-style-type: none"> <li>Indian Hills Community College</li> <li>City of Ottumwa</li> </ul>	<ul style="list-style-type: none"> <li>Builders</li> <li>Employers</li> </ul>	<ul style="list-style-type: none"> <li>Infrastructure financing</li> <li>TIF</li> <li>Special assessment or deferred payments for new development</li> <li>Generally not needed or advisable use of public funds for products over \$250,000.</li> </ul>	Medium to longer-term
	Partnership with Ottumwa High School	<ul style="list-style-type: none"> <li>Ottumwa High School</li> <li>City of Ottumwa</li> </ul>	<ul style="list-style-type: none"> <li>Builders</li> <li>Employers</li> </ul>	<ul style="list-style-type: none"> <li>Focus on an efficient development process and workforce development</li> </ul>	Longer-term

Source: RDG Planning &amp; Design







# APPENDIX

Current Organizations Providing Housing Services

Current Housing Programs

Full Survey Results



# HOUSING ORGANIZATIONS

Figure A1: Organizations Focused on Obtaining Housing

PROVIDER	FOCUS
<b>AHEAD Regional Housing Trust Fund</b>	Runs a first time homebuyer program.
<b>Sieda Community Action</b>	Provides an energy assistance, weatherization, and tenant based rental assistance programs along with a neighborhood resource center.
<b>Wapello County Homelessness Coalition</b>	Works to end homelessness in Wapello County by building public awareness and sharing information and resources.
<b>City of Ottumwa</b>	Outreach to individuals experiencing homelessness. Preventive assistance and rapid re-housing assistance.
<b>Ottumwa Housing Authority</b>	Operates 363 properties for individuals of low income along with the housing choice voucher program.
<b>Ottumwa Legacy Foundation</b>	Focuses on increasing quantity and quality of housing through collaborating, research, and pulling together multiple funding sources.
<b>Ottumwa Crisis Center and Women's Shelter</b>	Works with individuals facing abusive relationships and provides shelter as well as counseling.
<b>Ottumwa Habitat for Humanity</b>	Provides homewonership program.

## COUNTY LEVEL

### *AHEAD Regional Housing Trust Fund*

Area-wide Housing Enterprises and Development (AHEAD) Regional Housing Trust Fund (RHTF) works in the rural areas of Wapello County along with five other southeastern Iowa Counties. RHTF assist with everything from new construction to rehabilitation and repair.

RHTF has several specific programs such as their First-Time Homebuyers Program which uses a revolving loan up to \$10,000 to help first time homebuyers.

### *Sieda Community Action*

Sieda Community Action (Sieda) provides several housing programs for low-income households in the City of Ottumwa as well as Wapello County. Sieda has three main housing related programs.

- Low Income Home Energy Assistance Program (LIHEAP) helping low-income household afford their energy bills.
- Weatherization programs aimed to help lower heating and cooling bills by ensuring well insulated houses and functioning appliances.
- Tenant Based Rental Assistance (TBRA) helps provided rental subsidies to households under 60% of AMI.

Sieda also runs a Neighborhood Resource Center to help clients become connected to Sieda's various resources and also provide crisis advocacy and budget counseling at the resource center.

### *Wapello County Homelessness Coalition*

The Wapello County Homelessness Coalition is a network of service providers, policymakers, nonprofit organizations and service-minded volunteers working to end homelessness in Wapello County by building public awareness and sharing information and resources to develop and advocate for direct services, shelter, transitional housing and affordable housing.

## CITY LEVEL

### *City of Ottumwa*

Ottumwa has started a Street Outreach program to individuals experiencing homelessness. This outreach team meets multiple times with individuals to try build trust and help find housing for them. The City is also doing preventive assistance and Rapid Re-Housing programs to try and intervene at the earliest moments.

### *Ottumwa Housing Authority*

Ottumwa Housing Authority (OHA) seeks to create affordable housing opportunities and owns and operates 363 properties in Ottumwa. OHA runs the Housing Choice Voucher Program that help low-income household cover the gap between their income and rent. OHA also operates various public housing from smaller duplexes to high rise apartments to allow for a diversity of needs a household types.

### *Ottumwa Legacy Foundation*

The Legacy Foundation is a nonprofit charitable foundation creating positive change in Ottumwa. Housing Availability on of their strategic plans. The Legacy Foundation looks to rehabilitate or remove dilapidated houses. The foundation also seeks to increasing the quantity and quality of housing through collaboration, research, and use of multiple funding sources from federal grants to personal investments.

### *Ottumwa Crisis Center and Women's Shelter*

Ottumwa Crisis Center and Women's Shelter (CCWS) provides help to individuals facing abusive relationships which includes shelter and housing.

### *Ottumwa Habitat for Humanity*

Ottumwa Habitat for Humanity provides a homeownership program with an affordable payment plan. Individuals working with Habitat's housing program put in sweat equity into their home alongside receiving financial literacy classes.

## HOUSING PROGRAMS

### *City of Ottumwa Residential Tax Abatement*

This program reduces property taxes paid on qualifying improvements to residential properties. Property owners who have completed improvements to residential properties or apartment buildings can file an application for residential tax abatement. New construction, additions, and remodeling are eligible activities. Taxes on the improvements are abated for a specific number of years for qualifying projects. The homeowner can select a 3, 5 or 10 year abatement plan. Tax abatement is based on the value that the new improvements add to the property. All other property taxes remain payable.

### *City of Ottumwa Housing Rehabilitation*

Locally Funded Housing Rehabilitation Repayable Loan Program is provided by the City of Ottumwa and assists existing homeowners.

### *Area 15 Regional Planning Commission First-Time Homebuyers Program*

This housing revolving loan fund loans up to \$10,000 to assist first-time homebuyers (anyone who has not owned a home in 3 years) with down payment, and/or closing costs on the purchase or construction of a home.

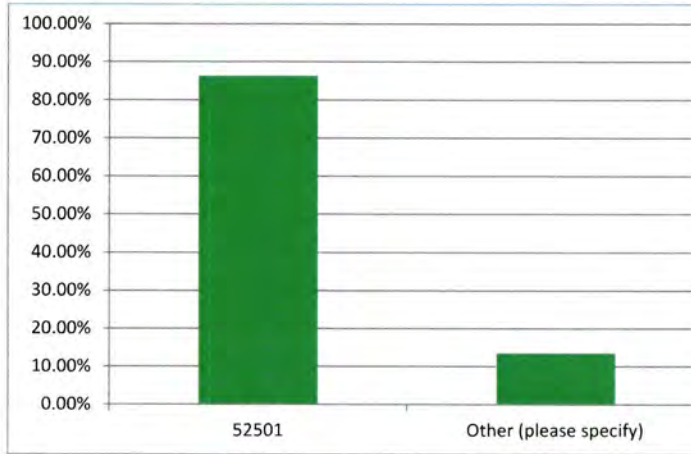
### *Homes for Iowa*

In partnership with Iowa Prison Industries, houses are being constructed at a new Housing Production Center at the Newton Correctional Facility which allows inmates to learn trade skills such as plumbing, electrical work, and carpentry. The homes, with an estimated final sales price of \$130,000-\$175,000, will be purchased directly from HFI and delivered to the designated site and made available to households earning up to 100 percent of the state-wide median income (per household size).

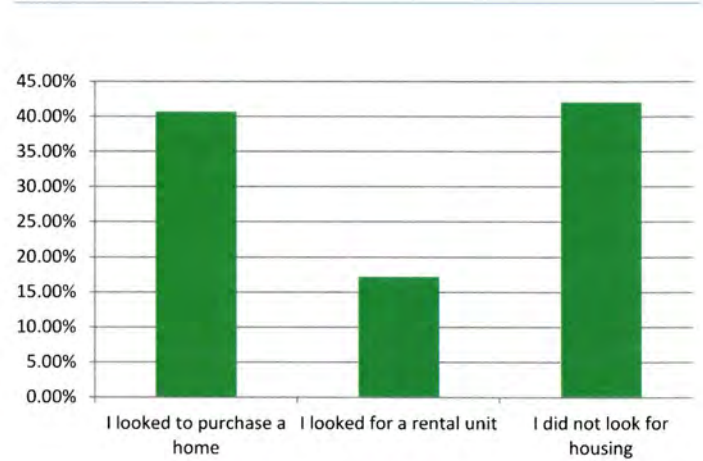


# FULL SURVEY RESULTS

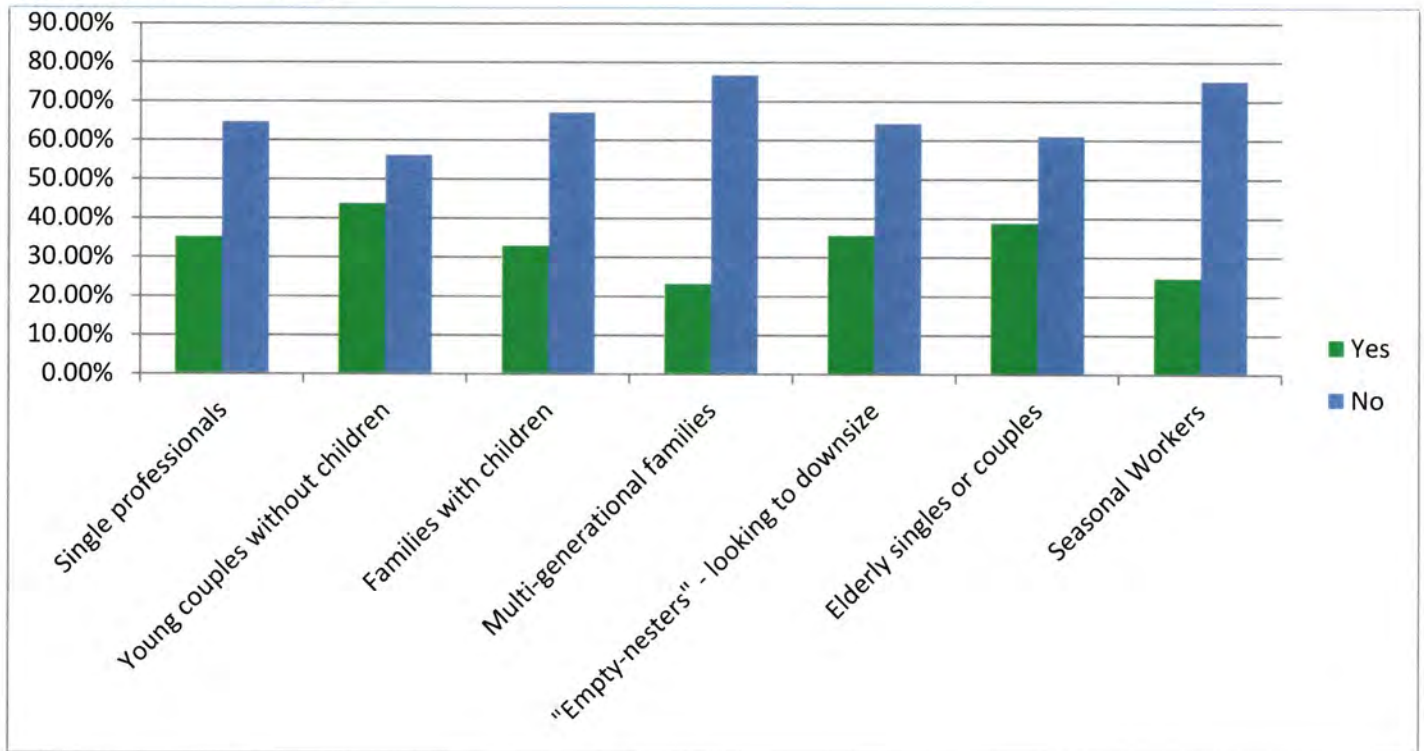
What is your home zip code?



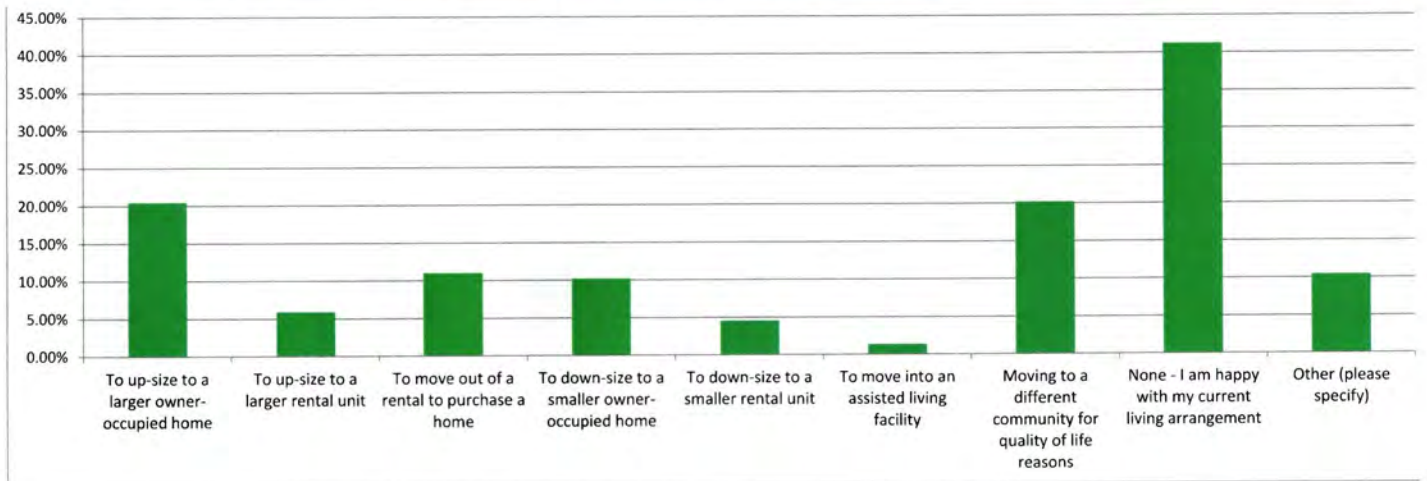
In the past three years did you look for a new place to live?



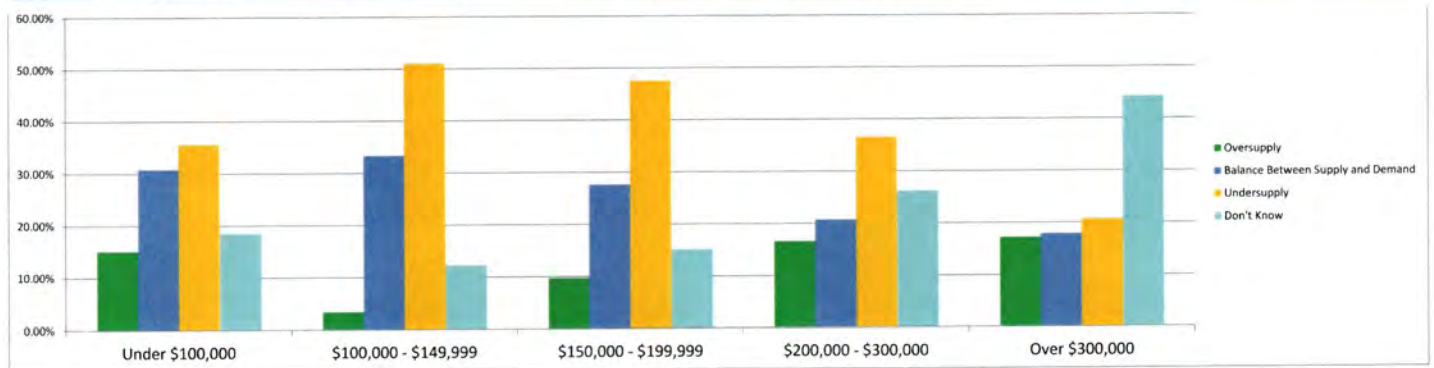
Do you believe that the current housing supply adequately meets the needs of the following household types in your community?



Is there any reason you'd look for a new place to live in the next three years? (choose all that apply)



If you have looked to purchase a home in the past three years, how would you rate availability of housing in your community for each of the following price categories?

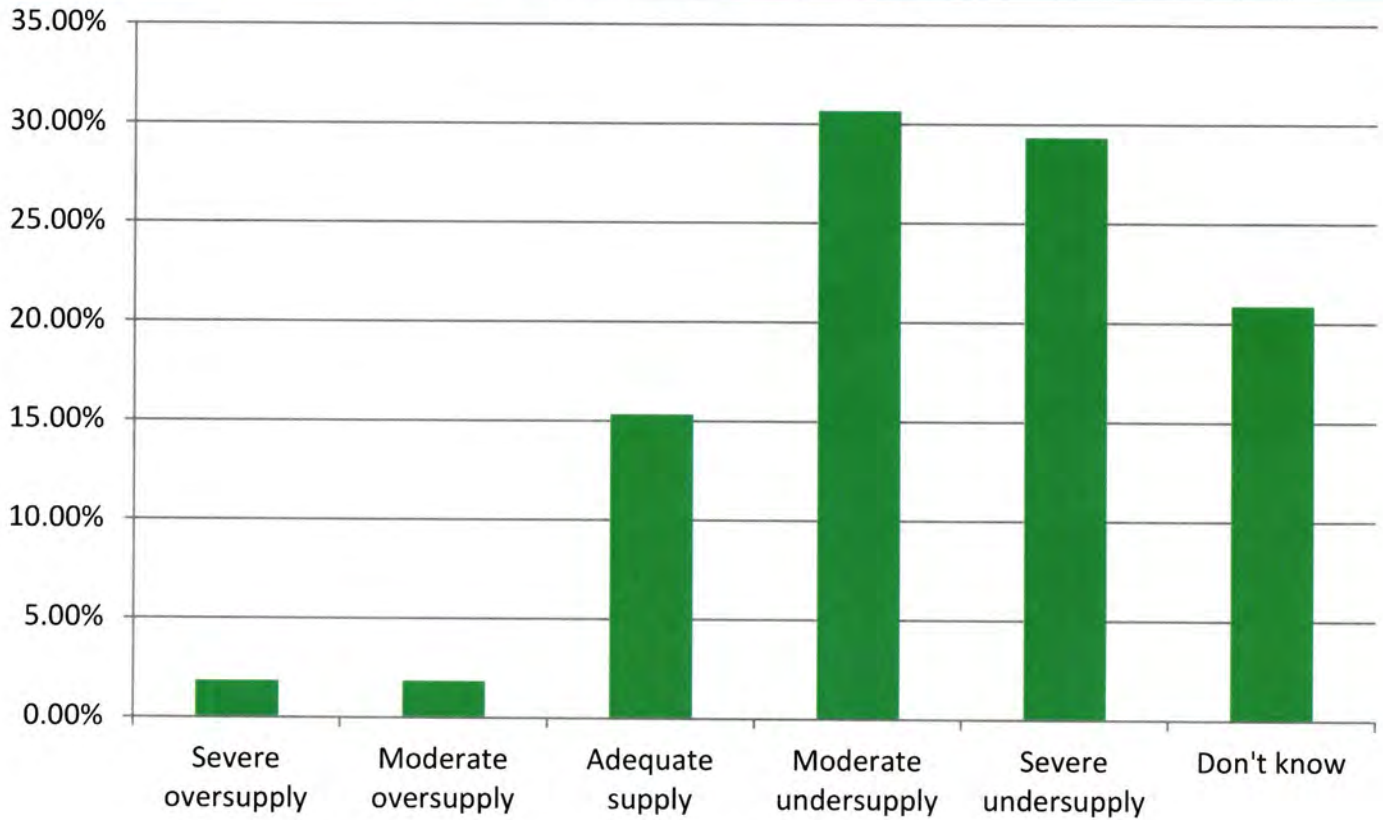


If you have looked for rental housing in the past three years, how would you rate the availability of rental housing in your community for the following rental ranges?

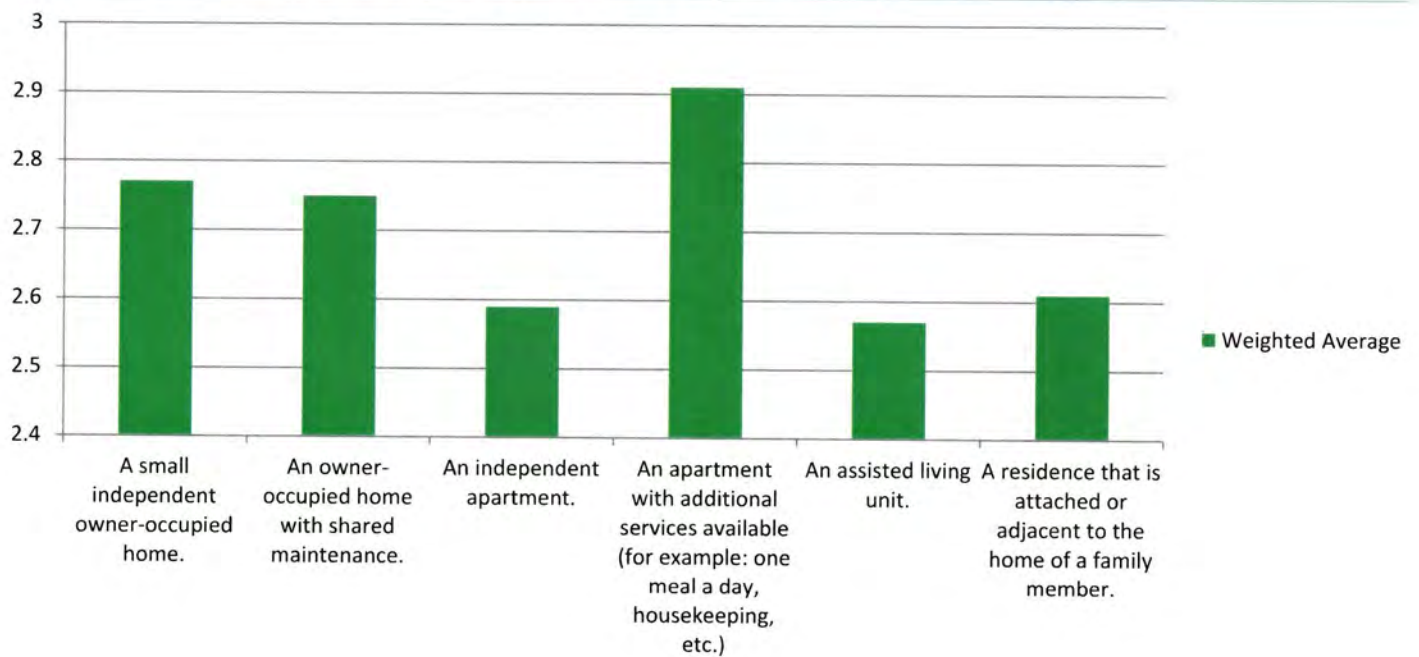




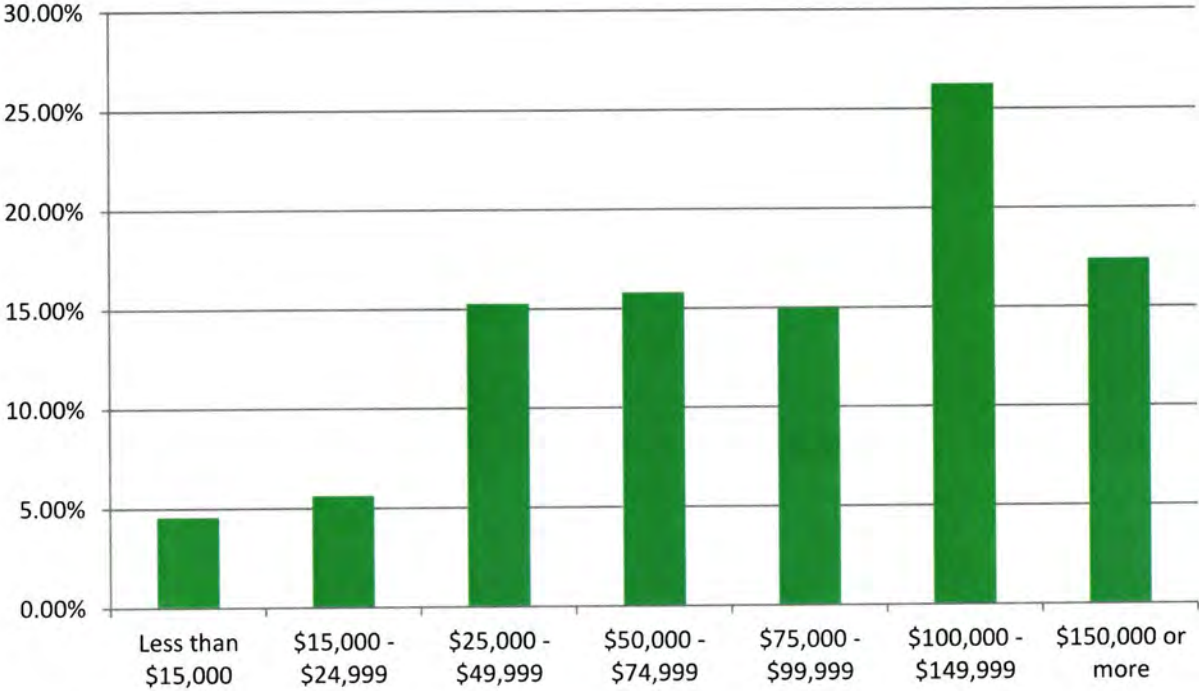
How would you rate the supply of buildable lots in your community?



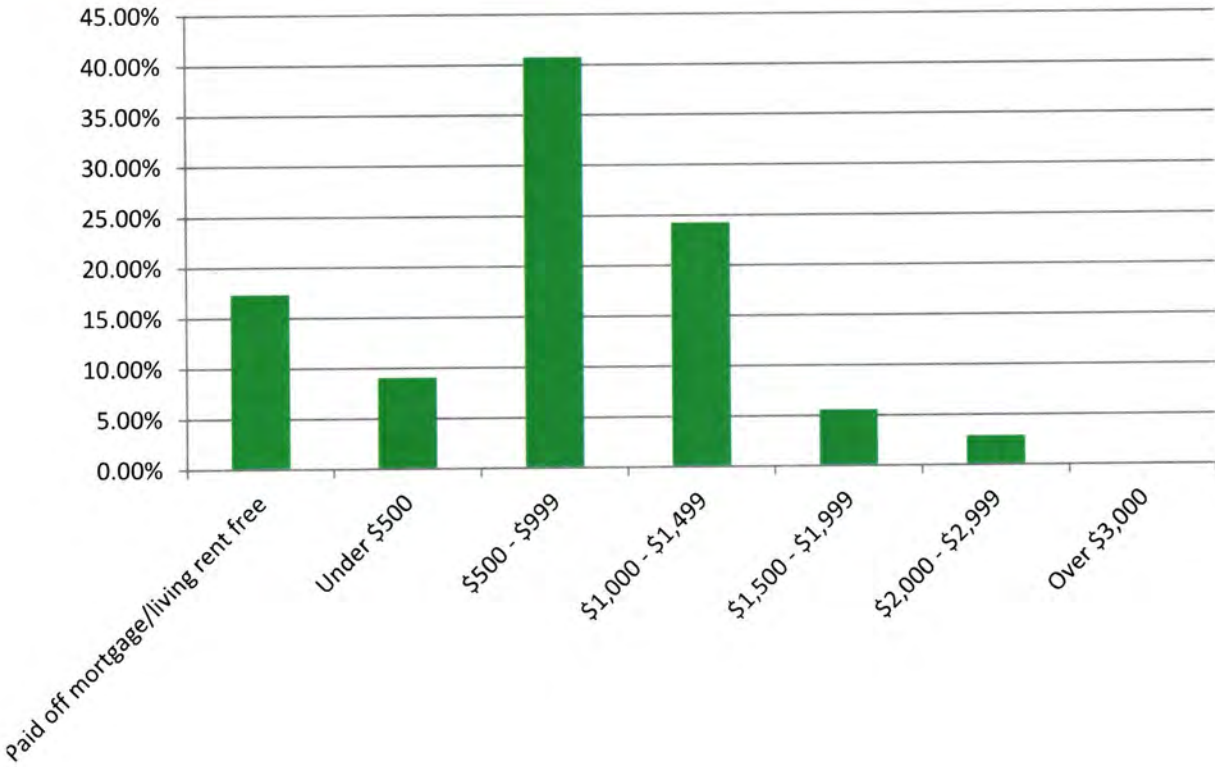
What type of housing do you believe retirees and the elderly are most interested in?



What is your household's estimated annual income?



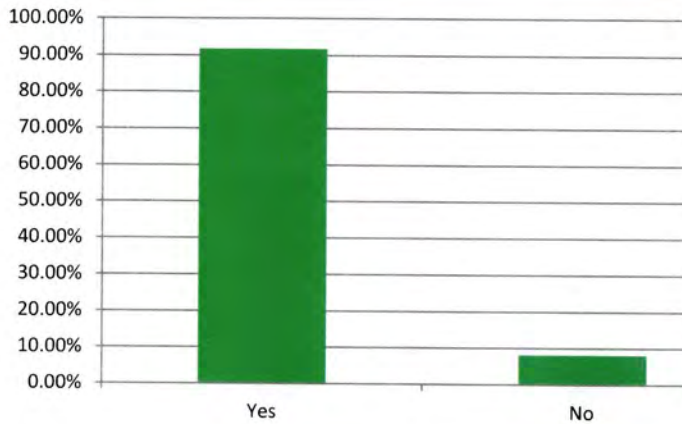
How much is your monthly rent or mortgage payment?



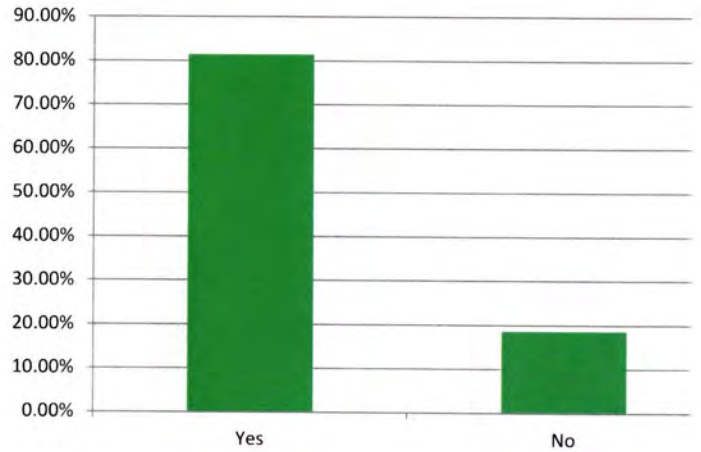


Do you believe each of these housing types would be successful if available in your community today?

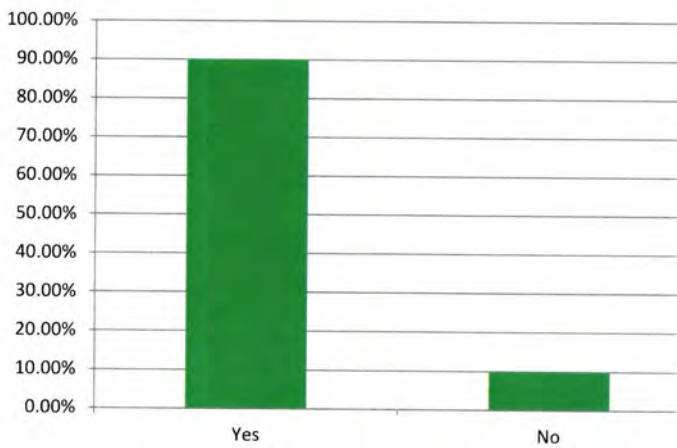
Affordable, small two- or three-bedroom house



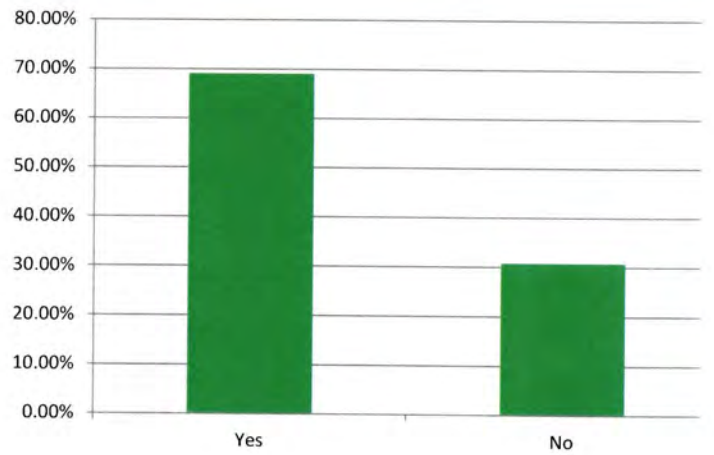
Townhouse or Duplex



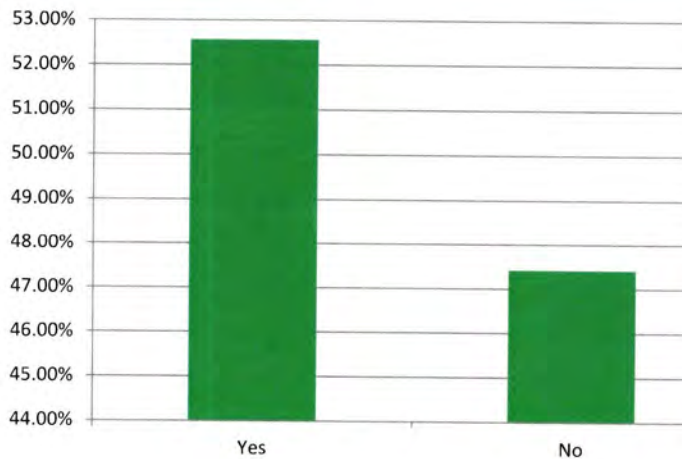
Mid-size, three-bedroom house



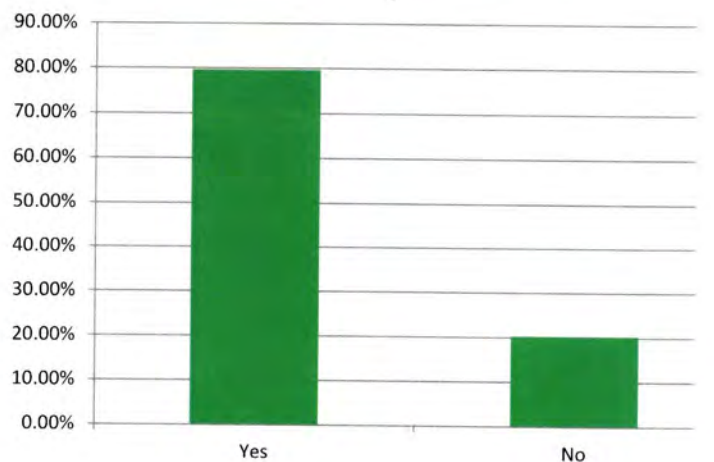
Row Housing



Larger home with four or more bedrooms

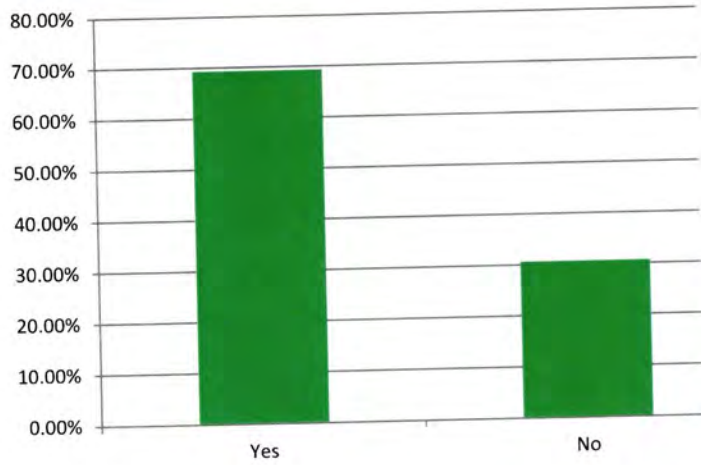


Apartment

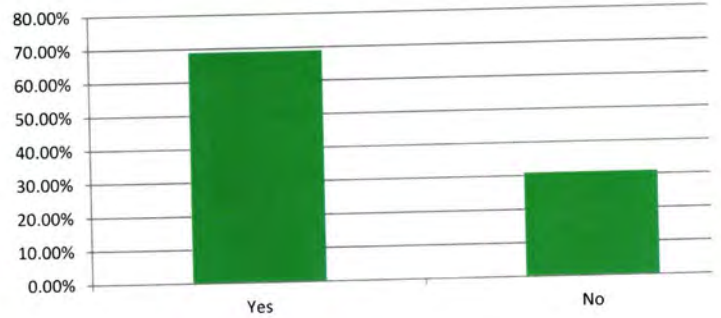


Do you believe each of these housing types would be successful if available in your community today?

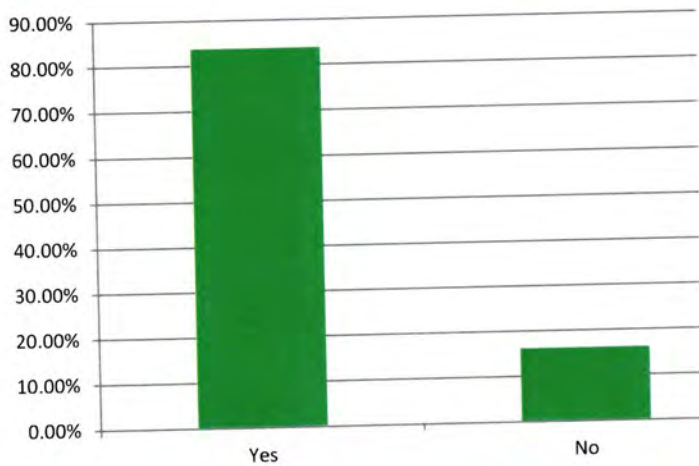
Downtown, upper-story residential



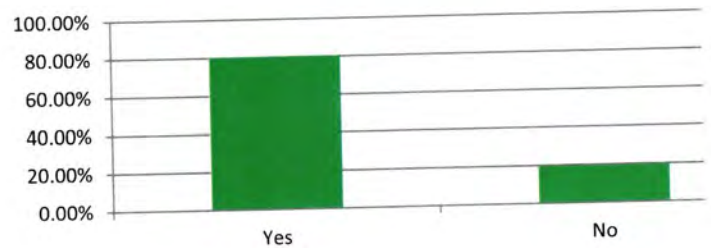
Would you support greater enforcement of property maintenance codes?



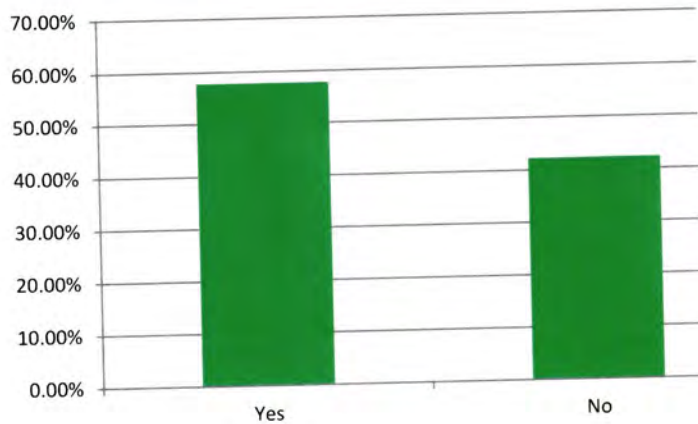
Independent - Senior Living Housing



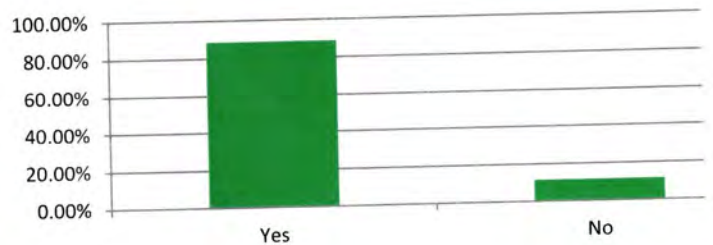
Would you support the use of public funding for housing rehabilitation or renovations?



Accessory Dwelling Unit (ADU, also known as "granny flats")

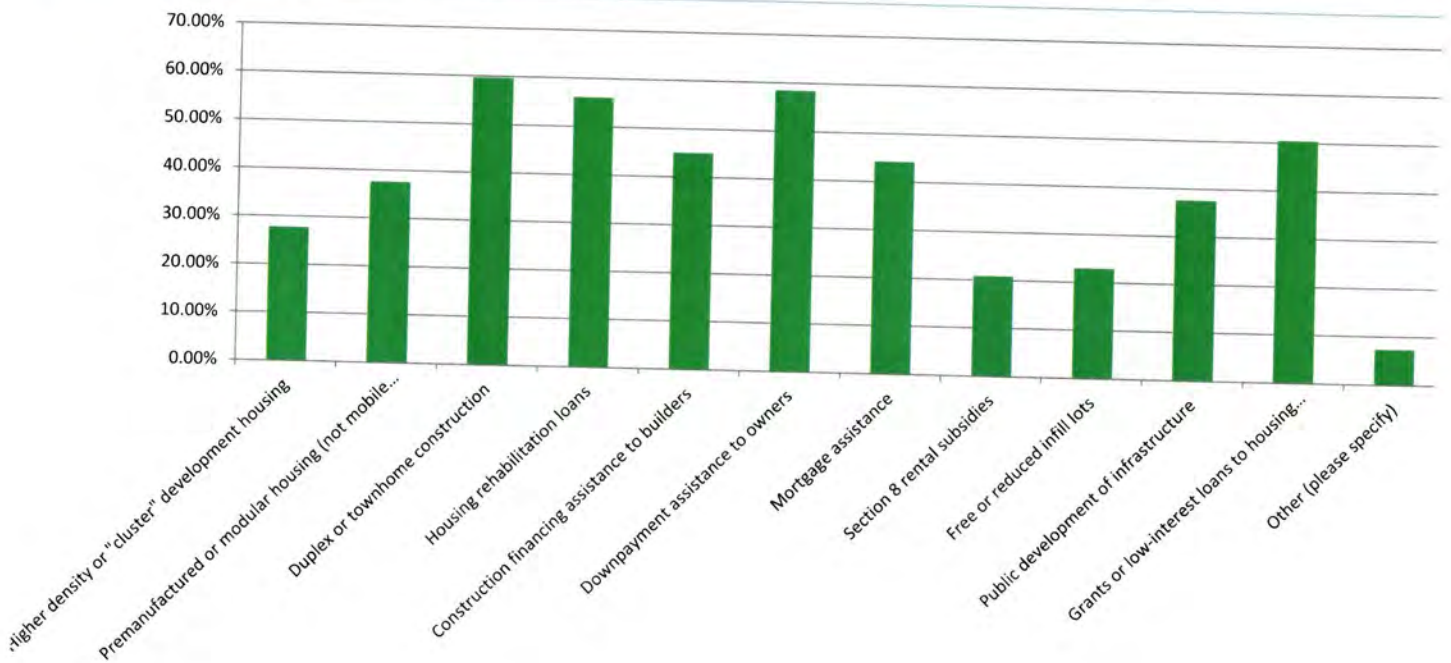


Would you support the use of public funding to remove dilapidated housing?

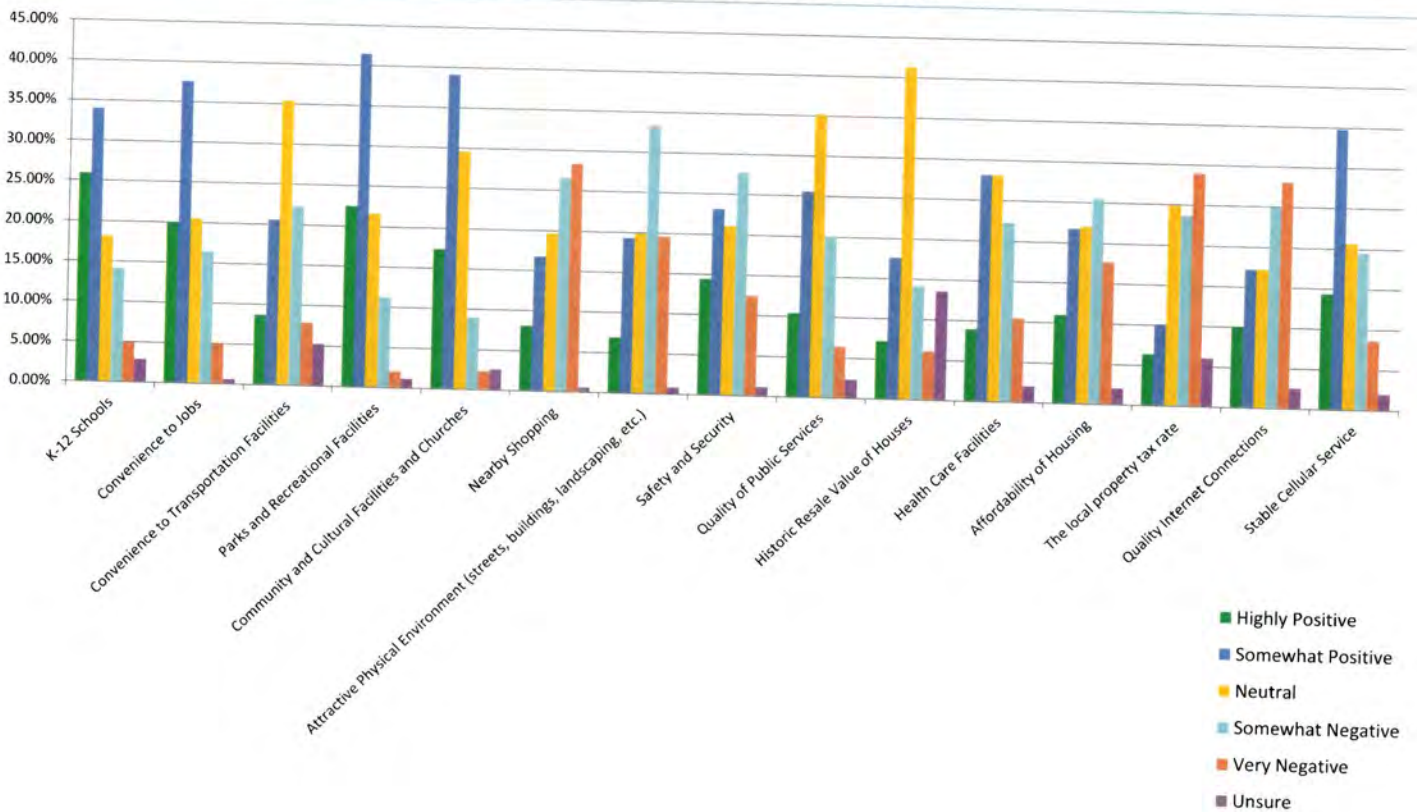




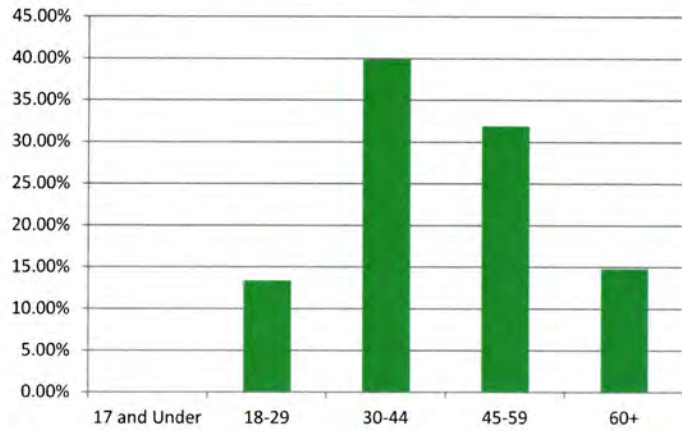
Which types of housing solutions would your support to reduce the cost of housing in your community? (select all that apply)



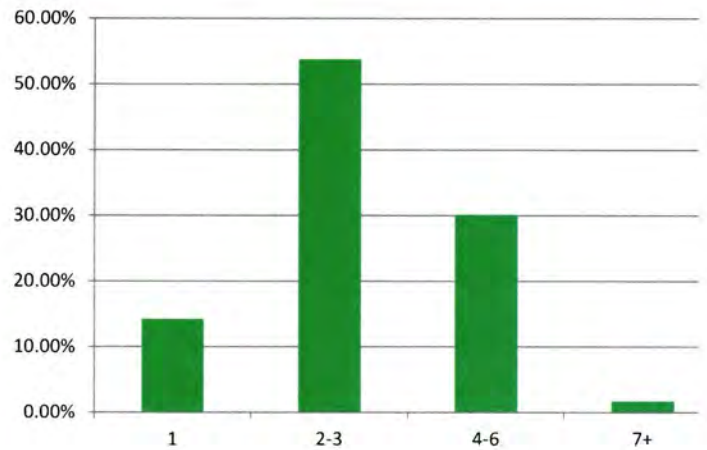
Thinking about the quality of life features that are currently in or near your community, how would you rate the impact of each one on the attractiveness of you community?



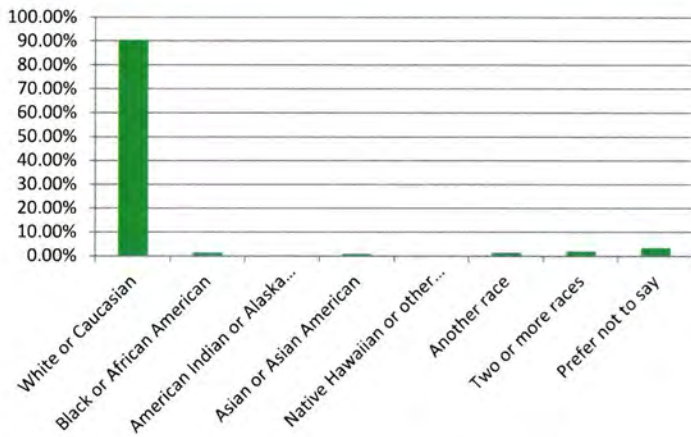
### What is your age?



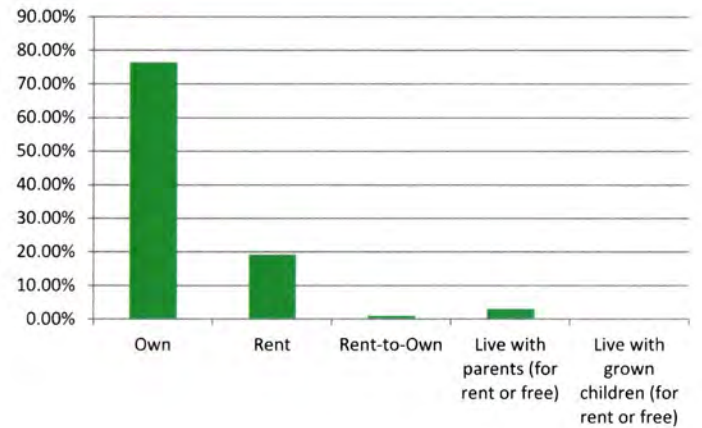
### How many people live in your household?



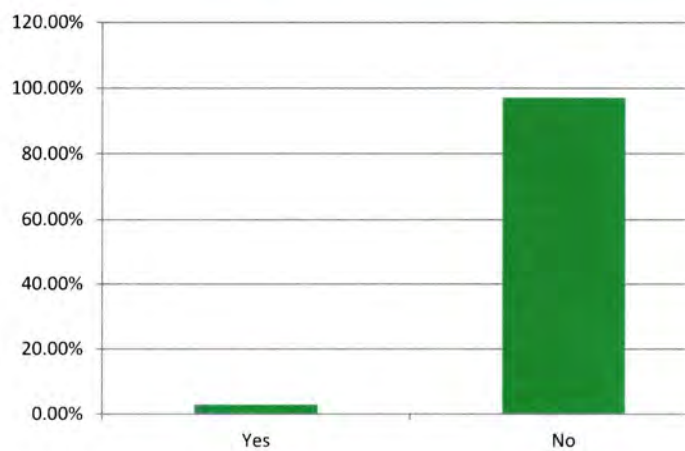
### What is your race?



### Do you own or rent your home?



### Are you Hispanic or Latino?





**CITY OF OTTUMWA**  
Staff Summary

**\*\* ACTION ITEM \*\***

Council Meeting of : Feb 15, 2022

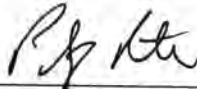
Planning & Development  
Department

Zach Simonson

Prepared By

Zach Simonson

Department Head



\_\_\_\_\_  
City Administrator Approval

AGENDA TITLE: Resolution No. 21-2022: A RESOLUTION APPROVING A DOCKLESS SHARED  
MOTORIZED SCOOTER OPERATING AND LICENSE AGREEMENT WITH BIRD  
RIDES, INC. AND AUTHORIZNG THE MAYOR TO SIGN AND EXECUTE SAID  
AGREEMENT

\*\*\*\*\*

\*\*Public hearing required if this box is checked.\*\*

RECOMMENDATION: Pass and adopt Resolution No. 21-2022.

DISCUSSION: In June of 2021, the City entered into an agreement to allow Bird to use public right-of-way to park e- scooters. That agreement was for one year. Because e- scooters in our climate are a seasonal business, Bird has asked that we consider extending that agreement before they mobilize for spring.

Resolution 21- 2022 would maintain the same terms as the previous agreement but would last for an additional two years. Staff has shared a

Source of Funds:

Budgeted Item:  Budget Amendment Needed:

poll on the City website to solicit feedback about the scooters. Full results of that poll will be shared at the meeting for discussion and review. At the time of writing, 97 respondents have completed the survey. Asked if they believe the Council should renew the agreement, 66 have answered yes and 31 have answered no. With the packet, Staff has also included a year-in- review that was provided by Bird including information about the number of trips last season.



RESOLUTION NO. 21-2022

A RESOLUTION APPROVING A DOCKLESS SHARED MOTORIZED SCOOTER OPERATING AND LICENSE AGREEMENT WITH BIRD RIDES, INC. AND AUTHORIZING THE MAYOR TO SIGN AND EXECUTE SAID AGREEMENT

WHEREAS, Bird Rides, Inc. (Bird) operates an app-based platform for renting dockless electric scooters; and

WHEREAS, Bird seeks to provide this service within the City of Ottumwa; and

WHEREAS, City Staff and Bird have negotiated a Dockless Shared Motorized Scooter Operating and License Agreement; and

WHEREAS, this agreement protects the interests and security of citizens by setting enforceable expectations regarding parking, operation and liability; and

WHEREAS, this agreement would commence upon the passage and publication of an ordinance establishing regulations for electric scooters within the City of Ottumwa;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA:

That the City Council approves the Dockless Shared Motorized Scooter Operating and License Agreement; and

That the City Council authorizes the Mayor to sign and execute said agreement.

Approved, passed and adopted this 15<sup>th</sup> day of February 2022.

CITY OF OTTUMWA, IOWA

BY Richard W. Johnson  
Richard W. Johnson, Mayor

ATTEST:

Chris Reinhard  
Chris Reinhard, City Clerk

DOCKLESS SHARED MOTORIZED SCOOTER OPERATING AND LICENSE  
AGREEMENT

This Operating and License Agreement (“Agreement”) is made this \_\_\_\_ (day) of \_\_\_\_\_ (month) 2022, by and between the City of Ottumwa, Iowa (“City”) and Bird Rides, Inc. (“Bird”).

RECITALS

WHEREAS, a goal of the City is to provide safe and affordable multi-modal transportation options to all residents, reduce traffic congestion, and maximize carbon free mobility; and

WHEREAS, shared micro-mobility devices, such as electric scooters, are a component to help the City achieve its transportation and environmental goals and the City desires to make electric scooter share services available to residents, those who work in the City, and visitors; and

WHEREAS, Bird is a qualified provider of micro-mobility device share and related mobility products and services and proposes to operate an electric scooter share program within the City; and

WHEREAS, Bird shall abide by all City ordinances and rules governing the use of public space to efficiently and effectively provide electric scooter share services; and

WHEREAS, Bird possesses technology in its electric scooter fleet such that electric scooters may be locked and opened by Bird customers with a mobile application and tracked to assist operations and maintenance.

AGREEMENT

NOW, THEREFORE, the parties agree as follows:

1. Use of City Property. City authorizes Bird to use the City right-of-way for the purposes set forth in Section 2 of this Agreement. This authorization is not a lease or an easement, and is not intended and shall not be construed to transfer any real property interest in City Property.

2. Permitted Use. Bird customers may use the City right-of-way solely for parking of electric scooters owned and operated by Bird. Bird shall not place or attach any personal property, fixtures, or structures to City Property without the prior written consent of City.

a. Use of the City right-of-way, and Bird's operations within the City, shall, at a minimum: (1) not adversely affect City Property or the City's streets, roadways, bike lanes, or sidewalks; (2) not adversely affect the property of any third parties; (3) not inhibit pedestrian or vehicular movement within the City right-of-way or along other property or rights-of-way owned



or controlled by the City and (4) not create conditions which are a threat to public safety and security.

b. Upon termination of this Agreement by either party, Bird shall, at its sole cost and expense, remove its property from the public right-of-way within seven (7) days of the date of termination.

c. Bird shall not introduce additional mobility devices, other than electric scooters, without first receiving City approval.

### 3. Electric Scooter Parking.

a. Electric scooters may be located on the City right-of-way or other public property so long as they do not obstruct or interfere with the public's use of said right-of-way or property.

b. Electric scooters shall be parked on a sidewalk or other hard surface, in a manner that would not impede the normal and reasonable pedestrian access on a sidewalk and provides a minimum of three (3) feet of a pedestrian walkway, in compliance with the Americans with Disabilities Act.

c. Electric scooters may not be parked in a manner that would impede or obstruct vehicular traffic on a street or alley.

d. Electric scooters shall not be parked in a manner on the sidewalk that impedes or obstructs access to the following:

1. ADA parking zones;
2. Street furniture that requires pedestrian access (i.e., benches, parking meters/pay stations, bus shelters, etc.)
3. Curb ramps;
4. Entryways;
5. Driveways;
6. Sidewalk cafes or parklets;
7. Transit zones, including bus stops, shelters, passenger waiting areas and bus staging zones, except at existing bicycle racks;
8. Fire hydrants;
9. Loading zones; and
10. Landscape planting beds or other landscape materials.

e. Incorrectly parked electric scooters shall be moved within four (4) hours of notice from the City to Bird. Bird shall provide the name, telephone number, and email of a person or persons to be available to receive and respond to complaints 24 hours a day, 7 days a week.

f. The City may remove an electric scooter from the City's right-of-way if it creates a hazard that threatens the health, safety and welfare of citizens. In such instances, the City will notify Bird and Bird must respond within two (2) hours of contact from the City during normal business hours defined as 8:00AM to 6:00PM Monday through Friday or within ten (10) hours outside of normal business hours. If the City must remove an electric scooter, Bird shall be charged a relocation fee of \$35.00.

g. Bird will work with the City to identify designated parking locations in safe areas, and to explore incorporating no-parking zones within the Bird app. Priority areas for geo-fencing to establish zones where electric scooters are not allowed to be operated are highways. Priority areas for geo-fencing to establish zones where electric scooters are not to be parked are residential neighborhoods, industrial parks and highways. Bird will cooperate with the City to establish effective geo-fencing in these areas.

4. Loss or Damage: City assumes no liability for loss or damage to Bird's electric scooters or other property. Bird agrees that City is not responsible for providing security at any location where Bird's electric scooters are stored or located, and Bird hereby waives any claim against City in the event Bird's electric scooters or other property are lost or damaged.

5. Customer Safety: Bird shall include images and texts within the Bird app and website of how to properly ride and park electric scooters, as well as the age limitation (18 years or older) for riding Bird electric scooters. Bird shall require a valid driver's license per electric scooter rented, in order to help prevent use of electric scooters by minors. Bird shall limit the motorized-assisted speed of electric scooters to no more than 15 miles per hour. Bird may coordinate with the City and local partners to encourage and promote helmet usage.

6. Maintenance of Electric Scooters. Bird shall maintain its electric scooters in a good working manner. In the event a safety or maintenance issue is reported for a specific electric scooter, that electric scooter shall be made unavailable to users and shall be removed within four (4) hours of notice from the City or user to Bird. Any inoperable or unsafe electric scooters shall be repaired before it is placed back in service. City shall not have any obligations with regards to the maintenance of Bird's electric scooters.

7. Maintenance and Care of City Property: Bird expressly agrees to repair, replace or otherwise restore any part or item of real or personal property that is damaged, lost or destroyed as a result of Bird's use of City Property. Should Bird fail to repair, replace or otherwise restore such real or personal property, Bird expressly agrees to pay City's costs in making such repairs, replacements or restorations.

8. Fleet Size Limit: Bird shall maintain a fleet of no more than 100 electric scooters. Electric scooters shall be equipped with GPS technology or other installed software in order to track and manage the fleet's operations. Bird may request to increase the fleet limit, which the City Administrator may grant based on Bird's performance under this Agreement.



## 9. Indemnification.

a. Bird will indemnify, defend, and hold harmless the City and its elected or appointed officials, employees, agents, volunteers, successors and assigns (collectively, the "Indemnified Parties") from and against any third party liability, actions, claims, demands, costs, losses or damages, including reasonable attorneys' fees (collectively, "Claims"), resulting from or arising out of this Agreement, or which are related to Bird's (including its officers, managers, employees, contractors, agents, and volunteers) business conduct and operations, any violation of any laws by Bird (including its officers, managers, employees, contractors, agents, and volunteers) or its customers, or any bodily injury including death or damage to property arising out of or in connection with any use, misuse, placement or misplacement of any of Bird's electric scooters, except as set forth in Section 9(b) hereof.

b. Bird will not indemnify, defend or hold harmless the City or the City's Indemnified Parties from and against all Claims resulting from or arising out of the negligence or willful misconduct of the City or the City's Indemnified Parties, for which Bird shall have no liability hereunder.

10. Insurance. Bird shall procure and maintain for the duration of this Agreement insurance against claims for which Bird has indemnified the City pursuant to Section 9 of this Agreement. Each insurance policy shall name the City and its elected or appointed officials, employees, agents, and volunteers as additional insured and it shall be endorsed to state that: (i) coverage shall not be suspended, voided, or cancelled by either party, or reduced in coverage or in limits except after thirty (30) calendar days prior written notice by certified mail, return receipt requested, has been given to City; (ii) for any covered claims, Bird's insurance coverage shall be primary insurance as respects the City and any insurance or self-insurance maintained by the City shall be in excess of Bird's insurance and shall not contribute with it; (iii) Bird waives all rights of subrogation against City, its elected or appointed officials, employees, agents or volunteers. The insurance required to be provided herein, shall be with insurers possessing an AM Best's rating of no less than A:VII.

a. Bird shall maintain General Liability limits no less than One Million and no/100 Dollars (\$1,000,000.00) per occurrence for bodily injury, personal injury and property damage, and with an aggregate of no more than Two Million and no/100 Dollars (\$2,000,000.00).

b. Bird shall maintain Workers' Compensation Insurance and Employer's Liability Insurance for his/her employees in accordance with the laws of the State of Iowa. In addition, Bird shall require each subcontractor to similarly maintain Worker's Compensation Insurance and Employer's Liability Insurance in accordance with the laws of the State of Iowa for all of the subcontractor's employees.

c. Bird shall maintain automobile liability insurance covering bodily injury and property damage for all activities of Bird arising out of this Agreement, including coverage for owned, hired, and non-owned vehicles, in an amount of not less than One Million and no/100 Dollars (\$1,000,000) on a claims-made annual aggregate basis, or a combined single-limit per occurrence basis.

11. Compliance with Law. Bird, at its own cost and expense, shall comply with all statutes, ordinances, regulations, and requirements of all governmental entities applicable to its use of City right-of-way and the operation of its electric scooter share program, including but not limited to laws governing operation of electric scooters. If any license, permit, or other governmental authorization is required for Bird's lawful use or occupancy of City right-of-way or any portion thereof, Bird shall procure and maintain such license, permit and/or governmental authorization throughout the term of this Agreement. City shall reasonably cooperate with Bird, at no additional cost to City, such that Bird can properly comply with this Section and be allowed to use City right-of-way as specified in Section 2, above.

12. Data Sharing. Bird agrees to provide data requested by City to assist with monitoring electric scooter usage.

13. No Joint Venture. Nothing herein contained shall be in any way construed as expressing or implying that the parties hereto have joined together in any joint venture or liability company or in any manner have agreed to or are contemplating the sharing of profits and losses among themselves in relation to any matter relating to this Agreement.

14. Term. This Agreement shall commence upon final passage, approval and publication of an ordinance establishing regulations for the use of electric scooters within the City of Ottumwa. The City shall provide notice of this Commencement Date to Bird. This agreement shall expire on the date that is two (2) years after the Commencement Date unless earlier terminated pursuant to Section 15, below. At the conclusion of the term, the Agreement may be extended by mutual consent of the parties, subject to any new terms agreed between the parties.

15. Termination. This Agreement may be terminated, by either party, for any reason, or for no reason, prior to the expiration date set forth in Section 14, above, upon delivery of at least thirty (30) days' written notice to the receiving party prior to the intended date of termination.

16. Amendment. This Agreement may be amended by mutual agreement of the parties. Such amendments shall only be effective if incorporated in written and executed by duly authorized representatives of the parties.

17. Permits. The City shall notify Bird of any local permits required, if any, of the company for its local operation.



18. Inspection of Records. Bird shall keep true and accurate records showing all trip activity and data within the City. The City shall have the right through its representatives, and at reasonable times, including any time during the one-year period following the termination of the Agreement, to view data as it relates to the number of trips taken within the City's limits.

19. Applicable Law and Venue. The laws of the state of Iowa shall govern the interpretation and enforcement of this agreement.

20. Assignment. Bird may not assign its rights under this Agreement.

21. Counterparts and Electronic Signatures. This Agreement may be executed simultaneously or in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same agreement. This Agreement may be executed electronically.

22. Notices. Any notice required to be given in writing by either party pursuant to this Agreement shall be deemed to have been properly given only if (a) sent by the United States Postal Service, certified mail, postage prepaid, or (b) sent by FedEx or other comparable commercial overnight delivery service, and, in the case of any of the foregoing, addressed to the other party at the addresses set forth below or to such other address as Bird or the City may designate to each other from time to time by written notice. Notices shall be deemed to have been given on the day sent or deposited; provided, however, that any time period for a response or responsive action to such notice shall be measured from the date such notice is actually received (any notice actually received after 5:00 PM at the site of receipt shall be deemed received on the following business day).

(a) If to Bird: NAME/TITLE  
ADDRESS

(b) If to the City: Zach Simonson  
Community Development Director  
105 E Third St.  
Ottumwa, IA 52501

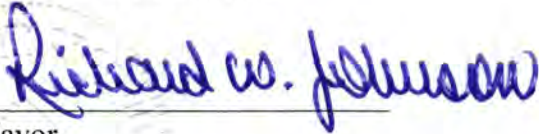
23. Entire Agreement. This Agreement represents the entire and integrated agreement between the City and Bird relative to the contracted matters herein. All previous or contemporaneous contracts, representations, promises and conditions relating to the contracted matters herein are superseded.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the Effective Date.

BIRD

\_\_\_\_\_

CITY OF OTTUMWA



Richard W. Johnson

Mayor



Attest: Chris Punkard

City Clerk

01874985-1\10981-1000





# Hey Ottumwa!

A Year in Bird (so far):



07/2021

Birds Landed



100

Number of Birds



3.65

Metric Tonnes of CO2 saved



7,582

Total Rides



17,178

Total Miles Traveled

1

Bird takes you where you want to go. Here's where the Bird community is riding Birds to!



Thanks for Birding, as a Reminder:

- Park properly - do not block sidewalks
- Ride in a bike lane when available
- Stay off the sidewalks
- Always wear a helmet

Got it

2

This year, we reminded Ottumwa riders... Please ride and park responsibly.

- Bird's Rental Agreement requires riders to be 18 or older to ride.
- Stay off the sidewalk - use a bike lane when available
- Park properly - do not block sidewalks, ADA ramps, or entrances.



3

### A Bird's Eye View:



So far this year, globally, Bird has:

- ✓ Integrated with **Google Maps** to increase access to Birds worldwide
- ✓ Launched **“Safe Start”** an in-app program designed to stop drinking and riding.
- ✓ Launched **electric bike-sharing** in select cities, with more to come.
- ✓ Announced that we **offset ALL GHG emissions** associated with our scooters in 2020
- ✓ Became official supporters of the **Vision Zero Network**, a global movement dedicated to ending traffic fatalities



1.) What was the purpose of your most recent Bird trip?

For fun/leisure	Get to/from dining/shopping/local businesses	Get to/from social activities	Run errands/appointments	Get to/from work	Get to/from school
84.75%	0.00%	1.59%	1.59%	1.69%	6.78%

Did you visit a local business on your trip (as the destination or along the way)?

Yes	No
40.68%	59.32%

Did having access to Bird make you more likely to visit that business?

Yes	No
27.12%	11.86%

If Bird didn't exist, how would you have gotten to your destination?

Personal car	Walk	Personal bike	Lyft/Uber/Taxi	I would not have taken this trip
38.98%	16.95%	3.39%	3.39%	0.00%

Did you take Bird to connect to or from another form of transportation?

Yes	No
27.12%	72.88%

Which mode did you connect to or from?

Personal car	Public transit	Carshare	Lyft/Uber/Taxi
20.34%	0.00%	3.39%	3.39%

Does having access to Bird make you more likely to use the mode you connected to or from?

Yes	No
20.34%	6.78%

What's the most important investment to improve e-scooter service in your city?

Create more bike lanes to ride Birds in show where I can't ride or park my scooter	Create more on-street scooter parking spaces to reduce clutter	Reduce the number of operators so I don't have to toggle between scooter apps
42.37%	11.86%	13.56%

Gender

Male	Female	Prefer Not to Say
33.90%	64.41%	0.00%

Average Age

32

Number of Responses

59

**CITY OF OTTUMWA**  
Staff Summary

**\*\* ACTION ITEM \*\***

Council Meeting of : Feb 15, 2022

Philip Rath

Prepared By

Administration

Department

Department Head



City Administrator Approval

AGENDA TITLE: Resolution No. 25-2022 - a resolution to adopt the Local Human Rights Commissions Organizational Framework Models guide

\*\*\*\*\*  
 \*\*Public hearing required if this box is checked.\*\*

RECOMMENDATION: Adopt the Local Human Rights Commissions Organizational Framework Models guide

DISCUSSION: In 1982, a City Code was amended to combine the Human Rights Commission with the Fair Housing Board and updating the Code as pertains to the HRC. In 2015, the City Code was again amended to abolish the local Human Rights Commission and revise the complaint process by referring claims to the Iowa Civil Rights Commission (the State). During the recent planning process to update the Comprehensive Plan – Our Ottumwa 2040 identifies “Celebrating Diversity” as one of four overarching goals for the next twenty years.

Source of Funds: N/A

Budgeted Item:  Budget Amendment Needed:



Despite the call to celebrate diversity, the original draft of the planning document fell a little short on content. Prior to the final draft, staff and the Mayor sought more input from various groups in the community. One of the suggestions that came from these meetings was to reinstate the local Human Rights Commission. Following the adoption of the Comprehensive Plan the Mayor and I have had a few follow up meetings and researched the topic. In accordance with Iowa Code cities with a population equal or greater than 29,000 are required to establish and fund a local civil rights commission. The code does not prohibit smaller cities from establishing the same; however, there may be limitations to enforcing local discriminatory ordinances against entities exempt under the Iowa Civil Rights Act.

From our research it appears the Commission was abolished due to reduced participation and many of the complaints being sent to the State Commission in Des Moines. That does not equate; however, to a diminished need to promote equity and inclusion. The City should be a leader in these efforts. This is perhaps where an advisory commission could be an asset – a group to help 1) identify and address barriers within organizational systems, 2) help attract and retain a talented workforce skilled at working in an inclusive and respectful manner with one another and the community, 3) evaluate and create processes, policies, plans, practices, programs, and services that meet the diverse needs of those we serve and 4) when needed, assist individuals and groups with filing complaints of unfair or discriminatory practices.

On June 29, 2021 the City Council held a worksession facilitated by Monica Stone who is the Deputy Director of the Iowa Department of Human Rights. Following that session Ms. Stone set to work on drafting a framework and guide for communities such as Ottumwa who were looking to (re) establish a Human Rights Commission. Upon completion of the draft the guide was forwarded to our attention and is attached to this summary for reference.

**RESOLUTION NO. 25-2022**

**RESOLUTION ADOPTING THE LOCAL HUMAN RIGHTS COMMISSIONS  
ORGANIZATIONAL FRAMEWORK MODEL GUIDE**

**WHEREAS**, on August 18, 2020 the City of Ottumwa adopted the 2040 Comprehensive Plan, which identified “Celebrating Diversity” as one of the four key principles for the City of Ottumwa; and

**WHEREAS**, an identified goal related to this principle was to “explore restoring the Ottumwa Civil Rights Commission by identifying ways in which the Commission could perform tasks that promote equity in the community rather than simply forwarding issues to the state commission;” and

**WHEREAS**, on June 29, 2020 the City Council held a work session facilitated by Monica Stone, Deputy Director of the Iowa Department of Human Rights Commission; and

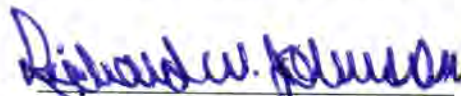
**WHEREAS**, at that session the City Council agreed, “to start with education/advocacy (Human Rights) phased approach to ensure a sustainable model is achieved;” and

**WHEREAS**, Monica Stone developed the attached guide for reference in establishing a Human Rights Commission.

**NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA**, that the attached guide entitled “Local Human Rights Commissions Organizational Framework Models” is hereby adopted and that the City Administrator is hereby authorized and directed to execute the guide in order to initiate a Human Rights Commission within the City of Ottumwa, Iowa.

APPROVED, PASSED AND ADOPTED, this 15<sup>th</sup> day of February, 2022.

CITY OF OTTUMWA, IOWA



Richard W. Johnson, Mayor

ATTEST:



Christina Reinhard, City Clerk





# LOCAL HUMAN RIGHTS COMMISSIONS ORGANIZATIONAL FRAMEWORK MODELS

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2022

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Iowa Department of Human Rights

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The information provided in this guide does not, and is not intended to, constitute legal advice, and is not to be acted on as such. This guide is for general informational purposes only to help you learn more about the organizational framework of local human rights organizations.



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# Why Local Human Rights?

## HUMAN RIGHTS BEGIN CLOSE TO HOME

Human rights laws and standards provide a powerful framework to ensure well-being, equity and inclusion for all people by the simple virtue of their humanity. Human rights are central to our state and national ideals of fairness and opportunity.

A basic tenant of any human rights framework is that human rights must start close to the people – close to home - and must involve and respect the needs and expertise of local communities. Realization of human rights requires local decision making and strong collaboration with state and federal organizations.

*“Where, after all, do universal human rights begin? In small places, close to home ... such are the places where every man, woman and child seeks equal justice, equal opportunity, equal dignity without discrimination. Unless these rights have meaning there, they have little meaning anywhere.” - Eleanor Roosevelt*

In Iowa, federal, state and local human rights agencies all play a critical role in promoting and protecting human rights. At the federal level, Iowans may access the resources of the U.S. Department of Justice Civil Rights Division. At the state level, Iowa has both the Iowa Department of Human Rights and the Iowa Civil Rights Commission. **Central to the state agencies’ missions is encouraging and facilitating system change to eradicate discrimination and promote equal opportunity.** While each of these agencies has distinct roles and authority and do not oversee the other, they provide state-wide expertise in enforcing laws, engaging in community education, data analysis and policy direction, training and advocacy.

Local government agencies in Iowa serve various roles, and employ locally appropriate models, to provide leadership in both human and civil rights throughout the state. This guide highlights ways Iowa’s local governments can advance the critical work of human rights locally, while also ensuring a more effective articulation between local and state efforts to best serve Iowans.



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# What Are Human Rights?

Human rights are recognized and accepted norms and values that promote dignity, fairness and opportunity for all people, and enable individuals to meet their basic needs.

Our human rights obligation in government is to: refrain from action that interferes with or curtails a person's enjoyment of their rights; protect individuals and groups from human rights abuses by third parties; and take positive steps to realize the enjoyment of an individual's human rights. A human rights framework also calls upon government to promote equality and non-discrimination on the basis of civil rights categories defined in law, including age, color, creed, familial status, gender identity, marital status, mental disability, national origin, physical disability, race, religion, retaliation, sex and sexual orientation. Civil rights laws also protect lowans against discrimination in areas of credit, education, employment, housing and public accommodations.

## The Role of Local Government

Local human rights commissions play a key role in ensuring broad human rights protections throughout our state. Many Iowa communities have established human and/or civil rights organizations that are designed to best meet their local needs. This guide is intended to provide a framework for communities considering establishing a new human rights organization, or adding a human rights component to their current civil rights-focused work.

A human rights role for local government may include:

- Developing a charter for the community to guide its focus on human rights
- Collecting information and reporting on local human rights status and initiatives
- Assessing local policies in light of human rights needs and standards; making recommendations for improvements
- Educating and training the public, businesses and local agencies about human rights
- Celebrating all cultures and inclusion of all people in the community

On the following pages, you will find ideas, best practices, samples and suggestions as you plan for the initiation of a Human Rights Commission for your community. These recommendations do not provide an exhaustive assessment of options or opportunities, and should be considered a starting point for establishing a program of work that best meets local needs and priorities.

***Organizations should also seek legal advice from an attorney regarding their particular situations and jurisdictions.***



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## Developing a Community Human Rights Charter

A Human Rights Charter for a community is a statement of the community's commitment to human rights. A Charter may be drafted by a local government, and adopted by elected officials, to guide the city and its residents in understanding the local focus on human rights. A Charter is an effective way to ensure everyone knows what is expected, provides a foundation to focus on the work required, and keeps the Commission members aligned to the priorities. A Charter may take many forms, and in best practice, it should include, but is not limited to:

- **Background/Statement of Purpose.** Describe the purpose of the Human Rights Commission and the scope of the Commission's work
- **Goals.** Describe what you want your community to be like when considering human rights, and what benefits will accrue to the community when that goal is achieved
- **Commission structure and updates to the charter.** How many people will serve on the Commission? How will they be selected? Will they represent specific elements of the community? How long will people serve? How does the Commission make recommendations to change the charter?

### Sample Charter #1

The Human Rights Commission promotes equity and inclusion in the community and works to ensure equal opportunity in employment, education, housing, public accommodations and services. The Commission offers access to the affairs of the city for all members of the community. Our duties include:

- Listening to community members and providing access to resources that may resolve, or assist in the resolution of their complaints. This may include connecting citizens with the Civil Rights Commission in circumstances that may require enforcement action.
- Partnering with organizations and individuals in our community to provide education and training with the goal of ending discrimination and inequities.
- Advising the Mayor, City Council and city staff on human rights issues.
- Collecting data and providing planning necessary to promote the human rights of all members of the community.

The Commission is comprised of seven voting members and three ex-officio non-voting members. Members are appointed by the Mayor to three-year terms that are staggered to ensure both continuity and access to new voices for the Commission. The seven voting members shall include representation as follows: A member of the business community, a person who is foreign-born, a person who is an educator, a person who identifies as having a disability, a person who is a landlord, a person of color, an interested resident of the city. The ex-officio members shall include: The Mayor, the City Administrator, a member of the City Council.

*\*Reflective of the Charter of the town of Brooklyn Park, Mn*



### Sample Charter #2

It is the duty of the Human Rights Commission to affirm, encourage and initiate programs and services within the City designated to eliminate discrimination, improve human relations and positively affect the spirit and intent of applicable human and civil rights legislation. In these efforts, the Commission may enlist the support of community groups and public agencies.

- The Commission is to recommend to the Mayor and Council policies and programs with the objective of implementing Commission goals concerning human rights of persons and groups in the community.
- The Commission shall work with City Officials to ensure that the City continues to be a leader in extending equal opportunity to its inhabitants, including, but not limited to: employment in city government, training for city jobs, services provided, equality before the law, and equal treatment of all by holders of City licenses, contracts and privileges.
- The Commission shall ascertain the status of human rights in our community.

The Commission shall consist of nine to eleven members serving without pay. Members of the Commission shall be appointed by the Mayor with the advice and subject to the approval of the Council. The term of such member shall be for a period of three years, or the remainder of vacant term. An appointed member of the Commission must remain a resident of the City during their service.

*\*Reflective of the Charter for the City of Moscow, Idaho*

## Collecting Information and Reporting

Local Human Rights Commissions can play a critical role in collecting information about the status of their community and using reports or other means to inform their own work and priorities. These tools can also serve as a resource for citizens, businesses, non-profits, state agencies, the legislature and others about the status of human rights issues in local areas. Reporting can be used to highlight and celebrate results of the Commission's work, and also identify areas for current and future emphasis by the Commission.

The collection of information may include the following topics as a starting point, and should be customized to best serve local interests and needs. For the purposes of reporting, a Commission may consider populations including, but not limited to: Persons with Disabilities, persons who are Deaf, persons who are Hard of Hearing, persons who are Blind, Women, African American, Asian, Native Hawaiian, Pacific Islander, Native American, Latino, People who identify as two or more races, LGBTQ+, Youth, and People living in poverty:

- Community composition by population
- Employment and Income data by population
- Civic Engagement/involvement by population



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- Educational attainment and achievement relative to standards by population
  - Health and healthcare access by population
  - Justice system involvement for youth and adults by population
  - Economic contribution by population
  - Languages spoken in the home by population

Much of this community-specific information may be discovered using the [US Census Bureau's Quick Facts tool](#) for communities with a population of 5,000 or greater. More detailed information can be found by using the [Explore Census Data](#) function and choosing the advanced search option. Additionally, Iowa State University Extension offers an extensive [data and information tool for decision makers](#) at the local, regional and state levels.

Reporting frequency should be determined by the Commission based on the Commission's strategic planning needs and the ability to obtain data that will best inform decision making. As a general rule, bi-annual reporting cycles tend to capture information with enough recency and relevancy to be effective, however, a community may experience more rapid change and may choose to update all or select information on a more frequent basis to meet those unique needs. By committing to a regular schedule of reporting, Commissions will be able to measure the impact of their work using the data collected, and use that measurement to direct future actions and resources.

The Commission should also decide how best to share Commission reports. Best practices may include:

- Providing report information on the local government web site
- Sharing the availability of the report on official Commission/local government social media
- Sharing relevant information in news releases, educational events, or training
- Presenting the report results in local venues such as business roundtables, community forums, breakfast clubs, and others
- Presenting report results to local government leaders and decision makers
- Sharing the report with state agencies, the legislature, and the congressional delegation

## Assessing Local Policies and Making Recommendations for Improvement

Using the goals outlined in the Human Rights Commission Charter for the community, the Commission may assess local policies in light of their ability to support human rights. Commissions may accomplish the assessment using a variety of means, however, some best practices may include:

- **Prioritizing areas for assessment based on information and reporting.** For example, if, based on the data collected for a community, it is discovered that key areas for improvement include



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reducing justice system involvement for youth and increasing opportunities for entrepreneurship for people of color, it may be prudent to prioritize learning more about and assessing the work of local agencies and/or schools in these areas.

- **Holding public hearings or obtaining public input.** Once areas for assessment are determined, a Commission may want to offer the public an opportunity to comment on the local policies and make suggestions for enhancements.
- **Identifying best practices.** When an area for improvement is discovered, a Commission may want to connect with state agencies and other Commissions throughout Iowa and in other communities around the country to seek information about best practices and solutions.
- **Collaborating with officials to identify improvements.** Officials and staff within the city offer significant subject matter expertise about why a policy is in place and insight into workable solutions after hearing the perspectives of others. By establishing a system of collaborative change, it is likely that workable solutions will be implemented more quickly and systems will be changed at the optimal level to eliminate issues of discrimination.

## Education and Training

Local Human Rights Commissions can work with local groups to engage in education and outreach in areas identified in the Charter. Education and training initiatives may take two primary forms, and a Commission may want to include its education and training plan for either, or both, forms within any strategic planning it completes. Those two forms are:

- **On demand.** A Commission may choose to make its members available to provide education and training on issues for organizations on an established set of topics as needed and requested by local organizations.
- **On schedule.** A Commission may choose to offer scheduled education and training for the community on an established set of topics. Using technology, these scheduled events can be recorded and made available in a clearinghouse for access at any time.

In addition to educating the public, government officials and businesses about relevant human rights issues and best practices, Commissions may choose to provide a clearinghouse of information for individuals who need assistance or additional information.

As a connection point for locally available and statewide services, a Commission can facilitate connections for an individual when an alleged human rights violation may need additional investigation by an enforcement agency, such as the [Iowa Civil Rights Commission](#).

Commissioners may also choose to develop an educational rubric for members of the Commission to become familiar with local issues and resources, state and federal laws, and regional and state-wide resources. The [Iowa Department of Human Rights](#) can work with a local Human Rights Commission to help in building the right educational resource for their local needs.



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## Celebrating Culture and Inclusion

By raising awareness, building public support and providing other expertise and resources, local human rights agencies can encourage and assist other government agencies, businesses and citizens within their community to incorporate human rights principles and standards into their work and daily lives.

As educators of human rights issues and best practices, the Commission should consider their role as learners of the best ways to celebrate culture and inclusion of underrepresented populations in their communities. A strong method of celebrating culture and inclusion includes learning how to be inclusive about cultures different from your own.

The commission may consider enrolling in workshops and training in Diversity, Equity and Inclusion or inviting practitioners of Diversity, Equity and Inclusion to commission meetings. Commissioners may consider establishing working relationships with culturally competent subject matter experts and culturally based community leaders who may be formally or informally appointed by their communities. Commissioners may consider having an intentional presence at culturally based festivals held within their communities. Festivals and celebratory events are a great opportunity for Commissions to celebrate culture as well as share information and meet stakeholders. Understanding the anticipated audience of an event, and learning how your commission's attendance can serve the event are ways that the commission can have an intentional presence at these events while celebrating culture.

## Commission Membership

As a local government considers establishing the criteria for appointment to the local Human Rights Commission, some considerations are:

- Ensuring that local ordinances, state laws, and rules are met in the establishment of the Commission, including gender balance.
- Examining the demographics of the local population and using that information to determine key areas of representation.
- Including representation for employers, housing providers, educators and others who have important responsibilities in carrying out a community's human rights commitment.

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- Including residents who are new to the community through migration, immigration or re-settlement, along with residents who have long-established history and relationships within the community.



# Appendix A: Iowa Department of Human Rights

The Iowa Department of Human Rights advocates for underrepresented Iowans and fosters hope within our communities by educating individuals, businesses and government entities about the needs, rights and responsibilities of all Iowans. (See Iowa Code Chapter 216A). As a state agency, we have a special responsibility to ensure accessibility to government in order to improve Iowans' quality of life. Our core priorities are to empower Iowans to become self-sufficient, to help Iowans access services, and to improve the state's criminal and juvenile justice system. Our three divisions - Community Action Agencies, Community Advocacy and Services, and Criminal and Juvenile Justice Planning - work to reduce cultural, social, and economic barriers to opportunities for Iowans to succeed

Community Action Agencies	Community Advocacy and Services	Criminal and Juvenile Justice Planning
<p>This division works in collaboration with the state's regional <u>Community Action Agencies</u> to plan and deliver programming to reduce poverty and its impacts on the people of Iowa, helping Iowa's families to become more economically self-sufficient.</p> <p>By linking state and federal programs with local agencies, we serve people who are elderly, low-income and with disabilities.</p> <p>Specific programming includes:</p> <ul style="list-style-type: none"> <li>• <u>Weatherization</u></li> <li>• <u>Low Income Home Energy Assistance Program</u></li> <li>• <u>Community Services Block Grant Program</u></li> <li>• <u>Family Development and Self Sufficiency Program</u></li> </ul>	<p>This division streamlines access to services offered by the State for specific underserved populations, serving as a connection between Iowa's diverse communities and the programs needed to bring about equity and inclusion. To do this, we provide information and referral, <u>youth leadership programming</u>, advocacy at the system level, training and education, <u>language access</u> and cultural celebrations. Much of our work is organized within the following population groups:</p> <ul style="list-style-type: none"> <li>• <u>Asian and Pacific Islanders</u></li> <li>• <u>Deaf and Hard of Hearing</u></li> <li>• <u>Latinx</u></li> <li>• <u>Native Americans</u></li> <li>• <u>Persons with Disabilities</u></li> <li>• <u>African-Americans</u></li> <li>• <u>Women</u></li> </ul>	<p>This division helps state and local officials, and practitioners, identify and address criminal and juvenile justice issues through research, data and policy analysis, planning and grant administration.</p> <p>Specific areas of emphasis include:</p> <ul style="list-style-type: none"> <li>• <u>Criminal Justice Information System</u></li> <li>• <u>Disproportionate Minority Contact</u></li> <li>• <u>Females and Juvenile Justice</u></li> <li>• <u>Justice Data Warehouse</u></li> <li>• <u>Youth Resources</u></li> <li>• <u>Juvenile Justice System Improvement</u></li> <li>• <u>National Youth in Transition Data</u></li> <li>• <u>Standard Program Evaluation Protocol</u></li> </ul>

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The Department of Human Rights is home to a number of commissions that serve distinct populations and issues within the human right subject matter. The Commissions use generally accepted processes to govern their work. You can also learn more about the Commissions on the Department's web site.

For assistance with specific topics, reach out to the Department in the following areas:

- **Data & Research**
- **Advocacy**
- **Youth Support:** State of Iowa Youth Advisory Council, Iowa youth Congress, Iowa Youth Action Squads
- **Communications and Resources**
- **Program Development**
- **Celebrations of culture**



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# Appendix B: Iowa Civil Rights Commission

The Iowa Civil Rights Commission is a neutral, fact-finding law enforcement agency that enforces the "Iowa Civil Rights Act of 1965," Iowa's anti-discrimination law. (See Iowa Code Chapter 216). The Commission does not provide legal representation.

The **goal** of the Iowa Civil Rights Commission is to ensure that people involved in civil rights complaints receive timely, quality resolutions.

The **mission** is: "Ending discrimination through effective enforcement of the Iowa Civil Rights Act."

The "Iowa Civil Rights Act of 1965" prohibits discrimination in the areas of employment, housing, credit, public accommodations and education. Discrimination, or different treatment, is illegal if based on race, color, creed, national origin, religion, sex, sexual orientation, gender identity, pregnancy, physical disability, mental disability, retaliation (because of filing a previous discrimination complaint, participating in an investigation of a discrimination complaint, or having opposed discriminatory conduct), age (in employment and credit), familial status (in housing and credit) or marital status (in credit).

The Iowa Civil Rights Commission serves all the people of Iowa, including the parties to complaints. Often these customers have competing interests. However, there are key expectations that these customers hold in common. These include:

- Neutral fact-finding agency
- Fairness and equality
- Timeliness
- Accessibility to staff and the process
- Quality written analysis of cases
- Thorough job knowledge and performance of our duties

- 
- Well-reasoned decisions

The Iowa Civil Rights Commission is committed to improving the quantity and quality of the processing of complaints which will significantly increase our ability to enforce the ICRA. This goal can best be met by proper training, better oversight and holding individuals accountable for their performance. Additionally, the agency has implemented an investigative process that is flexible with more discretion to investigators rather than employing a "one size fits all" investigative approach. The agency also has provided new computers and updated software, increased access to legal research, and improved the general aesthetics of the office to enhance the staff's abilities to perform their duties.





**Iowa Department of Human Rights**  
**321 East 12<sup>th</sup> Street**  
**Des Moines, IA 50319**  
**(515) 242-5655 Phone**  
**<https://humanrights.iowa.gov/>**

**CITY OF OTTUMWA**  
Staff Summary

**\*\* ACTION ITEM \*\***

Council Meeting of : Feb 15, 2022

Planning & Development  
Department

Zach Simonson  
Prepared By  
Zach Simonson  
Department Head

  
\_\_\_\_\_  
City Administrator Approval

AGENDA TITLE: RESOLUTION 27-2022: RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON AN APPLICATION TO THE IOWA ECONOMIC DEVELOPMENT AUTHORITY FOR A COMMUNITY DEVELOPMENT BLOCK GRANT FROM THE COVID-19 PROGRAM

\*\*\*\*\*

\*\*Public hearing required if this box is checked.\*\*

RECOMMENDATION: PASS AND ADOPT RESOLUTION 27-2022.

DISCUSSION: The Iowa Economic Development Authority is providing a special round of Community Development Block Grant funding as a result of additional federal Covid relief funding. With Area 15 Regional Planning, staff has identified a project which will provide assistance to the food service program operated by Starr Workforce/Blessings Soup Kitchen which provides meals to persons experiencing homelessness.

Source of Funds:

Budgeted Item:  Budget Amendment Needed:



Since the beginning of the pandemic, the number of daily meals served by Blessings has more than doubled from 100-150 to 250-300 meals per day. This while operating on residential grade appliances. If funded, the \$100 thousand CDBG grant would provide:

- 2 Commercial stoves
- 2 Commercial refrigerators
- 2 Commercial freezers
- 3 Double convection ovens
- 1 Stainless steel compartment sink
- 1 Commercial pasta cooker
- 1 Industrial washer & dryer
- 75,000 take-out containers (1 year supply)

This would not only support the growing need for this service but also enable Blessings to serve more nutritional food and a wider variety of meals. The grant would not require a local match.

RESOLUTION NO. 27-2022

RESOLUTION FIXING DATE FOR A PUBLIC HEARING ON AN APPLICATION TO THE IOWA ECONOMIC DEVELOPMENT AUTHORITY FOR A COMMUNITY DEVELOPMENT BLOCK GRANT FROM THE COVID-19 PROGRAM

WHEREAS, the Iowa Economic Development Authority (IEDA) is seeking proposals for Community Development Block Grant COVID-19 (CDBG-CV) projects; and

WHEREAS, the CDBG-CV program provides assistance to communities to provide assistance for food service programs in communities impacted by COVID-19; and

WHEREAS, the CDBG-CV housing conversion program provides up to \$100 thousand per project; and

WHEREAS, City staff have identified a suitable project for assistance to the food service program operated by Starr Workforce dba Blessings Soup Kitchen which prepares meals for persons experiencing homelessness; and

WHEREAS, before such application may be submitted, it is necessary that a public hearing be held thereon and that due notice be given in accordance with the requirements of the CDBG-CV program.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OTTUMWA, IOWA:

Section 1. It is determined that it is in the best interests of the citizens of the City to hold a public hearing on the matter of the IEDA CDBG-CV application, on March 1, 2022, at 5:30 P.M., in the Council Chambers, City Hall, 105 East Third Street, Ottumwa, Iowa.

Section 2. That the City Clerk be and is hereby directed to publish a notice of a public hearing on the application, at least once not less than seven days prior to the date of said public hearing. January 18, 2022 will be the next regularly scheduled City Council meeting after the publication of notice.

Section 3. The notice of the proposed hearing shall be in substantially the following form:



NOTICE OF PUBLIC HEARING FOR CITIZEN PARTICIPATION REGARDING  
PROPOSED ACTIVITIES RELEVANT TO APPLICATION FOR  
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS

YOU ARE HEREBY NOTIFIED that the City of Ottumwa, Iowa will hold a public hearing to gather public input on a proposed application to the Iowa Economic Development Authority for CDBG COVID-19 Non-Entitlement funds for a food program assistance project. Public comments will be considered in the development of the application and a Community Development and Housing Needs Assessment.

This hearing will be held on March 1, 2022 at 5:30 PM at the Ottumwa City Hall in Ottumwa, Iowa.

The purpose of the hearing is to provide an opportunity for the public to propose or comment on the project and the proposed application to the CDBG COVID-19 Non-Entitlement program and a Community Development and Housing Needs Assessment. The needs assessment will address the following:

1. Major housing and community development needs of low to moderate income (LMI) residents of the community.
2. Other major housing and community development needs (for non-LMI residents).
3. Planned or potential activities to address the needs identified in 1 and 2 above.

If you are unable to attend this meeting but have comments, written comments must be received no later than 4:30 p.m. March 1, 2022. Written comments may be addressed to: City of Ottumwa, 105 E. Third St., Ottumwa, IA 52501.

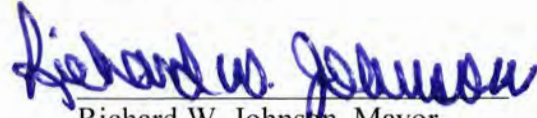
Dated this \_\_\_\_ day of \_\_\_\_\_, 2022.

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City Clerk, City of Ottumwa, Iowa

(End of Notice)

PASSED AND APPROVED this 15<sup>th</sup> day of February, 2022.

  
Richard W. Johnson, Mayor

ATTEST:

  
City Clerk



**CITY OF OTTUMWA**  
**Staff Summary**

**\*\* ACTION ITEM \*\***

Council Meeting of: Feb 15, 2022

Planning & Development  
Department

Zach Simonson  
Prepared By  
Zach Simonson  
Department Head

  
\_\_\_\_\_  
City Administrator Approval

AGENDA TITLE: RESOLUTION 28-2022: RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF OTTUMWA AND COBBLESTONE HOTEL DEVELOPMENT, LLC

\*\*\*\*\*

\*\*Public hearing required if this box is checked.\*\*

RECOMMENDATION: PASS AND ADOPT RESOLUTION 28-2022.

DISCUSSION: The original Development Agreement with Cobblestone for the hotel at Bridge View Center contained a closing date of November 15, 2021. The environmental review which is a normal part of the closing process has taken longer than expected. To provide time for the environmental review to be completed before closing this resolution amends the development agreement to set closing on or before May 1, 2022.

Source of Funds:

Budgeted Item:  Budget Amendment Needed:

**ITEM TO INCLUDE ON AGENDA**

**CITY OF OTTUMWA, IOWA**

February 15, 2022

5:30 P.M.

West Gate Economic Development Urban Renewal Plan

- Resolution approving and authorizing execution of a First Amendment to the Development Agreement by and between the City of Ottumwa and Cobblestone Hotel Development, LLC

IMPORTANT INFORMATION

1. The above agenda items should be included, along with any other agenda items, in the meeting agenda. The agenda should be posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the body holding the meeting. If no such office exists, the notice must be posted at the building in which the meeting is to be held.
2. If you do not now have a bulletin board designated as above mentioned, designate one and establish a uniform policy of posting your notices of meeting and tentative agenda.
3. Notice and tentative agenda must be posted at least 24 hours prior to the commencement of the meeting.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE  
CHAPTER 21 AND THE LOCAL RULES OF THE CITY.



February 15, 2022

The City Council of the City of Ottumwa in the State of Iowa, met in regular session, in the Council Chambers, City Hall, 105 East Third Street, Ottumwa, Iowa, at 5:30 P.M., on the above date. There were present Mayor Johnson, in the chair, and the following named Council Members:

Marc Roe, Cara Galloway, Doug McAntire, Sandra Pope

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Absent: Russ Hull

Whereupon, Council Member Roe introduced and delivered to the Clerk the Resolution hereinafter set out entitled "RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF OTTUMWA AND COBBLESTONE HOTEL DEVELOPMENT, LLC", and moved:

- that the Resolution be adopted.
- to defer action on the Resolution and the proposal to the meeting to be held at \_\_\_\_\_ .M. on the \_\_\_\_\_ day of \_\_\_\_\_, 2022, at this place.

Council Member McAntire seconded the motion. The roll was called, and the vote was:

AYES: Roe, Galloway, McAntire, Pope

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NAYS: \_\_\_\_\_

Whereupon, the Mayor declared the measure duly adopted.

RESOLUTION NO. 28-2022

RESOLUTION APPROVING AND AUTHORIZING  
EXECUTION OF A FIRST AMENDMENT TO THE  
DEVELOPMENT AGREEMENT BY AND BETWEEN THE  
CITY OF OTTUMWA AND COBBLESTONE HOTEL  
DEVELOPMENT, LLC

WHEREAS, by Resolution No. 39-1989, adopted May 2, 1989, this Council found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the West Gate Economic Development Urban Renewal Plan (the "Plan" or "Urban Renewal Plan") for the West Gate Economic Development Urban Renewal Area (the "Area" or "Urban Renewal Area") described therein, which Plan, as subsequently amended, is on file in the office of the Recorder of Wapello County; and

WHEREAS, it is desirable that properties within the Area be redeveloped as part of the overall redevelopment area covered by said Plan; and

WHEREAS, the City of Ottumwa, Iowa (the "City") and Cobblestone Hotel Development, LLC (the "Developer") have previously entered into an Agreement for Private Development on September 28, 2021 ("Original Agreement"), regarding the development of certain real property located within the Urban Renewal Area as defined and legally described in the Original Agreement (the "Development Property"), which Development Property is owned by the City; and

WHEREAS, pursuant to the Original Agreement, the City agreed to sell the Development Property to the Developer, under the terms and conditions of the Original Agreement, and the Developer agreed to purchase the Development Property and develop it for a hotel adjacent to the existing convention center; and

WHEREAS, various circumstances have caused a delay in the sale of the Development property, and accordingly the City and Developer desire to amend the Agreement by a proposed First Amendment to the Agreement ("Amendment") in order to extend the Due Diligence Period and delay the Closing Date, pursuant to the terms and conditions of the Amendment; and

WHEREAS, Iowa Code Chapters 15A and 403 authorize cities to undertake activities for the promotion of economic development in furtherance of the objectives of an urban renewal project and to appropriate such funds and make such expenditures as may be necessary to carry out the purposes of said Chapters, and to levy taxes and assessments for such purposes; and

WHEREAS, the Council has determined that the Amendment is in the best interests of the City and the residents thereof and that the performance by the City of its obligations thereunder is a public undertaking and purpose and in furtherance of the Plan and the Urban Renewal Law and, further, that the Agreement, as proposed to be amended by the Amendment, and the City's performance thereunder is in furtherance of appropriate economic development



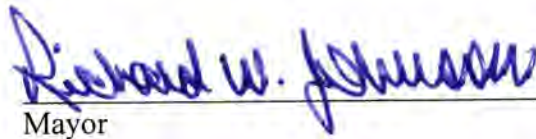
activities and objectives of the City within the meaning of Chapters 15A and 403 of the Iowa Code.


NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OTTUMWA IN THE STATE OF IOWA:

Section 1. That the performance by the City of its obligations under the Amendment be and is hereby declared to be a public undertaking and purpose and in furtherance of the Plan and the Urban Renewal Law and, further, that the Agreement, as amended by the Amendment, and the City's performance thereunder is in furtherance of appropriate economic development activities and objectives of the City within the meaning of Chapters 15A and 403 of the Iowa Code.

Section 2. That the form and content of the Amendment, the provisions of which are incorporated herein by reference, be and the same hereby are in all respects authorized, approved and confirmed, and the Mayor and the City Clerk be and they hereby are authorized, empowered and directed to execute, attest, seal and deliver the Amendment for and on behalf of the City in substantially the form and content now before this meeting, but with such changes, modifications, additions or deletions therein as shall be approved by such officers, and that from and after the execution and delivery of the Amendment, the Mayor and the City Clerk are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Agreement and the Amendment as executed.

PASSED AND APPROVED this 15<sup>th</sup> day of February, 2022.

  
\_\_\_\_\_  
Mayor

ATTEST:  
  
\_\_\_\_\_  
City Clerk

CERTIFICATE

STATE OF IOWA

)

) SS

COUNTY OF WAPELLO

)

I, the undersigned City Clerk of the City of Ottumwa, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the corporate records of the City showing proceedings of the City Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council (a copy of the face sheet of the agenda being attached hereto) pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the City hereto affixed this 15 day of February, 2022.

*Christa Reinhard*

\_\_\_\_\_  
City Clerk, City of Ottumwa, State of Iowa



(SEAL)

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**FIRST AMENDMENT  
TO THE  
DEVELOPMENT AGREEMENT  
BY AND BETWEEN  
THE CITY OF OTTUMWA, IOWA  
AND  
COBBLESTONE HOTEL DEVELOPMENT, LLC**

THIS FIRST AMENDMENT ("Amendment") to that certain Development Agreement by and between the CITY OF OTTUMWA, IOWA ("City") and COBBLESTONE HOTEL DEVELOPMENT, LLC, a Wisconsin limited liability company ("Developer") dated September 28, 2021 ("Original Agreement"), is made as of February 24, 2022, between the City and the Developer.

WHEREAS, the City and the Developer previously executed the Original Agreement, pursuant to which Developer agreed to purchase certain real estate from the City located within the City's West Gate Economic Development Urban Renewal Area and thereafter develop said property as described in the Original Agreement, which property is defined in the Original Agreement as the "Development Property" and legally described as:

A part of Auditor's Lot Five (5) and Six (6) of the Northeast Quarter (NE 1/4) of Section 25, Township 72 North, Range 14 West of the 5th P.M. in P.M. in the City of Ottumwa, Wapello County, Iowa, and part of the original Church Street right-of-way lying northwesterly of said Auditor's Lots 5 and 6, and the relocated Church Street (see description in Deed Book 35, page 94) and a part of Lot Six (6) of Robert Fellows Addition to the City of Ottumwa, Wapello County, Iowa as Lot 6 is shown on the Plat of Robert Fellows Addition in Plat Book V on page 29, and part of platted River Street Lying between said Lot 6 of Robert Fellows Addition and Auditor's Lot 5 of said NE 1/4 of Section 25, and more particularly described as follows: Commencing at the Northeast corner of said Auditor's Lot 5 of the NE 1/4 Section 25; thence North 68°57'20" West 60.33 feet along the Northeast side thereof to the Point of Beginning; thence South 24°04'55" West 160.81 feet; thence North 65°55'05" West 150.00 feet to a point on the relocated right of way of Church Street as it is shown in Plat Book Y on page 1; thence North 24°04'55" East 250.00 feet along said relocated right of way; thence South 65°55'05" East 150.00 feet; thence South 24°04'55" West 89.19 feet to the Point of Beginning, containing 0.86 acres, and subject to any and all easements and/or restrictions of record.

WHEREAS, under the terms of the Original Agreement, the Closing Date for sale of the Development Property was to be on or before November 15, 2021 and the Due Diligence Period was to extend until the Closing Date; and

WHEREAS, various occurrences outside the control of the Developer and the City prevented closing by November 15, 2021 and have necessitated additional time for the Due Diligence Period, and accordingly the parties wish to formally extend the Due Diligence Period and delay the Closing Date pursuant to this Amendment.

NOW THEREFORE, it is agreed by the parties:

1. Definitions. All capitalized words used herein and not specifically defined shall have the same definitions as in the Original Agreement.
2. Closing Date. The City and the Developer hereby agree to delay the Closing Date to May 1, 2022. Accordingly, "November 15, 2021" in Section 4.3 of the Original Agreement is hereby replaced with "May 1, 2022" and all references to the Closing Date shall mean on or before May 1, 2022.
3. Due Diligence Period. The City and Developer hereby agree and affirm that the Due Diligence Period shall continue through the Closing Date, as amended by this Amendment.
4. No Further Modifications. Except as modified by this Amendment, all covenants, agreements, terms, and conditions of the Original Agreement shall remain in full force and effect and are hereby in all respects ratified and affirmed. Except as modified by this Amendment, all covenants, terms, and conditions of the Original Agreement shall remain in full force and effect.
5. Counterparts. This Amendment may be executed in two or more counterparts, each of which together shall be deemed an original, but all of which together shall constitute one and the same instrument. In the event that any signature is delivered by facsimile transmission or by e-mail delivery of a "pdf" format data file, such signature shall create a valid and binding obligation of the party executing (or on whose behalf such signature is executed) with the same force and effect as if such facsimile or "pdf" signature page were an original thereof.

IN WITNESS WHEREOF, the City has caused this Amendment to be duly executed in its name and behalf by its Mayor and its seal to be hereunto duly affixed and attested by its City Clerk, and Developer has caused this Amendment to be duly executed in its name and behalf by its authorized representative, all on or as of the day first above written.

*[Remainder of page intentionally left blank; signature pages follow]*









**CITY OF OTTUMWA**  
**Staff Summary**

**\*\* ACTION ITEM \*\***

Council Meeting of: Feb 15, 2022

Philip Rath

Prepared By

Administration

Department

Department Head



City Administrator Approval

AGENDA TITLE: Resolution 29-2022 - Notice of meeting of the City Council of the City of Ottumwa, State of Iowa, on the matter of the proposed authorization of a loan agreement and the issuance of not to exceed \$3,300,000 General Obligation Capital Loan Notes of the City (for essential corporate purposes), and the hearing on the issuance thereof

\*\*\*\*\*

\*\*Public hearing required if this box is checked.\*\*

RECOMMENDATION: Pass and adopt Resolution 29-2022

DISCUSSION: City staff has identified the need of certain capital improvements, which would require financing in order to proceed. Prior to the proposed borrowing of funds related to these projects, the City Council is required to hold a public hearing to gather any input from the public. The attached resolution requests setting March 1, 2022 at 5:30 as that day and time.

Source of Funds: N/A

Budgeted Item:  Budget Amendment Needed:

**ITEMS TO INCLUDE ON AGENDA**

**CITY OF OTTUMWA, IOWA**

Not to Exceed \$3,300,000 General Obligation Capital Loan Notes (ECP-1)

- Resolution fixing date for a meeting on the proposition to authorize a Loan Agreement and the issuance of Notes to evidence the obligations of the City thereunder.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE  
CHAPTER 21 AND THE LOCAL RULES OF THE CITY.



February 15, 2022

The City Council of the City of Ottumwa, State of Iowa, met in regular session, in the Council Chambers, City Hall, 105 East 3<sup>rd</sup> Street, Ottumwa, Iowa, at 5:30 P.M., on the above date. There were present Mayor Johnson, in the chair, and the following named Council Members:

Marc Roe, Cara Galloway, Doug McAntire, Sandra Pope

Absent: Russ Hull

Vacant: \_\_\_\_\_

\* \* \* \* \*

Council Member Galloway introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$3,300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY OF OTTUMWA, STATE OF IOWA (FOR ESSENTIAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Council Member Roe seconded the motion to adopt. The roll was called and the vote was,

AYES: Roe, Galloway, McAntire, Pope

---

NAYS: None

Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION NO. 29-2022

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$3,300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY OF OTTUMWA, STATE OF IOWA (FOR ESSENTIAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that the City of Ottumwa, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Capital Loan Notes, to the amount of not to exceed \$3,300,000, as authorized by Sections 384.24A and 384.25, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out essential corporate purpose project(s) as hereinafter described; and

WHEREAS, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

WHEREAS, before a Loan Agreement may be authorized and General Obligation Capital Loan Notes, issued to evidence the obligation of the City thereunder, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Council proposes to take action for the authorization of the Loan Agreement and Notes and to receive oral and/or written objections from any resident or property owner of the City to such action.



NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, STATE OF IOWA:

Section 1. That this Council meet in the Council Chambers, City Hall, 105 East 3rd Street, Ottumwa, Iowa, at 5:30 P.M., on the 1<sup>st</sup> day of March, 2022, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$3,300,000 General Obligation Capital Loan Notes, for essential corporate purposes, the proceeds of which notes will be used to provide funds to pay the costs of equipping the street, police and fire departments; the acquisition, restoration, or demolition of abandoned, dilapidated, or dangerous buildings, structures or properties; the construction, reconstruction, and repairing of any street and levee improvements, the acquisition, installation, and repair of sidewalks, storm sewers, sanitary sewers, water service lines, street lighting, and traffic control devices, including the acquisition of any real estate needed for any of the foregoing purposes and the removal or replacement of dead or diseased trees; the reconstruction extension and improvement of the airport; and the rehabilitation and improvements of City parks, including facilities, equipment and improvements commonly found in City parks.

Section 2. To the extent any of the projects or activities described in this resolution may be reasonably construed to be included in more than one classification under Subchapter III of Chapter 384 of the Code of Iowa, the Council hereby elects the "essential corporate purpose" classification and procedure with respect to each such project or activity, pursuant to Section 384.28 of the Code of Iowa.

Section 3. The Clerk is authorized and directed to proceed on behalf of the City with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Capital Loan Notes, evidencing the City's obligations to a principal amount of not to exceed \$3,300,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the City and this Council and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the City and acceptable to the Council.

Section 4. That the Clerk is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the City. The publication to be not less than four clear days nor more than twenty days before the date of the public meeting on the issuance of the Notes.

Section 5. The notice of the proposed action to issue notes shall be in substantially the following form:

(To be published between: February 9, 2022 and February 18, 2022)

NOTICE OF MEETING OF THE CITY COUNCIL OF THE CITY OF OTTUMWA, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$3,300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY (FOR ESSENTIAL CORPORATE PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the City Council of the City of Ottumwa, State of Iowa, will hold a public hearing on the 1<sup>st</sup> day of March, 2022, at 5:30 P.M., in the Council Chambers, City Hall, 105 East 3rd Street, Ottumwa, Iowa, at which meeting the Council proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$3,300,000 General Obligation Capital Loan Notes, for essential corporate purposes, to provide funds to pay the costs of equipping the street, police and fire departments; the acquisition, restoration, or demolition of abandoned, dilapidated, or dangerous buildings, structures or properties; the construction, reconstruction, and repairing of any street and levee improvements, the acquisition, installation, and repair of sidewalks, storm sewers, sanitary sewers, water service lines, street lighting, and traffic control devices, including the acquisition of any real estate needed for any of the foregoing purposes and the removal or replacement of dead or diseased trees; the reconstruction extension and improvement of the airport; and the rehabilitation and improvements of City parks, including facilities, equipment and improvements commonly found in City parks. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

At the above meeting the Council shall receive oral or written objections from any resident or property owner of the City to the above action. After all objections have been received and considered, the Council will at the meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of the City thereunder or will abandon the proposal to issue said Notes.

This notice is given by order of the City Council of the City of Ottumwa, State of Iowa, as provided by Sections 384.24A and 384.25 of the Code of Iowa.

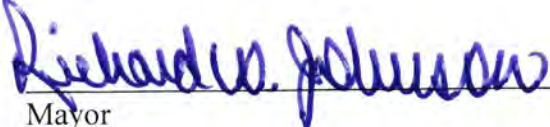
Dated this 15 day of February, 2022.

  
\_\_\_\_\_  
City Clerk, City of Ottumwa, State of Iowa

(End of Notice)



PASSED AND APPROVED this 15<sup>th</sup> day of February, 2022.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

CERTIFICATE

STATE OF IOWA

)

) SS

COUNTY OF WAPELLO

)

I, the undersigned City Clerk of the City of Ottumwa, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this 15 day of February, 2022.

Christa Reinhard  
City Clerk, City of Ottumwa, State of Iowa





CERTIFICATE

STATE OF IOWA )  
 ) SS  
COUNTY OF WAPELLO )

I, the undersigned, do hereby certify that I am now and was at the times hereinafter mentioned, the duly qualified and acting Clerk of the City of Ottumwa, in the County of Wapello, State of Iowa, and that as such Clerk and by full authority from the Council of the City, I have caused a

NOTICE OF PUBLIC HEARING  
(Not to Exceed \$3,300,000 General Obligation Capital Loan Notes) (ECP-1)

of which the clipping annexed to the publisher's affidavit hereto attached is in words and figures a correct and complete copy, to be published as required by law in the "Ottumwa Courier", a legal newspaper published at least once weekly, printed wholly in the English language, published regularly and mailed through the post office of current entry for more than two years and which has had for more than two years a bona fide paid circulation recognized by the postal laws of the United States, and has a general circulation in the City, and that the Notice was published in all of the issues thereof published and circulated on the following date:

February 17, 2022.

WITNESS my official signature this 23 day of February, 2022.

Christ Reinhard  
City Clerk, City of Ottumwa, State of Iowa

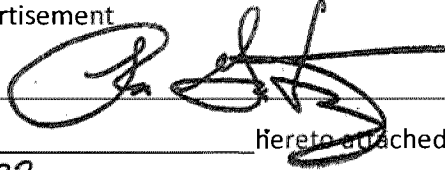


# PROOF OF PUBLICATION

STATE OF IOWA  
WAPELLO COUNTY

I, Ron Gutierrez, being duly sworn on my oath, say I am the Publisher of the Ottumwa Courier, a newspaper printed in said Wapello County, Iowa and of general circulation there in, and that the advertisement

Proposed Authorization of a Loan

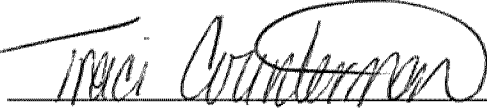
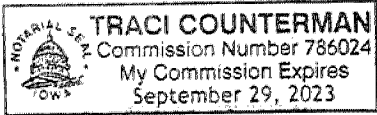


City of Ottumwa

hereto attached

was published in said newspaper for 1 consecutive week's to-wit: 02/17/22

Subscribed and sworn to before me, and in my presence, by the said 17th day of February, 2022



Notary Public

In and for Wapello County

Printer's fee \$36.27

## COPY OF ADVERTISEMENT

NOTICE OF MEETING OF THE CITY COUNCIL OF THE CITY OF OTTUMWA, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$3,300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY (FOR ESSENTIAL CORPORATE PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF PUBLIC NOTICE is hereby given that the City Council of the City of Ottumwa, State of Iowa, will hold a public hearing on the 1st day of March, 2022, at 5:30 P.M., in the Council Chambers, City Hall, 105 East 3rd Street, Ottumwa, Iowa, at which meeting the Council proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$3,300,000 General Obligation Capital Loan Notes, for essential corporate purposes, to provide funds to pay the costs of equipping the street, police and fire departments; the acquisition, restoration, or demolition of abandoned, dilapidated, or dangerous buildings, structures or properties; the construction, reconstruction, and repairing of any street and levee improvements, the acquisition, installation, and repair of sidewalks, storm sewers, sanitary sewers, water service lines, street lighting, and traffic control devices, including the acquisition of any real estate needed for any of the foregoing purposes and the removal or replacement of dead or diseased trees; the reconstruction extension and improvement of the airport; and the rehabilitation and improvements of City parks, including facilities, equipment and improvements commonly found in City parks. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund. At the above meeting the Council shall receive oral or written objections from any resident or property owner of the City to the above action. After all objections have been received and considered, the Council will at the meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of the City thereunder or will abandon the proposal to issue said Notes. This notice is given by order of the City Council of the City of Ottumwa, State of Iowa, as provided by Sections 384.24A and 384.25 of the Code of Iowa. Dated this 17 day of February, 2022. Christina Reinhard City Clerk, City of Ottumwa, State of Iowa (End of Notice)



**CITY OF OTTUMWA**  
Staff Summary

**\*\* ACTION ITEM \*\***

Council Meeting of : Feb 15, 2022

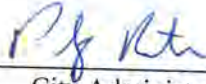
Philip Rath

Prepared By

Administration

Department

Department Head



City Administrator Approval

AGENDA TITLE: Resolution 30-2022 - Notice of meeting of the City Council of the City of Ottumwa, State of Iowa, on the matter of the proposed authorization of a loan agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes of the City (for general corporate purposes), and the hearing on the issuance thereof

\*\*\*\*\*

\*\*Public hearing required if this box is checked.\*\*

RECOMMENDATION: Pass and adopt Resolution 30-2022

DISCUSSION: City staff has identified the need of certain capital improvements, which would require financing in order to proceed. Prior to the proposed borrowing of funds related to these projects, the City Council is required to hold a public hearing to gather any input from the public. The attached resolution requests setting March 1, 2022 at 5:30 as that day and time.

Source of Funds: N/A

Budgeted Item:  Budget Amendment Needed:

**ITEMS TO INCLUDE ON AGENDA**

**CITY OF OTTUMWA, IOWA**

Not to Exceed \$700,000 General Obligation Capital Loan Notes (GCP-2)

- Resolution fixing date for a meeting on the proposition to authorize a Loan Agreement and the issuance of Notes to evidence the obligations of the City thereunder.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE  
CHAPTER 21 AND THE LOCAL RULES OF THE CITY.



February 15, 2022

The City Council of the City of Ottumwa, State of Iowa, met in regular session, in the Council Chambers, City Hall, 105 East 3<sup>rd</sup> Street, Ottumwa, Iowa, at 5:30 P.M., on the above date. There were present Mayor Johnson, in the chair, and the following named Council Members:

Marc Roe, Cara Galloway, Doug McAntire, Sandra Pope

Absent: Russ Hull

Vacant: None

\* \* \* \* \*

Council Member McAntire introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$700,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY OF OTTUMWA, STATE OF IOWA (FOR GENERAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Council Member Roe seconded the motion to adopt. The roll was called and the vote was,

AYES: Roe, Galloway, McAntire, Pope

---

NAYS: None

Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION NO. 30-2022

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$700,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY OF OTTUMWA, STATE OF IOWA (FOR GENERAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that the City of Ottumwa, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Capital Loan Notes, to the amount of not to exceed \$700,000, as authorized by Sections 384.24A and 384.26, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out general corporate purpose project(s) as hereinafter described; and

WHEREAS, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

WHEREAS, the Issuer has a population of more than 5,000 but not more than 75,000, and the Notes for these purposes do not exceed \$700,000; and

WHEREAS, before a Loan Agreement may be authorized and General Obligation Capital Loan Notes, issued to evidence the obligation of the City thereunder, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Council proposes to take action for the authorization of the Loan Agreement and Notes and to receive oral and/or written objections from any resident or property owner of the City to such action; and



WHEREAS, before the Notes may be issued, it is necessary to comply with the provisions of Chapter 384 of the Code of Iowa, and to publish a notice of the proposal to issue such Notes and the right to petition for an election.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, STATE OF IOWA:

Section 1. That this Council meet in the Council Chambers, City Hall, 105 East 3rd Street, Ottumwa, Iowa, at 5:30 P.M., on the 1<sup>st</sup> day of March, 2022, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$700,000 General Obligation Capital Loan Notes, for general corporate purposes, the proceeds of which notes will be used to provide funds to pay the costs of funding projects necessary for the operation of the City or for the health and welfare of citizens, including funding façade and roof grants; development grants and local grant matches; and costs of the historic preservation plan and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

Section 2. The Clerk is authorized and directed to proceed on behalf of the City with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Capital Loan Notes, evidencing the City's obligations to a principal amount of not to exceed \$700,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the City and this Council and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the City and acceptable to the Council.

Section 3. That the Clerk is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the City. The publication to be not less than ten clear days nor more than twenty days before the date of the public meeting on the issuance of the Notes.

Section 4. The notice of the proposed action to issue notes shall be in substantially the following form:



(To be published between: February 9, 2022 and February 18, 2022)

NOTICE OF MEETING OF THE CITY COUNCIL OF THE CITY OF OTTUMWA, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$700,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY (FOR GENERAL CORPORATE PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the City Council of the City of Ottumwa, State of Iowa, will hold a public hearing on the 1<sup>st</sup> day of March, 2022, at 5:30 P.M., in the Council Chambers, City Hall, 105 East 3<sup>rd</sup> Street, Ottumwa, Iowa, at which meeting the Council proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes, for general corporate purposes, bearing interest at a rate of not to exceed nine (9) per centum per annum, the Notes to be issued to provide funds to pay the costs of funding projects necessary for the operation of the City or for the health and welfare of citizens, including funding façade and roof grants; development grants and local grant matches; and costs of the historic preservation plan. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

At any time before the date of the meeting, a petition, asking that the question of issuing such Notes be submitted to the legal voters of the City, may be filed with the Clerk of the City in the manner provided by Section 362.4 of the Code of Iowa, pursuant to the provisions of Sections 384.24A and 384.26 of the Code of Iowa.

At the above meeting the Council shall receive oral or written objections from any resident or property owner of the City to the above action. After all objections have been received and considered, the Council will at the meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of the City thereunder or will abandon the proposal to issue said Notes.

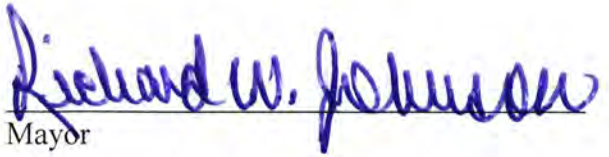
This notice is given by order of the City Council of the City of Ottumwa, State of Iowa, as provided by Sections 384.24A and 384.26 of the Code of Iowa.

Dated this 15 day of February, 2022.


  
\_\_\_\_\_  
City Clerk, City of Ottumwa, State of Iowa

(End of Notice)

PASSED AND APPROVED this 15<sup>th</sup> day of February, 2022.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk





CERTIFICATE

STATE OF IOWA )  
 ) SS  
COUNTY OF WAPELLO )

I, the undersigned, do hereby certify that I am now and was at the times hereinafter mentioned, the duly qualified and acting Clerk of the City of Ottumwa, in the County of Wapello, State of Iowa, and that as such Clerk and by full authority from the Council of the City, I have caused a

NOTICE OF PUBLIC HEARING  
(Not to Exceed \$700,000 General Obligation Capital Loan Notes) (GCP-2)

of which the clipping annexed to the publisher's affidavit hereto attached is in words and figures a correct and complete copy, to be published as required by law in the "Ottumwa Courier", a legal newspaper published at least once weekly, printed wholly in the English language, published regularly and mailed through the post office of current entry for more than two years and which has had for more than two years a bona fide paid circulation recognized by the postal laws of the United States, and has a general circulation in the City, and that the Notice was published in all of the issues thereof published and circulated on the following date:

February 17, 2022.

WITNESS my official signature this 23 day of February, 2022.

Christa Reinhard  
City Clerk, City of Ottumwa, State of Iowa



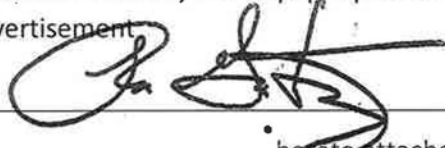


# PROOF OF PUBLICATION

STATE OF IOWA  
WAPELLO COUNTY

I, Ron Gutierrez, being duly sworn on my oath, say I am the Publisher of the Ottumwa Courier, a newspaper printed in said Wapello County, Iowa and of general circulation there in, and that the advertisement

Proposed Authorization of a Loan

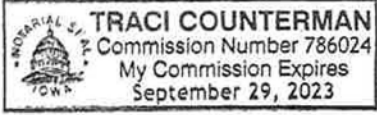


City of Ottumwa

hereto attached

was published in said newspaper for 1 consecutive week's to-wit: 02/17/22

Subscribed and sworn to before me, and in my presence, by the said 17th day of February, 2022



Notary Public

In and for Wapello County

Printer's fee \$34.52

## COPY OF ADVERTISEMENT

NOTICE OF MEETING OF THE CITY COUNCIL OF THE CITY OF OTTUMWA, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$700,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY (FOR GENERAL CORPORATE PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF PUBLIC NOTICE is hereby given that the City Council of the City of Ottumwa, State of Iowa, will hold a public hearing on the 1st day of March, 2022, at 5:00 P.M., in the Council Chambers, City Hall, 105 East 3rd Street, Ottumwa, Iowa, at which meeting the Council proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes, for general corporate purposes, bearing interest at a rate of not to exceed nine (9) per centum per annum, the Notes to be issued to provide funds to pay the costs of funding projects necessary for the operation of the City or for the health and welfare of citizens, including funding facade and roof grants; development grants and local grant matches; and costs of the historic preservation plan. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund. At any time before the date of the meeting, a petition, asking that the question of issuing such Notes be submitted to the legal voters of the City, may be filed with the Clerk of the City in the manner provided by Section 362.4 of the Code of Iowa, pursuant to the provisions of Sections 384.24A and 384.26 of the Code of Iowa. At the above meeting the Council shall receive oral or written objections from any resident or property owner of the City to the above action. After all objections have been received and considered, the Council will at the meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of the City thereunder or will abandon the proposal to issue said Notes. This notice is given by order of the City Council of the City of Ottumwa, State of Iowa, as provided by Sections 384.24A and 384.26 of the Code of Iowa. Dated this 17 day of February, 2022. Christina Reinhard City Clerk, City of Ottumwa, State of Iowa (End of Notice)

**CITY OF OTTUMWA**  
Staff Summary

**\*\* ACTION ITEM \*\***

Council Meeting of : Feb 15, 2022

Philip Rath

Prepared By

Administration

Department

Department Head



City Administrator Approval

AGENDA TITLE: Resolution 31-2022 - Notice of meeting of the City Council of the City of Ottumwa, State of Iowa, on the matter of the proposed authorization of a loan agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes of the City (for general corporate purposes), and the hearing on the issuance thereof

\*\*\*\*\*

\*\*Public hearing required if this box is checked.\*\*

RECOMMENDATION: Pass and adopt Resolution 31-2022

DISCUSSION: City staff has identified the need of certain capital improvements, which would require financing in order to proceed. Prior to the proposed borrowing of funds related to these projects, the City Council is required to hold a public hearing to gather any input from the public. The attached resolution requests setting March 1, 2022 at 5:30 as that day and time.

Source of Funds: N/A

Budgeted Item:  Budget Amendment Needed:



**ITEMS TO INCLUDE ON AGENDA**

**CITY OF OTTUMWA, IOWA**

Not to Exceed \$700,000 General Obligation Capital Loan Notes (GCP-3)

- Resolution fixing date for a meeting on the proposition to authorize a Loan Agreement and the issuance of Notes to evidence the obligations of the City thereunder.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE  
CHAPTER 21 AND THE LOCAL RULES OF THE CITY.

February 15, 2022

The City Council of the City of Ottumwa, State of Iowa, met in regular session, in the Council Chambers, City Hall, 105 East 3<sup>rd</sup> Street, Ottumwa, Iowa, at 5:30 P.M., on the above date. There were present Mayor Johnson, in the chair, and the following named Council Members:

Marc Roe, Cara Galloway, Doug McAntire, Sandra Pope

Absent: Russ Hull

Vacant: None

\* \* \* \* \*



Council Member McAntire introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$700,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY OF OTTUMWA, STATE OF IOWA (FOR GENERAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Council Member Pope seconded the motion to adopt. The roll was called and the vote was,

AYES: Roe, Galloway, McAntire, Pope

---

NAYS: None

Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION NO. 31-2022

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$700,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY OF OTTUMWA, STATE OF IOWA (FOR GENERAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that the City of Ottumwa, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Capital Loan Notes, to the amount of not to exceed \$700,000, as authorized by Sections 384.24A and 384.26, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out general corporate purpose project(s) as hereinafter described; and

WHEREAS, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

WHEREAS, the Issuer has a population of more than 5,000 but not more than 75,000, and the Notes for these purposes do not exceed \$700,000; and

WHEREAS, before a Loan Agreement may be authorized and General Obligation Capital Loan Notes, issued to evidence the obligation of the City thereunder, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Council proposes to take action for the authorization of the Loan Agreement and Notes and to receive oral and/or written objections from any resident or property owner of the City to such action; and

WHEREAS, before the Notes may be issued, it is necessary to comply with the provisions of Chapter 384 of the Code of Iowa, and to publish a notice of the proposal to issue such Notes and the right to petition for an election.



NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, STATE OF IOWA:

Section 1. That this Council meet in the Council Chambers, City Hall, 105 East 3rd Street, Ottumwa, Iowa, at 5:30 P.M., on the 1<sup>st</sup> day of March, 2022, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$700,000 General Obligation Capital Loan Notes, for general corporate purposes, the proceeds of which notes will be used to provide funds to pay the costs of the acquisition of properties for commercial or economic development and for the construction of a city-wide transportation hub; grant matches for economic development or other city projects, including the Healthy Neighbors Program and the Ottumwa Block Challenge Program and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

Section 2. The Clerk is authorized and directed to proceed on behalf of the City with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Capital Loan Notes, evidencing the City's obligations to a principal amount of not to exceed \$700,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the City and this Council and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the City and acceptable to the Council.

Section 3. That the Clerk is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the City. The publication to be not less than ten clear days nor more than twenty days before the date of the public meeting on the issuance of the Notes.

Section 4. The notice of the proposed action to issue notes shall be in substantially the following form:

(To be published between: February 9, 2022 and February 18, 2022)

NOTICE OF MEETING OF THE CITY COUNCIL OF THE CITY OF OTTUMWA, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$700,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY (FOR GENERAL CORPORATE PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the City Council of the City of Ottumwa, State of Iowa, will hold a public hearing on the 1<sup>st</sup> day of March, 2022, at 5:30 P.M., in the Council Chambers, City Hall, 105 East 3rd Street, Ottumwa, Iowa, at which meeting the Council proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes, for general corporate purposes, bearing interest at a rate of not to exceed nine (9) per centum per annum, the Notes to be issued to provide funds to pay the costs of the acquisition of properties for commercial or economic development and for the construction of a city-wide transportation hub; grant matches for economic development or other city projects, including the Healthy Neighbors Program and the Ottumwa Block Challenge Program. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

At any time before the date of the meeting, a petition, asking that the question of issuing such Notes be submitted to the legal voters of the City, may be filed with the Clerk of the City in the manner provided by Section 362.4 of the Code of Iowa, pursuant to the provisions of Sections 384.24A and 384.26 of the Code of Iowa.

At the above meeting the Council shall receive oral or written objections from any resident or property owner of the City to the above action. After all objections have been received and considered, the Council will at the meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of the City thereunder or will abandon the proposal to issue said Notes.

This notice is given by order of the City Council of the City of Ottumwa, State of Iowa, as provided by Sections 384.24A and 384.26 of the Code of Iowa.

Dated this 15 day of February, 2022.

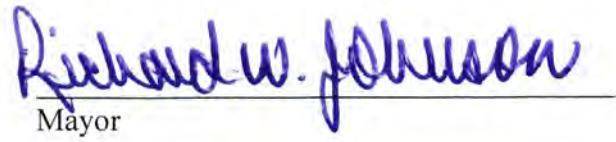


\_\_\_\_\_  
City Clerk, City of Ottumwa, State of Iowa


(End of Notice)



PASSED AND APPROVED this 15<sup>th</sup> day of February, 2022.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk





CERTIFICATE

STATE OF IOWA )  
 ) SS  
COUNTY OF WAPELLO )

I, the undersigned, do hereby certify that I am now and was at the times hereinafter mentioned, the duly qualified and acting Clerk of the City of Ottumwa, in the County of Wapello, State of Iowa, and that as such Clerk and by full authority from the Council of the City, I have caused a

NOTICE OF PUBLIC HEARING  
(Not to Exceed \$700,000 General Obligation Capital Loan Notes) (GCP-3)

of which the clipping annexed to the publisher's affidavit hereto attached is in words and figures a correct and complete copy, to be published as required by law in the "Ottumwa Courier", a legal newspaper published at least once weekly, printed wholly in the English language, published regularly and mailed through the post office of current entry for more than two years and which has had for more than two years a bona fide paid circulation recognized by the postal laws of the United States, and has a general circulation in the City, and that the Notice was published in all of the issues thereof published and circulated on the following date:

February 17, 2022.

WITNESS my official signature this 23 day of February, 2022.

Christa Runhard  
City Clerk, City of Ottumwa, State of Iowa



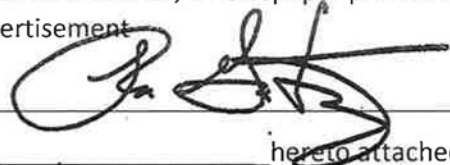
# PROOF OF PUBLICATION

STATE OF IOWA  
WAPELLO COUNTY

I, Ron Gutierrez, being duly sworn on my oath, say I am the Publisher of the Ottumwa Courier, a newspaper printed in said Wapello County, Iowa and of general circulation there in, and that the advertisement

Proposed Authorization of a Loan

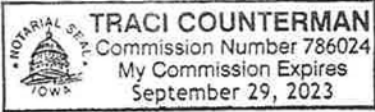
City of Ottumwa



hereto attached

was published in said newspaper for 1 consecutive week's to-wit: 02/17/22

Subscribed and sworn to before me, and in my presence, by the said 17th day of February, 2022



Notary Public

In and for Wapello County

Printer's fee \$34.96

## COPY OF ADVERTISEMENT

NOTICE OF MEETING OF THE CITY COUNCIL OF THE CITY OF OTTUMWA, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$700,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY (FOR GENERAL CORPORATE PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF PUBLIC NOTICE is hereby given that the City Council of the City of Ottumwa, State of Iowa, will hold a public hearing on the 1st day of March, 2022, at 5:30 P.M., in the Council Chambers, City Hall, 105 East 3rd Street, Ottumwa, Iowa, at which meeting the Council proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes, for general corporate purposes, bearing interest at a rate of not to exceed nine (9) per centum per annum, the Notes to be issued to provide funds to pay the costs of the acquisition of properties for commercial or economic development and for the construction of a city-wide transportation hub; grant matches for economic development or other city projects, including the Healthy Neighbors Program and the Ottumwa Block Challenge Program. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund. At any time before the date of the meeting, a petition, asking that the question of issuing such Notes be submitted to the legal voters of the City, may be filed with the Clerk of the City in the manner provided by Section 362.4 of the Code of Iowa, pursuant to the provisions of Sections 384.24A and 384.26 of the Code of Iowa. At the above meeting the Council shall receive oral or written objections from any resident or property owner of the City to the above action. After all objections have been received and considered, the Council will at the meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of the City thereunder or will abandon the proposal to issue said Notes. This notice is given by order of the City Council of the City of Ottumwa, State of Iowa, as provided by Sections 384.24A and 384.26 of the Code of Iowa. Dated this 17 day of February, 2022. Christina Reinhard City Clerk, City of Ottumwa, State of Iowa (End of Notice)



**CITY OF OTTUMWA**  
Staff Summary

**\*\* ACTION ITEM \*\***

Council Meeting of : Feb 15, 2022

Philip Rath

Prepared By

Administration

Department

Department Head



City Administrator Approval

AGENDA TITLE: Resolution 32-2022 - Notice of meeting of the City Council of the City of Ottumwa, State of Iowa, on the matter of the proposed authorization of a loan agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes of the City (for general corporate purposes), and the hearing on the issuance thereof

\*\*\*\*\*

\*\*Public hearing required if this box is checked.\*\*

RECOMMENDATION: Pass and adopt Resolution 32-2022

DISCUSSION: City staff has identified the need of certain capital improvements, which would require financing in order to proceed. Prior to the proposed borrowing of funds related to these projects, the City Council is required to hold a public hearing to gather any input from the public. The attached resolution requests setting March 1, 2022 at 5:30 as that day and time.

Source of Funds: N/A

Budgeted Item:  Budget Amendment Needed:

**ITEMS TO INCLUDE ON AGENDA**

**CITY OF OTTUMWA, IOWA**

Not to Exceed \$700,000 General Obligation Capital Loan Notes (GCP-4)

- Resolution fixing date for a meeting on the proposition to authorize a Loan Agreement and the issuance of Notes to evidence the obligations of the City thereunder.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE  
CHAPTER 21 AND THE LOCAL RULES OF THE CITY.



February 15, 2022

The City Council of the City of Ottumwa, State of Iowa, met in regular session, in the Council Chambers, City Hall, 105 East 3<sup>rd</sup> Street, Ottumwa, Iowa, at 5:30 P.M., on the above date. There were present Mayor Johnson, in the chair, and the following named Council Members:

Marc Roe, Cara Galloway, Doug McAntire, Sandra Pope

Absent: Russ Hull

Vacant: None

\* \* \* \* \*

Council Member Roe introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$700,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY OF OTTUMWA, STATE OF IOWA (FOR GENERAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Council Member McAntire seconded the motion to adopt. The roll was called and the vote was,

AYES: Roe, Galloway, McAntire, Pope

---

NAYS: None

Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION NO. 32-2022

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$700,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY OF OTTUMWA, STATE OF IOWA (FOR GENERAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that the City of Ottumwa, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Capital Loan Notes, to the amount of not to exceed \$700,000, as authorized by Sections 384.24A and 384.26, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out general corporate purpose project(s) as hereinafter described; and

WHEREAS, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

WHEREAS, the Issuer has a population of more than 5,000 but not more than 75,000, and the Notes for these purposes do not exceed \$700,000; and

WHEREAS, before a Loan Agreement may be authorized and General Obligation Capital Loan Notes, issued to evidence the obligation of the City thereunder, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Council proposes to take action for the authorization of the Loan Agreement and Notes and to receive oral and/or written objections from any resident or property owner of the City to such action; and



WHEREAS, before the Notes may be issued, it is necessary to comply with the provisions of Chapter 384 of the Code of Iowa, and to publish a notice of the proposal to issue such Notes and the right to petition for an election.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, STATE OF IOWA:

Section 1. That this Council meet in the Council Chambers, City Hall, 105 East 3rd Street, Ottumwa, Iowa, at 5:30 P.M., on the 1<sup>st</sup> day of March, 2022, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$700,000 General Obligation Capital Loan Notes, for general corporate purposes, the proceeds of which notes will be used to provide funds to pay the costs of the construction and reconstruction of city hall HVAC systems and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

Section 2. The Clerk is authorized and directed to proceed on behalf of the City with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Capital Loan Notes, evidencing the City's obligations to a principal amount of not to exceed \$700,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the City and this Council and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the City and acceptable to the Council.

Section 3. That the Clerk is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the City. The publication to be not less than ten clear days nor more than twenty days before the date of the public meeting on the issuance of the Notes.

Section 4. The notice of the proposed action to issue notes shall be in substantially the following form:



(To be published between: February 9, 2022 and February 18, 2022)

NOTICE OF MEETING OF THE CITY COUNCIL OF THE  
CITY OF OTTUMWA, STATE OF IOWA, ON THE MATTER  
OF THE PROPOSED AUTHORIZATION OF A LOAN  
AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED  
\$700,000 GENERAL OBLIGATION CAPITAL LOAN NOTES  
OF THE CITY (FOR GENERAL CORPORATE PURPOSES),  
AND THE HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the City Council of the City of Ottumwa, State of Iowa, will hold a public hearing on the 1<sup>st</sup> day of March, 2022, at 5:30 P.M., in the Council Chambers, City Hall, 105 East 3<sup>rd</sup> Street, Ottumwa, Iowa, at which meeting the Council proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes, for general corporate purposes, bearing interest at a rate of not to exceed nine (9) per centum per annum, the Notes to be issued to provide funds to pay the costs of the construction and reconstruction of city hall HVAC systems. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

At any time before the date of the meeting, a petition, asking that the question of issuing such Notes be submitted to the legal voters of the City, may be filed with the Clerk of the City in the manner provided by Section 362.4 of the Code of Iowa, pursuant to the provisions of Sections 384.24A and 384.26 of the Code of Iowa.

At the above meeting the Council shall receive oral or written objections from any resident or property owner of the City to the above action. After all objections have been received and considered, the Council will at the meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of the City thereunder or will abandon the proposal to issue said Notes.

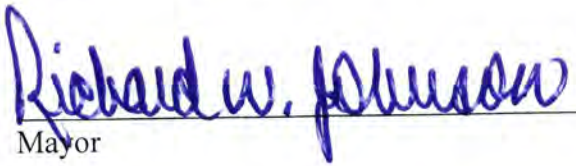
This notice is given by order of the City Council of the City of Ottumwa, State of Iowa, as provided by Sections 384.24A and 384.26 of the Code of Iowa.

Dated this 15 day of February, 2022.


  
\_\_\_\_\_  
City Clerk, City of Ottumwa, State of Iowa

(End of Notice)

PASSED AND APPROVED this 15<sup>th</sup> day of February, 2022.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk



CERTIFICATE

STATE OF IOWA

)  
) SS  
)

COUNTY OF WAPELLO

I, the undersigned City Clerk of the City of Ottumwa, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this 15 day of February, 2022.

Christa Reinhard  
City Clerk, City of Ottumwa, State of Iowa



CERTIFICATE

STATE OF IOWA )  
 ) SS  
COUNTY OF WAPELLO )

I, the undersigned, do hereby certify that I am now and was at the times hereinafter mentioned, the duly qualified and acting Clerk of the City of Ottumwa, in the County of Wapello, State of Iowa, and that as such Clerk and by full authority from the Council of the City, I have caused a

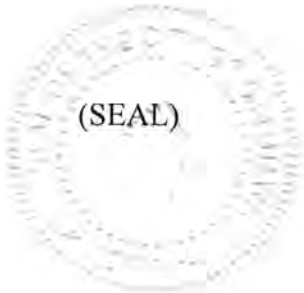
NOTICE OF PUBLIC HEARING  
(Not to Exceed \$700,000 General Obligation Capital Loan Notes) (GCP-4)

of which the clipping annexed to the publisher's affidavit hereto attached is in words and figures a correct and complete copy, to be published as required by law in the "Ottumwa Courier", a legal newspaper published at least once weekly, printed wholly in the English language, published regularly and mailed through the post office of current entry for more than two years and which has had for more than two years a bona fide paid circulation recognized by the postal laws of the United States, and has a general circulation in the City, and that the Notice was published in all of the issues thereof published and circulated on the following date:

February 17, 2022.

WITNESS my official signature this 23 day of February, 2022.

Christa Reinhard  
City Clerk, City of Ottumwa, State of Iowa





# PROOF OF PUBLICATION

STATE OF IOWA  
WAPELLO COUNTY

I, Ron Gutierrez, being duly sworn on my oath, say I am the Publisher of the Ottumwa Courier, a newspaper printed in said Wapello County, Iowa and of general circulation there in, and that the advertisement

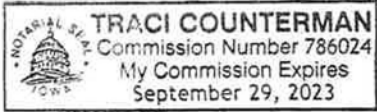
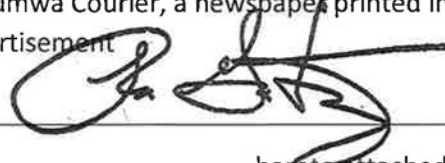
Proposed Authorization of a Loan

City of Ottumwa

hereby attached

was published in said newspaper for 1 consecutive week's to-wit: 02/17/22

Subscribed and sworn to before me, and in my presence, by the said 17th day of February, 2022



Notary Public

In and for Wapello County

Printer's fee \$31.90

## COPY OF ADVERTISEMENT

NOTICE OF MEETING OF THE CITY COUNCIL OF THE CITY OF OTTUMWA, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$700,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY (FOR GENERAL CORPORATE PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF PUBLIC NOTICE is hereby given that the City Council of the City of Ottumwa, State of Iowa, will hold a public hearing on the 1st day of March, 2022, at 5:30 P.M., in the Council Chambers, City Hall, 105 East 3rd Street, Ottumwa, Iowa, at which meeting the Council proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes, for general corporate purposes, bearing interest at a rate of not to exceed nine (9) per centum per annum, the Notes to be issued to provide funds to pay the costs of the construction and reconstruction of city hall HVAC systems. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund. At any time before the date of the meeting, a petition, asking that the question of issuing such Notes be submitted to the legal voters of the City, may be filed with the Clerk of the City in the manner provided by Section 362.4 of the Code of Iowa, pursuant to the provisions of Sections 384.24A and 384.26 of the Code of Iowa. At the above meeting the Council shall receive oral or written objections from any resident or property owner of the City to the above action. After all objections have been received and considered, the Council will at the meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of the City thereunder or will abandon the proposal to issue said Notes. This notice is given by order of the City Council of the City of Ottumwa, State of Iowa, as provided by Sections 384.24A and 384.26 of the Code of Iowa. Dated this 17 day of February, 2022. Christina Reinhard City Clerk, City of Ottumwa, State of Iowa (End of Notice)

**CITY OF OTTUMWA**  
**Staff Summary**

**\*\* ACTION ITEM \*\***

Council Meeting of : Feb 15, 2022

Philip Rath

Prepared By

Administration

Department

Department Head



City Administrator Approval

AGENDA TITLE: Resolution 33-2022 - Notice of meeting of the City Council of the City of Ottumwa, State of Iowa, on the matter of the proposed authorization of a loan agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes of the City (for general corporate purposes), and the hearing on the issuance thereof

\*\*\*\*\*

\*\*Public hearing required if this box is checked.\*\*

RECOMMENDATION: Pass and adopt Resolution 33-2022

DISCUSSION: City staff has identified the need of certain capital improvements, which would require financing in order to proceed. Prior to the proposed borrowing of funds related to these projects, the City Council is required to hold a public hearing to gather any input from the public. The attached resolution requests setting March 1, 2022 at 5:30 as that day and time.

Source of Funds: N/A

Budgeted Item:  Budget Amendment Needed:

## **ITEMS TO INCLUDE ON AGENDA**

### **CITY OF OTTUMWA, IOWA**

Not to Exceed \$700,000 General Obligation Capital Loan Notes (GCP-5)

- Resolution fixing date for a meeting on the proposition to authorize a Loan Agreement and the issuance of Notes to evidence the obligations of the City thereunder.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE  
CHAPTER 21 AND THE LOCAL RULES OF THE CITY.



February 15, 2022

The City Council of the City of Ottumwa, State of Iowa, met in regular session, in the Council Chambers, City Hall, 105 East 3<sup>rd</sup> Street, Ottumwa, Iowa, at 5:30 P.M., on the above date. There were present Mayor Johnson, in the chair, and the following named Council Members:

Marc Roe, Cara Galloway, Doug McAntire, Sandra Pope

Absent: Russ Hull

Vacant: None

\* \* \* \* \*

Council Member Galloway introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$700,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY OF OTTUMWA, STATE OF IOWA (FOR GENERAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Council Member Pope seconded the motion to adopt. The roll was called and the vote was,

AYES: Roe, Galloway, McAntire, Pope

---

NAYS: None

Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION NO. 33-2022

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$700,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY OF OTTUMWA, STATE OF IOWA (FOR GENERAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that the City of Ottumwa, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Capital Loan Notes, to the amount of not to exceed \$700,000, as authorized by Sections 384.24A and 384.26, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out general corporate purpose project(s) as hereinafter described; and

WHEREAS, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

WHEREAS, the Issuer has a population of more than 5,000 but not more than 75,000, and the Notes for these purposes do not exceed \$700,000; and

WHEREAS, before a Loan Agreement may be authorized and General Obligation Capital Loan Notes, issued to evidence the obligation of the City thereunder, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Council proposes to take action for the authorization of the Loan Agreement and Notes and to receive oral and/or written objections from any resident or property owner of the City to such action; and

WHEREAS, before the Notes may be issued, it is necessary to comply with the provisions of Chapter 384 of the Code of Iowa, and to publish a notice of the proposal to issue such Notes and the right to petition for an election.



NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, STATE OF IOWA:

Section 1. That this Council meet in the Council Chambers, City Hall, 105 East 3rd Street, Ottumwa, Iowa, at 5:30 P.M., on the 1<sup>st</sup> day of March, 2022, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$700,000 General Obligation Capital Loan Notes, for general corporate purposes, the proceeds of which notes will be used to provide funds to pay the costs of the construction and reconstruction, enlargement, improvement and equipping of fire stations, police stations, and swimming pools and recreational areas, including the Ottumwa Beach; the acquisition of city vehicles, including for building code enforcement and the parks departments; the reconstruction, improvement and repair of city facilities and houses, including the Bridgeview Center and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

Section 2. The Clerk is authorized and directed to proceed on behalf of the City with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Capital Loan Notes, evidencing the City's obligations to a principal amount of not to exceed \$700,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the City and this Council and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the City and acceptable to the Council.

Section 3. That the Clerk is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the City. The publication to be not less than ten clear days nor more than twenty days before the date of the public meeting on the issuance of the Notes.

Section 4. The notice of the proposed action to issue notes shall be in substantially the following form:

(To be published between: February 9, 2022 and February 18, 2022)

NOTICE OF MEETING OF THE CITY COUNCIL OF THE CITY OF OTTUMWA, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$700,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY (FOR GENERAL CORPORATE PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the City Council of the City of Ottumwa, State of Iowa, will hold a public hearing on the 1<sup>st</sup> day of March, 2022, at 5:30 P.M., in the Council Chambers, City Hall, 105 East 3<sup>rd</sup> Street, Ottumwa, Iowa, at which meeting the Council proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes, for general corporate purposes, bearing interest at a rate of not to exceed nine (9) per centum per annum, the Notes to be issued to provide funds to pay the costs of the construction and reconstruction, enlargement, improvement and equipping of fire stations, police stations, and swimming pools and recreational areas, including the Ottumwa Beach; the acquisition of city vehicles, including for building code enforcement and the parks departments; the reconstruction, improvement and repair of city facilities and houses, including the Bridgeview Center. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

At any time before the date of the meeting, a petition, asking that the question of issuing such Notes be submitted to the legal voters of the City, may be filed with the Clerk of the City in the manner provided by Section 362.4 of the Code of Iowa, pursuant to the provisions of Sections 384.24A and 384.26 of the Code of Iowa.

At the above meeting the Council shall receive oral or written objections from any resident or property owner of the City to the above action. After all objections have been received and considered, the Council will at the meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of the City thereunder or will abandon the proposal to issue said Notes.

This notice is given by order of the City Council of the City of Ottumwa, State of Iowa, as provided by Sections 384.24A and 384.26 of the Code of Iowa.

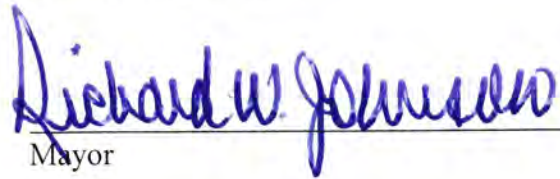
Dated this 15 day of February, 2022.



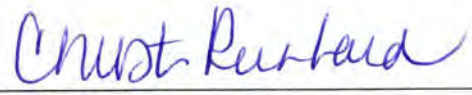
City Clerk, City of Ottumwa, State of Iowa

(End of Notice)

PASSED AND APPROVED this 15<sup>th</sup> day of February, 2022.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk



CERTIFICATE

STATE OF IOWA

)

) SS

COUNTY OF WAPELLO

)

I, the undersigned City Clerk of the City of Ottumwa, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this 15 day of February, 2022.

*Christa Runhard*  
City Clerk, City of Ottumwa, State of Iowa



CERTIFICATE

STATE OF IOWA )  
 ) SS  
COUNTY OF WAPELLO )

I, the undersigned, do hereby certify that I am now and was at the times hereinafter mentioned, the duly qualified and acting Clerk of the City of Ottumwa, in the County of Wapello, State of Iowa, and that as such Clerk and by full authority from the Council of the City, I have caused a

NOTICE OF PUBLIC HEARING  
(Not to Exceed \$700,000 General Obligation Capital Loan Notes) (GCP-5)

of which the clipping annexed to the publisher's affidavit hereto attached is in words and figures a correct and complete copy, to be published as required by law in the "Ottumwa Courier", a legal newspaper published at least once weekly, printed wholly in the English language, published regularly and mailed through the post office of current entry for more than two years and which has had for more than two years a bona fide paid circulation recognized by the postal laws of the United States, and has a general circulation in the City, and that the Notice was published in all of the issues thereof published and circulated on the following date:

February 17, 2022.

WITNESS my official signature this 23 day of February, 2022.

Christ Runhard  
City Clerk, City of Ottumwa, State of Iowa



# PROOF OF PUBLICATION

STATE OF IOWA  
WAPELLO COUNTY

I, Ron Gutierrez, being duly sworn on my oath, say I am the Publisher of the Ottumwa Courier, a newspaper printed in said Wapello County, Iowa and of general circulation there in, and that the advertisement

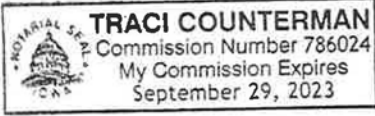
On the Matter of the Proposed Authorization of A Loan

City of Ottumwa

hereto attached

was published in said newspaper for 1 consecutive week's to-wit: 02/17/22

Subscribed and sworn to before me, and in my presence, by the said 17th day of February, 2022



Traci Counterman

Notary Public

In and for Wapello County

Printer's fee \$36.71

## COPY OF ADVERTISEMENT

NOTICE OF MEETING OF THE CITY COUNCIL OF THE CITY OF OTTUMWA, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$700,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY (FOR GENERAL CORPORATE PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF PUBLIC NOTICE is hereby given that the City Council of the City of Ottumwa, State of Iowa, will hold a public hearing on the 1st day of March, 2022, at 5:30 P.M., in the Council Chambers, City Hall, 105 East 3rd Street, Ottumwa, Iowa, at which meeting the Council proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes, for general corporate purposes, bearing interest at a rate of not to exceed nine (9) per centum per annum, the Notes to be issued to provide funds to pay the costs of the construction and reconstruction, enlargement, improvement and equipping of fire stations, police stations, and swimming pools and recreational areas, including the Ottumwa Beach; the acquisition of city vehicles, including for building code enforcement and the parks departments; the reconstruction, improvement and repair of city facilities and houses, including the Bridgeview Center. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund. At any time before the date of the meeting, a petition, asking that the question of issuing such Notes be submitted to the legal voters of the City, may be filed with the Clerk of the City in the manner provided by Section 362.4 of the Code of Iowa, pursuant to the provisions of Sections 384.24A and 384.26 of the Code of Iowa. At the above meeting the Council shall receive oral or written objections from any resident or property owner of the City to the above action. After all objections have been received and considered, the Council will at the meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of the City thereunder or will abandon the proposal to issue said Notes. This notice is given by order of the City Council of the City of Ottumwa, State of Iowa, as provided by Sections 384.24A and 384.26 of the Code of Iowa. Dated this 17 day of February, 2022. Christina Reinhard City Clerk, City of Ottumwa, State of Iowa (End of Notice)



**CITY OF OTTUMWA**  
**Staff Summary**

**\*\* ACTION ITEM \*\***

Council Meeting of : Feb 15, 2022

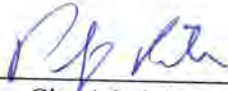
Philip Rath

Prepared By

Administration

Department

Department Head



City Administrator Approval

AGENDA TITLE: Resolution 34-2022 - Notice of meeting of the City Council of the City of Ottumwa, State of Iowa, on the matter of the proposed authorization of a loan agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes of the City (for general corporate purposes), and the hearing on the issuance thereof

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\*\*Public hearing required if this box is checked.\*\*

RECOMMENDATION: Pass and adopt Resolution 34-2022

DISCUSSION: City staff has identified the need of certain capital improvements, which would require financing in order to proceed. Prior to the proposed borrowing of funds related to these projects, the City Council is required to hold a public hearing to gather any input from the public. The attached resolution requests setting March 1, 2022 at 5:30 as that day and time.

Source of Funds: N/A

Budgeted Item:  Budget Amendment Needed:

**ITEMS TO INCLUDE ON AGENDA**

**CITY OF OTTUMWA, IOWA**

Not to Exceed \$700,000 General Obligation Capital Loan Notes (GCP-6)

- Resolution fixing date for a meeting on the proposition to authorize a Loan Agreement and the issuance of Notes to evidence the obligations of the City thereunder.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE  
CHAPTER 21 AND THE LOCAL RULES OF THE CITY.

February 15, 2022

The City Council of the City of Ottumwa, State of Iowa, met in regular session, in the Council Chambers, City Hall, 105 East 3<sup>rd</sup> Street, Ottumwa, Iowa, at 5:30 P.M., on the above date. There were present Mayor Johnson, in the chair, and the following named Council Members:

Marc Roe, Cara Galloway, Doug McAntire, Sandra Pope

Absent: Russ Hull

Vacant: None

\* \* \* \* \*



Council Member Roe introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$700,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY OF OTTUMWA, STATE OF IOWA (FOR GENERAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Council Member Galloway seconded the motion to adopt. The roll was called and the vote was,

AYES: Roe, Galloway, McAntire, Pope

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NAYS: None

Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION NO. 34-2022

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$700,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY OF OTTUMWA, STATE OF IOWA (FOR GENERAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that the City of Ottumwa, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Capital Loan Notes, to the amount of not to exceed \$700,000, as authorized by Sections 384.24A and 384.26, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out general corporate purpose project(s) as hereinafter described; and

WHEREAS, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

WHEREAS, the Issuer has a population of more than 5,000 but not more than 75,000, and the Notes for these purposes do not exceed \$700,000; and

WHEREAS, before a Loan Agreement may be authorized and General Obligation Capital Loan Notes, issued to evidence the obligation of the City thereunder, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Council proposes to take action for the authorization of the Loan Agreement and Notes and to receive oral and/or written objections from any resident or property owner of the City to such action; and

WHEREAS, before the Notes may be issued, it is necessary to comply with the provisions of Chapter 384 of the Code of Iowa, and to publish a notice of the proposal to issue such Notes and the right to petition for an election.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, STATE OF IOWA:

Section 1. That this Council meet in the Council Chambers, City Hall, 105 East 3rd Street, Ottumwa, Iowa, at 5:30 P.M., on the 1<sup>st</sup> day of March, 2022, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$700,000 General Obligation Capital Loan Notes, for general corporate purposes, the proceeds of which notes will be used to provide funds to pay the costs of the acquisition of software and related equipment for City Hall, including local grant matches; equipping the city airport, including vehicles; and funding for the acquisition of, or grants for housing and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

Section 2. The Clerk is authorized and directed to proceed on behalf of the City with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Capital Loan Notes, evidencing the City's obligations to a principal amount of not to exceed \$700,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the City and this Council and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the City and acceptable to the Council.

Section 3. That the Clerk is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the City. The publication to be not less than ten clear days nor more than twenty days before the date of the public meeting on the issuance of the Notes.

Section 4. The notice of the proposed action to issue notes shall be in substantially the following form:



(To be published between: February 9, 2022 and February 18, 2022)

NOTICE OF MEETING OF THE CITY COUNCIL OF THE CITY OF OTTUMWA, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$700,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY (FOR GENERAL CORPORATE PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF

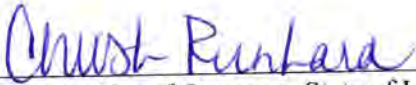
PUBLIC NOTICE is hereby given that the City Council of the City of Ottumwa, State of Iowa, will hold a public hearing on the 1<sup>st</sup> day of March, 2022, at 5:30 P.M., in the Council Chambers, City Hall, 105 East 3<sup>rd</sup> Street, Ottumwa, Iowa, at which meeting the Council proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes, for general corporate purposes, bearing interest at a rate of not to exceed nine (9) per centum per annum, the Notes to be issued to provide funds to pay the costs of the acquisition of software and related equipment for City Hall, including local grant matches; equipping the city airport, including vehicles; and funding for the acquisition of, or grants for housing. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

At any time before the date of the meeting, a petition, asking that the question of issuing such Notes be submitted to the legal voters of the City, may be filed with the Clerk of the City in the manner provided by Section 362.4 of the Code of Iowa, pursuant to the provisions of Sections 384.24A and 384.26 of the Code of Iowa.

At the above meeting the Council shall receive oral or written objections from any resident or property owner of the City to the above action. After all objections have been received and considered, the Council will at the meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of the City thereunder or will abandon the proposal to issue said Notes.

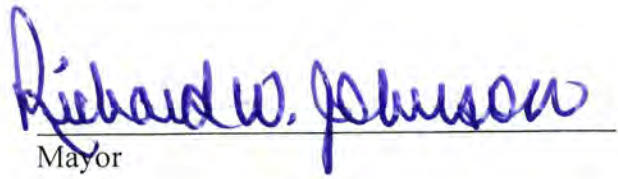
This notice is given by order of the City Council of the City of Ottumwa, State of Iowa, as provided by Sections 384.24A and 384.26 of the Code of Iowa.

Dated this 15 day of February, 2022.

  
\_\_\_\_\_  
City Clerk, City of Ottumwa, State of Iowa

(End of Notice)

PASSED AND APPROVED this 15<sup>th</sup> day of February, 2022.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

CERTIFICATE

STATE OF IOWA

)  
) SS

COUNTY OF WAPELLO

)

I, the undersigned City Clerk of the City of Ottumwa, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this 15 day of February, 2022.

*Christa Reinhard*  
\_\_\_\_\_  
City Clerk, City of Ottumwa, State of Iowa





CERTIFICATE

STATE OF IOWA )  
 ) SS  
COUNTY OF WAPELLO )

I, the undersigned, do hereby certify that I am now and was at the times hereinafter mentioned, the duly qualified and acting Clerk of the City of Ottumwa, in the County of Wapello, State of Iowa, and that as such Clerk and by full authority from the Council of the City, I have caused a

NOTICE OF PUBLIC HEARING  
(Not to Exceed \$700,000 General Obligation Capital Loan Notes) (GCP-6)

of which the clipping annexed to the publisher's affidavit hereto attached is in words and figures a correct and complete copy, to be published as required by law in the "Ottumwa Courier", a legal newspaper published at least once weekly, printed wholly in the English language, published regularly and mailed through the post office of current entry for more than two years and which has had for more than two years a bona fide paid circulation recognized by the postal laws of the United States, and has a general circulation in the City, and that the Notice was published in all of the issues thereof published and circulated on the following date:

February 17, 2022.

WITNESS my official signature this 23 day of February, 2022.

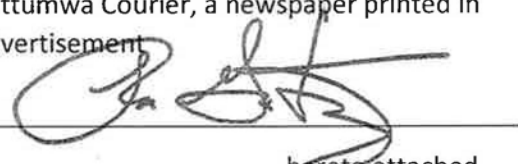
Christ Runhard  
City Clerk, City of Ottumwa, State of Iowa



# PROOF OF PUBLICATION

STATE OF IOWA  
WAPELLO COUNTY

I, Ron Gutierrez, being duly sworn on my oath, say I am the Publisher of the Ottumwa Courier, a newspaper printed in said Wapello County, Iowa and of general circulation there in, and that the advertisement



Proposed Authorization of A Loan

City of Ottumwa

hereto attached

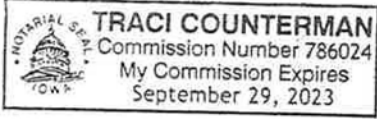
was published in said newspaper for 1 consecutive week's to-wit: 02/17/22

Subscribed and sworn to before me, and in my presence, by the said 17th day of February, 2022



Notary Public

In and for Wapello County



Printer's fee \$33.65

## COPY OF ADVERTISEMENT

NOTICE OF MEETING OF THE CITY COUNCIL OF THE CITY OF OTTUMWA, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$700,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY (FOR GENERAL CORPORATE PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF PUBLIC NOTICE is hereby given that the City Council of the City of Ottumwa, State of Iowa, will hold a public hearing on the 1st day of March, 2022, at 5:30 P.M., in the Council Chambers, City Hall, 105 East 3rd Street, Ottumwa, Iowa, at which meeting the Council proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes, for general corporate purposes, bearing interest at a rate of not to exceed nine (9) per centum per annum, the Notes to be issued to provide funds to pay the costs of the acquisition of software and related equipment for City Hall, including local grant matches; equipping the city airport, including vehicles; and funding for the acquisition of, or grants for housing. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund. At any time before the date of the meeting, a petition, asking that the question of issuing such Notes be submitted to the legal voters of the City, may be filed with the Clerk of the City in the manner provided by Section 362.4 of the Code of Iowa, pursuant to the provisions of Sections 384.24A and 384.26 of the Code of Iowa. At the above meeting the Council shall receive oral or written objections from any resident or property owner of the City to the above action. After all objections have been received and considered, the Council will at the meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of the City thereunder or will abandon the proposal to issue said Notes. This notice is given by order of the City Council of the City of Ottumwa, State of Iowa, as provided by Sections 384.24A and 384.26 of the Code of Iowa. Dated this 17 day of February, 2022. Christina Reinhard City Clerk, City of Ottumwa, State of Iowa

**CITY OF OTTUMWA**  
**Staff Summary**

**\*\* ACTION ITEM \*\***

Council Meeting of: Feb 15, 2022

Philip Rath

Prepared By

Administration

Department

Department Head



City Administrator Approval

AGENDA TITLE: Resolution 35-2022 - Notice of meeting of the City Council of the City of Ottumwa, State of Iowa, on the matter of the proposed authorization of a loan agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes of the City (for general corporate purposes), and the hearing on the issuance thereof

\*\*\*\*\*

\*\*Public hearing required if this box is checked.\*\*

RECOMMENDATION: Pass and adopt Resolution 35-2022

DISCUSSION: City staff has identified the need of certain capital improvements, which would require financing in order to proceed. Prior to the proposed borrowing of funds related to these projects, the City Council is required to hold a public hearing to gather any input from the public. The attached resolution requests setting March 1, 2022 at 5:30 as that day and time.

Source of Funds: N/A

Budgeted Item:  Budget Amendment Needed:



**ITEMS TO INCLUDE ON AGENDA**

**CITY OF OTTUMWA, IOWA**

Not to Exceed \$700,000 General Obligation Capital Loan Notes (GCP-7)

- Resolution fixing date for a meeting on the proposition to authorize a Loan Agreement and the issuance of Notes to evidence the obligations of the City thereunder.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE  
CHAPTER 21 AND THE LOCAL RULES OF THE CITY.

February 15, 2022

The City Council of the City of Ottumwa, State of Iowa, met in regular session, in the Council Chambers, City Hall, 105 East 3<sup>rd</sup> Street, Ottumwa, Iowa, at 5:30 P.M., on the above date. There were present Mayor Johnson, in the chair, and the following named Council Members:

Marc Roe, Cara Galloway, Doug McAntire, Sandra Pope

Absent: Russ Hull

Vacant: None

\* \* \* \* \*

Council Member McAntire introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$700,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY OF OTTUMWA, STATE OF IOWA (FOR GENERAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Council Member Galloway seconded the motion to adopt. The roll was called and the vote was,

AYES: Roe, Galloway, McAntire, Pope

---

NAYS: None

Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION NO. 35-2022

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$700,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY OF OTTUMWA, STATE OF IOWA (FOR GENERAL CORPORATE PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that the City of Ottumwa, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Capital Loan Notes, to the amount of not to exceed \$700,000, as authorized by Sections 384.24A and 384.26, of the Code of Iowa, for the purpose of providing funds to pay costs of carrying out general corporate purpose project(s) as hereinafter described; and

WHEREAS, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

WHEREAS, the Issuer has a population of more than 5,000 but not more than 75,000, and the Notes for these purposes do not exceed \$700,000; and

WHEREAS, before a Loan Agreement may be authorized and General Obligation Capital Loan Notes, issued to evidence the obligation of the City thereunder, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Council proposes to take action for the authorization of the Loan Agreement and Notes and to receive oral and/or written objections from any resident or property owner of the City to such action; and



WHEREAS, before the Notes may be issued, it is necessary to comply with the provisions of Chapter 384 of the Code of Iowa, and to publish a notice of the proposal to issue such Notes and the right to petition for an election.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, STATE OF IOWA:

Section 1. That this Council meet in the Council Chambers, City Hall, 105 East 3rd Street, Ottumwa, Iowa, at 5:30 P.M., on the 1<sup>st</sup> day of March, 2022, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$700,000 General Obligation Capital Loan Notes, for general corporate purposes, the proceeds of which notes will be used to provide funds to pay the costs of the construction and reconstruction, enlargement, improvement and equipping of an indoor sports complex and shall bear interest at a rate not exceeding the maximum specified in the attached notice.

Section 2. The Clerk is authorized and directed to proceed on behalf of the City with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Capital Loan Notes, evidencing the City's obligations to a principal amount of not to exceed \$700,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the City and this Council and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the City and acceptable to the Council.

Section 3. That the Clerk is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the City. The publication to be not less than ten clear days nor more than twenty days before the date of the public meeting on the issuance of the Notes.

Section 4. The notice of the proposed action to issue notes shall be in substantially the following form:

(To be published between: February 9, 2022 and February 18, 2022)

NOTICE OF MEETING OF THE CITY COUNCIL OF THE  
CITY OF OTTUMWA, STATE OF IOWA, ON THE MATTER  
OF THE PROPOSED AUTHORIZATION OF A LOAN  
AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED  
\$700,000 GENERAL OBLIGATION CAPITAL LOAN NOTES  
OF THE CITY (FOR GENERAL CORPORATE PURPOSES),  
AND THE HEARING ON THE ISSUANCE THEREOF

PUBLIC NOTICE is hereby given that the City Council of the City of Ottumwa, State of Iowa, will hold a public hearing on the 1<sup>st</sup> day of March, 2022, at 5:30 P.M., in the Council Chambers, City Hall, 105 East 3<sup>rd</sup> Street, Ottumwa, Iowa, at which meeting the Council proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes, for general corporate purposes, bearing interest at a rate of not to exceed nine (9) per centum per annum, the Notes to be issued to provide funds to pay the costs of the construction and reconstruction, enlargement, improvement and equipping of an indoor sports complex. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

At any time before the date of the meeting, a petition, asking that the question of issuing such Notes be submitted to the legal voters of the City, may be filed with the Clerk of the City in the manner provided by Section 362.4 of the Code of Iowa, pursuant to the provisions of Sections 384.24A and 384.26 of the Code of Iowa.

At the above meeting the Council shall receive oral or written objections from any resident or property owner of the City to the above action. After all objections have been received and considered, the Council will at the meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of the City thereunder or will abandon the proposal to issue said Notes.

This notice is given by order of the City Council of the City of Ottumwa, State of Iowa, as provided by Sections 384.24A and 384.26 of the Code of Iowa.

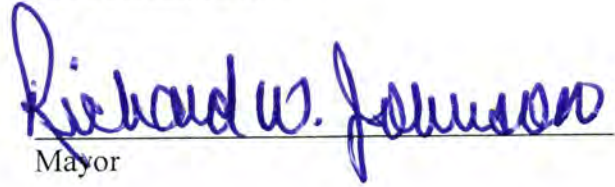
Dated this 15 day of February, 2022.

  
\_\_\_\_\_  
City Clerk, City of Ottumwa, State of Iowa


(End of Notice)



PASSED AND APPROVED this 15<sup>th</sup> day of February, 2022.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

CERTIFICATE

STATE OF IOWA

)

) SS

COUNTY OF WAPELLO

)

I, the undersigned City Clerk of the City of Ottumwa, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this 15 day of February, 2022.

Christa Runhard  
City Clerk, City of Ottumwa, State of Iowa



CERTIFICATE

STATE OF IOWA )  
 ) SS  
COUNTY OF WAPELLO )

I, the undersigned, do hereby certify that I am now and was at the times hereinafter mentioned, the duly qualified and acting Clerk of the City of Ottumwa, in the County of Wapello, State of Iowa, and that as such Clerk and by full authority from the Council of the City, I have caused a

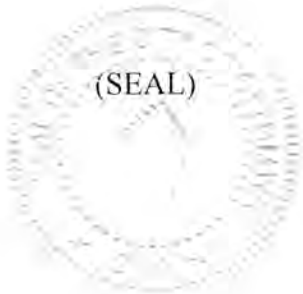
NOTICE OF PUBLIC HEARING  
(Not to Exceed \$700,000 General Obligation Capital Loan Notes) (GCP-7)

of which the clipping annexed to the publisher's affidavit hereto attached is in words and figures a correct and complete copy, to be published as required by law in the "Ottumwa Courier", a legal newspaper published at least once weekly, printed wholly in the English language, published regularly and mailed through the post office of current entry for more than two years and which has had for more than two years a bona fide paid circulation recognized by the postal laws of the United States, and has a general circulation in the City, and that the Notice was published in all of the issues thereof published and circulated on the following date:

February 17, 2022.

WITNESS my official signature this 23 day of February, 2022.

Christa Runhard  
City Clerk, City of Ottumwa, State of Iowa

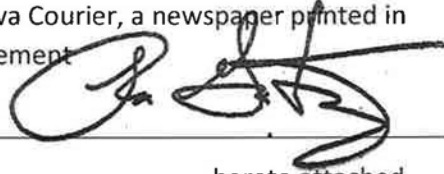




# PROOF OF PUBLICATION

STATE OF IOWA  
WAPELLO COUNTY

I, Ron Gutierrez, being duly sworn on my oath, say I am the Publisher of the Ottumwa Courier, a newspaper printed in said Wapello County, Iowa and of general circulation there in, and that the advertisement



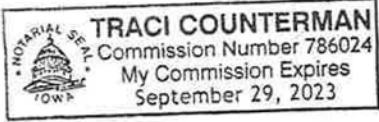
Proposed Authorization of a Loan

City of Ottumwa

hereto attached

was published in said newspaper for 1 consecutive week's to-wit: 02/17/22

Subscribed and sworn to before me, and in my presence, by the said 17th day of February, 2022



Notary Public

In and for Wapello County

Printer's fee \$32.34

## COPY OF ADVERTISEMENT

NOTICE OF MEETING OF THE CITY COUNCIL OF THE CITY OF OTTUMWA, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$700,000 GENERAL OBLIGATION CAPITAL LOAN NOTES OF THE CITY (FOR GENERAL CORPORATE PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF PUBLIC NOTICE is hereby given that the City Council of the City of Ottumwa, State of Iowa, will hold a public hearing on the 1st day of March, 2022, at 5:30 P.M., in the Council Chambers, City Hall, 105 East 3rd Street, Ottumwa, Iowa, at which meeting the Council proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$700,000 General Obligation Capital Loan Notes, for general corporate purposes, bearing interest at a rate of not to exceed nine (9) per centum per annum, the Notes to be issued to provide funds to pay the costs of the construction and reconstruction, enlargement, improvement and equipping of an indoor sports complex. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund. At any time before the date of the meeting, a petition, asking that the question of issuing such Notes be submitted to the legal voters of the City, may be filed with the Clerk of the City in the manner provided by Section 362.4 of the Code of Iowa, pursuant to the provisions of Sections 384.24A and 384.26 of the Code of Iowa. At the above meeting the Council shall receive oral or written objections from any resident or property owner of the City to the above action. After all objections have been received and considered, the Council will at the meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of the City thereunder or will abandon the proposal to issue said Notes. This notice is given by order of the City Council of the City of Ottumwa, State of Iowa, as provided by Sections 384.24A and 384.26 of the Code of Iowa. Dated this 17 day of February, 2022. Christina Reinhard City Clerk, City of Ottumwa, State of Iowa

**CITY OF OTTUMWA**  
**Staff Summary**

**\*\* ACTION ITEM \*\***

Council Meeting of : Feb 15, 2022

Philip Rath

Prepared By

Administration

Department

Department Head



City Administrator Approval

AGENDA TITLE: Resolution 36-2022 - Notice of meeting of the City Council of the City of Ottumwa, State of Iowa, on the matter of the proposed authorization of a loan agreement and the issuance of not to exceed \$1,100,000 General Obligation Urban Renewal Capital Loan Notes of the City (for essential corporate urban renewal purposes), and the hearing on the issuance thereof

\*\*\*\*\*

\*\*Public hearing required if this box is checked.\*\*

RECOMMENDATION: Pass and adopt Resolution 36-2022

DISCUSSION: City staff has identified the need of certain capital improvements, which would require financing in order to proceed. Prior to the proposed borrowing of funds related to these projects, the City Council is required to hold a public hearing to gather any input from the public. The attached resolution requests setting March 1, 2022 at 5:30 as that day and time.

Source of Funds: N/A

Budgeted Item:  Budget Amendment Needed:

**ITEMS TO INCLUDE ON AGENDA**

**CITY OF OTTUMWA, IOWA**

Not to Exceed \$1,100,000 General Obligation Urban Renewal Capital Loan Notes (ECP/UR-8)

- Resolution fixing date for a meeting on the proposition to authorize a Loan Agreement and the issuance of Notes to evidence the obligations of the City thereunder.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE  
CHAPTER 21 AND THE LOCAL RULES OF THE CITY.



February 15, 2022

The City Council of the City of Ottumwa, State of Iowa, met in regular session, in the Council Chambers, City Hall, 105 East 3<sup>rd</sup> Street, Ottumwa, Iowa, at 5:30 P.M., on the above date. There were present Mayor Johnson, in the chair, and the following named Council Members:

Marc Roe, Cara Galloway, Doug McAntire, Sandra Pope

Absent: Russ Hull

Vacant: None

\* \* \* \* \*

Council Member Roe introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$1,100,000 GENERAL OBLIGATION URBAN RENEWAL CAPITAL LOAN NOTES OF THE CITY OF OTTUMWA, STATE OF IOWA (FOR ESSENTIAL CORPORATE URBAN RENEWAL PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Council Member McAntire seconded the motion to adopt. The roll was called and the vote was,

AYES: Roe, Galloway, McAntire, Pope

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NAYS: None

Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION NO. 36-2022

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$1,100,000 GENERAL OBLIGATION URBAN RENEWAL CAPITAL LOAN NOTES OF THE CITY OF OTTUMWA, STATE OF IOWA (FOR ESSENTIAL CORPORATE URBAN RENEWAL PURPOSES), AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, by Resolution No. 39-1989, adopted May 2, 1989, this Council found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the West Gate Economic Development Urban Renewal Plan (the "Plan" or "Urban Renewal Plan") for the West Gate Economic Development Urban Renewal Area (the "Area" or "Urban Renewal Area"), which Plan is on file in the office of the Recorder of Wapello County, Iowa; and

WHEREAS, the Plan has been amended several times including by Resolution 217-2019, adopted October 1, 2019, wherein this Council approved and adopted an Amendment No. 8 to the Plan, which Amendment confirmed and added urban renewal projects proposed to be undertaken within the Area; and

WHEREAS, it is deemed necessary and advisable that the City of Ottumwa, State of Iowa, should provide for the authorization of a Loan Agreement and issuance of General Obligation Urban Renewal Capital Loan Notes, to the amount of not to exceed \$1,100,000, as authorized by Sections 384.24A, 384.25 and 403.12, of the Code of Iowa, for the purpose of

providing funds to pay costs of carrying out essential corporate urban renewal purpose project(s), including as described in the above-described Amendment No. 8; and

WHEREAS, the Loan Agreement and Notes shall be payable from the Debt Service Fund; and

WHEREAS, before a Loan Agreement may be authorized and General Obligation Urban Renewal Capital Loan Notes, issued to evidence the obligation of the City thereunder, it is necessary to comply with the provisions of the Code of Iowa, as amended, and to publish a notice of the proposal and of the time and place of the meeting at which the Council proposes to take action for the authorization of the Loan Agreement and Notes and to receive oral and/or written objections from any resident or property owner of the City to such action.

WHEREAS, before notes may be issued, it is necessary to comply with the procedural requirements of Chapters 384 and 403 of the Code of Iowa, and to publish a notice of the proposal to issue such notes and the right to petition for an election.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CITY OF OTTUMWA, STATE OF IOWA:

Section 1. That this Council meet in the Council Chambers, City Hall, 105 East 3rd Street, Ottumwa, Iowa, at 5:30 P.M., on the 1<sup>st</sup> day of March, 2022, for the purpose of taking action on the matter of the authorization of a Loan Agreement and issuance of not to exceed \$1,100,000 General Obligation Urban Renewal Capital Loan Notes, for essential corporate urban renewal purposes, the proceeds of which notes will be used to provide funds to pay the costs of aiding in the planning, undertaking and carrying out of urban renewal projects under the authority of Chapter 403 and the Urban Renewal Plan for the West Gate Economic Development Urban Renewal Area, such as those costs associated with grants and incentives to private developers and the construction, improvement, and equipping of parking in the vicinity of the convention center.

Section 2. To the extent any of the projects or activities described in this resolution may be reasonably construed to be included in more than one classification under Subchapter III of Chapter 384 of the Code of Iowa, the Council hereby elects the "essential corporate purpose" classification and procedure with respect to each such project or activity, pursuant to Section 384.28 of the Code of Iowa.

Section 3. The Clerk is authorized and directed to proceed on behalf of the City with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Urban Renewal Capital Loan Notes, evidencing the City's obligations to a principal amount of not to exceed \$1,100,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the City and this Council and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the City and acceptable to the Council.

Section 4. That the Clerk is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the City. The publication to be



not less than ten clear days nor more than twenty days before the date of the public meeting on the issuance of the Notes.

Section 5. The notice of the proposed action to issue notes shall be in substantially the following form:

(To be published between February 9, 2022 and February 18, 2022)

NOTICE OF MEETING OF THE CITY COUNCIL OF THE CITY OF OTTUMWA, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$1,100,000 GENERAL OBLIGATION URBAN RENEWAL CAPITAL LOAN NOTES OF THE CITY (FOR ESSENTIAL CORPORATE URBAN RENEWAL PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF


PUBLIC NOTICE is hereby given that the City Council of the City of Ottumwa, State of Iowa, will hold a public hearing on the 1<sup>st</sup> day of March, 2022, at 5:30 P.M., in the Council Chambers, City Hall, 105 East 3rd Street, Ottumwa, Iowa, at which meeting the Council proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$1,100,000 General Obligation Urban Renewal Capital Loan Notes, for essential corporate urban renewal purposes, to provide funds to pay the costs of aiding in the planning, undertaking and carrying out of urban renewal projects under the authority of Chapter 403 and the Urban Renewal Plan for the West Gate Economic Development Urban Renewal Area, such as those costs associated with grants and incentives to private developers and the construction, improvement, and equipping of parking in the vicinity of the convention center. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund.

At any time before the date of the meeting, a petition, asking that the question of issuing such Notes be submitted to the legal voters of the City, may be filed with the Clerk of the City in the manner provided by Section 362.4 of the Code of Iowa, pursuant to the provisions of Sections 384.24(3)(q), 384.24A, 384.25 and 403.12 of the Code of Iowa.

At the above meeting the Council shall receive oral or written objections from any resident or property owner of the City to the above action. After all objections have been received and considered, the Council will at the meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of the City thereunder or will abandon the proposal to issue said Notes.

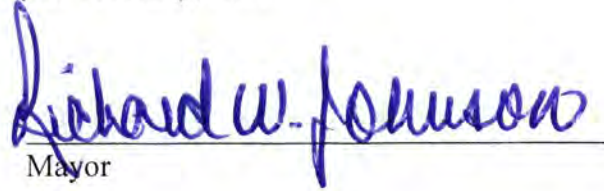
This notice is given by order of the City Council of the City of Ottumwa, State of Iowa, as provided by Chapters 384 and 403 of the Code of Iowa.

Dated this 15 day of February, 2022.

  
\_\_\_\_\_  
City Clerk, City of Ottumwa, State of Iowa

(End of Notice)

PASSED AND APPROVED this 15<sup>th</sup> day of February, 2022.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk



CERTIFICATE

STATE OF IOWA

)

) SS

COUNTY OF WAPELLO

)

I, the undersigned City Clerk of the City of Ottumwa, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the records of the City showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Council hereto affixed this 15 day of February, 2022.

*Christie Runkhara*  
City Clerk, City of Ottumwa, State of Iowa



CERTIFICATE

STATE OF IOWA )  
 ) SS  
COUNTY OF WAPELLO )

I, the undersigned, do hereby certify that I am now and was at the times hereinafter mentioned, the duly qualified and acting Clerk of the City of Ottumwa, in the County of Wapello, State of Iowa, and that as such Clerk and by full authority from the Council of the City, I have caused a

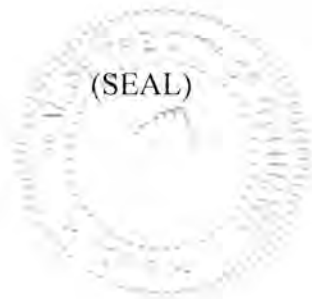
NOTICE OF PUBLIC HEARING  
(Not to Exceed \$1,100,000 General Obligation Urban Renewal Capital Loan  
Notes) (ECP/UR-8)

of which the clipping annexed to the publisher's affidavit hereto attached is in words and figures a correct and complete copy, to be published as required by law in the "Ottumwa Courier", a legal newspaper published at least once weekly, printed wholly in the English language, published regularly and mailed through the post office of current entry for more than two years and which has had for more than two years a bona fide paid circulation recognized by the postal laws of the United States, and has a general circulation in the City, and that the Notice was published in all of the issues thereof published and circulated on the following date:

February 17, 2022.

WITNESS my official signature this 23 day of February, 2022.

Christa Reinhard  
City Clerk, City of Ottumwa, State of Iowa



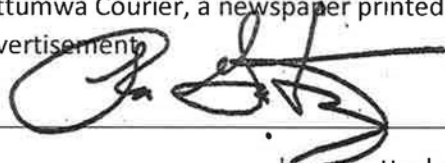
# PROOF OF PUBLICATION

STATE OF IOWA  
WAPELLO COUNTY

I, Ron Gutierrez, being duly sworn on my oath, say I am the Publisher of the Ottumwa Courier, a newspaper printed in said Wapello County, Iowa and of general circulation there in, and that the advertisement

Proposed Authorization of a Loan

City of Ottumwa



hereto attached

was published in said newspaper for 1 consecutive week's to-wit: 02/17/22

Subscribed and sworn to before me, and in my presence, by the said 17th day of February, 2022



Notary Public

In and for Wapello County

Printer's fee \$36.71

## COPY OF ADVERTISEMENT

NOTICE OF MEETING OF THE CITY COUNCIL OF THE CITY OF OTTUMWA, STATE OF IOWA, ON THE MATTER OF THE PROPOSED AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$1,100,000 GENERAL OBLIGATION URBAN RENEWAL CAPITAL LOAN NOTES OF THE CITY (FOR ESSENTIAL CORPORATE URBAN RENEWAL PURPOSES), AND THE HEARING ON THE ISSUANCE THEREOF PUBLIC NOTICE is hereby given that the City Council of the City of Ottumwa, State of Iowa, will hold a public hearing on the 1st day of March, 2022, at 5:30 P.M., in the Council Chambers, City Hall, 105 East 3rd Street, Ottumwa, Iowa, at which meeting the Council proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$1,100,000 General Obligation Urban Renewal Capital Loan Notes, for essential corporate urban renewal purposes, to provide funds to pay the costs of aiding in the planning, undertaking and carrying out of urban renewal projects under the authority of Chapter 403 and the Urban Renewal Plan for the West Gate Economic Development Urban Renewal Area, such as those costs associated with grants and incentives to private developers and the construction, improvement, and equipping of parking in the vicinity of the convention center. Principal and interest on the proposed Loan Agreement will be payable from the Debt Service Fund. At any time before the date of the meeting, a petition, asking that the question of issuing such Notes be submitted to the legal voters of the City, may be filed with the Clerk of the City in the manner provided by Section 362.4 of the Code of Iowa, pursuant to the provisions of Sections 384.24(3)(q), 384.24A, 384.25 and 403.12 of the Code of Iowa. At the above meeting the Council shall receive oral or written objections from any resident or property owner of the City to the above action. After all objections have been received and considered, the Council will at the meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of the Notes to evidence the obligation of the City thereunder or will abandon the proposal to issue said Notes. This notice is given by order of the City Council of the City of Ottumwa, State of Iowa, as provided by Chapters 384 and 403 of the Code of Iowa. Dated this 17 day of February, 2022. Christina Reinhard City Clerk, City of Ottumwa, State of Iowa (End of Notice)



CITY OF OTTUMWA

Staff Summary

**\*\* ACTION ITEM \*\***

Council Meeting of: February 15, 2022

\_\_\_\_\_  
Engineering  
Department

\_\_\_\_\_  
Alicia Bankson  
Prepared By  
*Darryl Seals*  
\_\_\_\_\_  
Department Head

*[Signature]*  
\_\_\_\_\_  
City Administrator Approval

AGENDA TITLE: Resolution #37-2022. Awarding the contract for the Cooper Avenue Reconstruction Project.

\*\*\*\*\*

**\*\*Public hearing required if this box is checked. \*\***

**\*\*The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.\*\***

RECOMMENDATION: Pass and adopt Resolution #37-2022.

DISCUSSION: This project involves full depth, full width, PCC reconstruction (Main Street to Second Street). Reconstruction of storm intakes and sewer replacement as needed.

Plans for the project are posted on the City's website, submitted to Master Builders of Iowa for publication with their Construction Update plan service, and available for pick up in the Engineering Office. An announcement is published in the Ottumwa Courier notifying the public of the project.

Bids were received and opened by the City of Ottumwa on February 9, 2022 at 2:00 p.m. Three (3) bids were received. The low bidder is Drish Construction, Inc. of Fairfield, Iowa in the amount of \$474,088.00.

Bid Tab and Plan Holders List are attached.

Estimated cost: \$ 645,444.00

Budgeted amount: \$ 645,444.00

Bid Amount: \$ 474,088.00

Source of Funds: FY20/21 CIP

Budgeted Item: Yes

Budget Amendment Needed: No

RESOLUTION #37-2022

A RESOLUTION AWARDING THE CONTRACT FOR THE COOPER AVENUE  
RECONSTRUCTION PROJECT

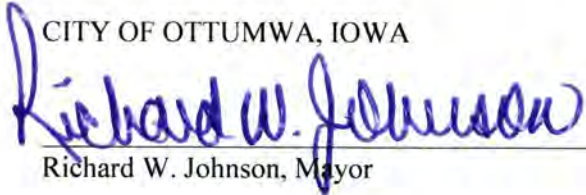
WHEREAS, The City Council of the City of Ottumwa, Iowa did advertise and accept bids for the above referenced project; and,

WHEREAS, Bids were received, proper, and mathematically correct.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA THAT: The award of contract for the above referenced project is made to the lowest responsible bidder, Drish Construction, Inc. of Fairfield, Iowa in the amount of \$474,088.00.

APPROVED, PASSED, AND ADOPTED, this 15<sup>th</sup> day of February 2022.

CITY OF OTTUMWA, IOWA



Richard W. Johnson, Mayor

ATTEST:



Christina Reinhard, City Clerk

**BID TABULATION FOR**

Cooper Ave Reconstruction

2/9/2022

ITEM	UNIT	QTY	CONSTRUCTION ESTIMATE		DRISH		OEL CONSTRUCTION		FYE EXCAVATING	
			UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
1	CY	145	\$65.00	\$9,425.00	\$50.00	\$7,250.00	\$55.25	\$8,011.25	\$44.25	\$6,416.25
2	CY	551	\$30.00	\$16,530.00	\$25.00	\$13,775.00	\$33.50	\$18,458.50	\$18.10	\$9,973.10
3	CY	100	\$72.00	\$7,200.00	\$72.00	\$7,200.00	\$79.50	\$7,950.00	\$57.00	\$5,700.00
4	SY	2670	\$5.57	\$14,871.90	\$4.00	\$10,680.00	\$4.50	\$12,015.00	\$2.50	\$6,675.00
5	SY	2670	\$28.00	\$74,760.00	\$10.00	\$26,700.00	\$11.00	\$29,370.00	\$6.20	\$16,554.00
6	LS	1	\$10,000.00	\$10,000.00	\$3,500.00	\$3,500.00	\$4,000.00	\$4,000.00	\$2,000.00	\$2,000.00
7	LF	20	\$175.45	\$3,509.00	\$145.00	\$2,900.00	\$160.25	\$3,205.00	\$329.15	\$6,583.00
8	LF	40	\$200.00	\$8,000.00	\$200.00	\$8,000.00	\$225.00	\$9,000.00	\$357.65	\$14,306.00
9	LF	50	\$180.00	\$9,000.00	\$196.00	\$9,800.00	\$217.00	\$10,850.00	\$110.00	\$5,500.00
10	LF	50	\$50.15	\$2,507.50	\$50.00	\$2,500.00	\$56.00	\$2,800.00	\$25.00	\$1,250.00
11	LF	100	\$75.00	\$7,500.00	\$60.00	\$5,000.00	\$56.00	\$5,600.00	\$25.00	\$2,500.00
12	LF	54	\$80.00	\$4,320.00	\$85.00	\$4,590.00	\$94.00	\$5,076.00	\$124.70	\$6,733.80
13	LF	24	\$85.00	\$2,040.00	\$90.00	\$2,160.00	\$100.00	\$2,400.00	\$132.20	\$3,172.80
14	LF	1435	\$15.00	\$21,525.00	\$12.00	\$17,220.00	\$13.25	\$19,013.75	\$8.80	\$12,628.00
15	EA	4	\$350.00	\$1,400.00	\$305.00	\$1,220.00	\$350.00	\$1,400.00	\$280.00	\$1,120.00
16	EA	5	\$1,800.00	\$9,000.00	\$1,500.00	\$7,500.00	\$1,700.00	\$8,500.00	\$1,990.00	\$9,950.00
17	EA	1	\$6,800.00	\$6,800.00	\$7,200.00	\$7,200.00	\$8,000.00	\$8,000.00	\$10,614.00	\$10,614.00
18	EA	2	\$4,600.00	\$9,200.00	\$4,500.00	\$9,000.00	\$5,000.00	\$10,000.00	\$4,891.00	\$9,782.00
19	EA	2	\$6,850.00	\$13,700.00	\$7,500.00	\$15,000.00	\$8,300.00	\$16,600.00	\$9,913.00	\$19,826.00
20	EA	5	\$1,500.00	\$7,500.00	\$1,520.00	\$7,600.00	\$1,680.00	\$8,400.00	\$1,186.00	\$5,930.00
21	EA	2	\$3,850.00	\$7,700.00	\$2,000.00	\$4,000.00	\$2,250.00	\$4,500.00	\$2,500.00	\$5,000.00
22	EA	5	\$1,800.00	\$9,000.00	\$1,100.00	\$5,500.00	\$1,250.00	\$6,250.00	\$1,000.00	\$5,000.00
23	SY	2365	\$90.00	\$212,850.00	\$71.00	\$167,915.00	\$71.50	\$169,087.50	\$76.65	\$181,277.25
24	SY	91	\$10.00	\$910.00	\$18.00	\$1,638.00	\$20.00	\$1,820.00	\$5.85	\$532.35
25	SY	142	\$10.00	\$1,420.00	\$18.00	\$2,556.00	\$20.00	\$2,840.00	\$5.85	\$830.70
26	SY	145	\$64.00	\$9,280.00	\$76.50	\$11,092.50	\$81.00	\$11,745.00	\$118.95	\$17,247.75
27	SF	32	\$100.00	\$3,200.00	\$65.00	\$2,080.00	\$105.00	\$3,360.00	\$78.75	\$2,520.00
28	SY	93	\$75.00	\$6,975.00	\$76.50	\$7,114.50	\$181.00	\$16,833.00	\$97.80	\$9,095.40
29	TN	5	\$22.00	\$110.00	\$60.00	\$300.00	\$67.00	\$335.00	\$28.00	\$140.00
30	SY	2371	\$10.00	\$23,710.00	\$7.00	\$16,597.00	\$8.00	\$18,968.00	\$6.95	\$16,478.45
31	LS	1	\$15,000.00	\$15,000.00	\$6,000.00	\$6,000.00	\$4,000.00	\$4,000.00	\$3,675.00	\$3,675.00
32	LS	1	\$10,000.00	\$10,000.00	\$6,000.00	\$6,000.00	\$6,700.00	\$6,700.00	\$5,000.00	\$5,000.00
33	LF	100	\$10.00	\$1,000.00	\$13.00	\$1,300.00	\$14.50	\$1,450.00	\$10.00	\$1,000.00
34	LF	100	\$5.00	\$500.00	\$6.00	\$600.00	\$7.00	\$700.00	\$10.00	\$1,000.00
35	LS	1	\$15,000.00	\$15,000.00	\$10,500.00	\$10,500.00	\$9,200.00	\$9,200.00	\$8,715.00	\$8,715.00
36	LS	1	\$85,000.00	\$85,000.00	\$60,000.00	\$60,000.00	\$40,000.00	\$40,000.00	\$83,370.00	\$83,370.00
37	LS	1	\$5,000.00	\$5,000.00	\$2,100.00	\$2,100.00	\$3,500.00	\$3,500.00	\$525.00	\$525.00
			<b>\$645,443.40</b>		<b>\$474,085.00</b>		<b>\$491,948.00</b>		<b>\$496,540.85</b>	
<b>TOTAL</b>										

\$496,540.85

\$474,085.00

\$491,948.00

\$496,540.85

I HEREBY CERTIFY THAT THIS IS A TRUE TABULATION OF THE BIDS RECEIVED AT 2:00 P.M. ON FEBRUARY 9, 2022

BY:



**PLAN HOLDERS LIST**

**Cooper Avenue Reconstruction Project  
Ottumwa, Iowa 52501**

Engineer's Estimate: \$645,444.00

**Plan Deposit: \$40.00 (\$40.00 refundable)**

Set No	Name & Address of Plan Holder	Phone/Fax	Plans Mailed	Deposit Received	Plans Returned Refund Mailed	Addendum No. 1 & 2
1	<b>Jones Contracting Corp</b> 1808 Hwy 16 PO Box 156 West Point, IA 52656 <a href="mailto:pjones@jonescontractingcorp.com">pjones@jonescontractingcorp.com</a>	319-837-8129	Emailed 1/19/2022			#1 - 1/25/22 #2 - 2/2/22
2	<b>DC Concrete &amp; Construction</b> 15476 Emerald Rd Douds, IA 52551 <a href="mailto:dcconstruction.ia@gmail.com">dcconstruction.ia@gmail.com</a>	641-919-0636	Emailed 1/19/2022			#1 - 1/25/22 #2 - 2/2/22
3	<b>Mike Nelson Concrete Paving Co</b> 6430 - 115th Ave Burlington, IA 52601 <a href="mailto:Mike Nelson (mnelsonconcrete@aol.com)">Mike Nelson (mnelsonconcrete@aol.com)</a>	319-754-4160	Emailed 1/19/2022			#1 - 1/25/22 #2 - 2/2/22
4	<b>Cremer Concrete</b> 606 Goode Street Bloomfield, IA 52537 <a href="mailto:cremerconcrete@hotmail.com">cremerconcrete@hotmail.com</a>	641-777-5925	Emailed 1/19/2022			#1 - 1/25/22 #2 - 2/2/22
5	<b>MJ Daley Construction Co Inc</b> 1916 Mt. Pleasant St. Burlington, IA 52601 <a href="mailto:dalyconst@aol.com">dalyconst@aol.com</a>	319-754-8119	Emailed 1/19/2022			#1 - 1/25/22 #2 - 2/2/22
6	<b>Fye Excavating</b> 10165 Sperry Rd Sperry, IA 52650 <a href="mailto:sbush@fyexcavating.com">sbush@fyexcavating.com</a>	319-209-0002	Emailed 1/19/2022			#1 - 1/25/22 #2 - 2/2/22
7	<b>Ideal Ready Mix</b> 2901 N Court St Ottumwa, IA 52501 <a href="mailto:jmartsching@idealm.com">jmartsching@idealm.com</a>	319-759-0246	Emailed 1/19/2022			#1 - 1/25/22 #2 - 2/2/22
8	<b>Manatt's, Inc.</b> 1775 Old 6 Rd Brooklyn, IA 52211 <a href="mailto:nickg@manatts.com">nickg@manatts.com</a>	641-522-9206	Emailed 1/19/2022			#1 - 1/25/22 #2 - 2/2/22
9	<b>Sternquist Construction</b> 1110 N 14th St Indianola, IA 51025 <a href="mailto:bbohlender@sternquistconstruction.com">bbohlender@sternquistconstruction.com</a>	515-961-8127	Emailed 1/19/2022			#1 - 1/25/22 #2 - 2/2/22
10	<b>Hawkeye Paving Corp</b> 801 42nd St Bettendorf, IA 52722 <a href="mailto:tperkins@hawkeypaving.com">tperkins@hawkeypaving.com</a>	563-355-6834	Emailed 1/19/2022			#1 - 1/25/22 #2 - 2/2/22
11	<b>Metro Pavers, Inc.</b> 101 Southgate Ave Iowa City IA 52240 <a href="mailto:craig@metro-pavers.com">craig@metro-pavers.com</a>	319-351-8800	Emailed 1/19/2022			#1 - 1/25/22 #2 - 2/2/22
12	<b>Langman Construction</b> 220 - 34th Ave Rock Island, IL 61201 <a href="mailto:brian@langmanco.com">brian@langmanco.com</a>	309-786-8944	Emailed 1/19/2022			#1 - 1/25/22 #2 - 2/2/22
13	<b>Absolute Concrete Construction</b> 505 1st ave N, PO Box 148 Slater, IA 50244 <a href="mailto:lpetersen@ac-iowa.com">lpetersen@ac-iowa.com</a>	515-497-6137 <a href="mailto:droberts@ac-iowa.com">droberts@ac-iowa.com</a>	Emailed 1/19/2022			#1 - 1/25/22 #2 - 2/2/22
14	<b>Iowa Concrete Paving Association</b> 360-380 SE Delaware Ave Ankeny, IA 50021 <a href="mailto:rbangs@concretestate.org">rbangs@concretestate.org</a>	515-963-0606	Emailed 1/19/2022			#1 - 1/25/22 #2 - 2/2/22
15	<b>Wicks Construction, Inc.</b> 2201 State Hwy 9 Decorah, IA 52101 <a href="mailto:dave@wicksconstruction.com">dave@wicksconstruction.com</a>	563-382-2325	Emailed 1/19/2022			#1 - 1/25/22 #2 - 2/2/22
16	<b>Blommers Construction</b>					

	117 222nd Ave Pella, IA 50219 <a href="mailto:jblommers5@gmail.com">jblommers5@gmail.com</a>	641-780-4173	Emailed 1/19/2022			#1 - 1/25/22 #2 - 2/2/22
17	<b>TK Concrete, Inc.</b> 1608 Fifield Rd Pella, IA 50219 <a href="mailto:billie@vermeergroup.com">billie@vermeergroup.com</a>	641-628-4590	City Website 1/20/2022			#1 - 1/25/22 #2 - 2/2/22
18	<b>Drish Construction, Inc</b> 1701 S Main St Fairfield, IA 52556 <a href="mailto:dayle.drish@gmail.com">dayle.drish@gmail.com</a>	641-472-9506	City Website 1/21/2022	Yes		#1 - 1/25/22 #2 - 2/2/22
19	<b>Renfrew Dozing</b> 2348 Lake Rd Ottumwa, IA 52501 <a href="mailto:renfrewdozing@gmail.com">renfrewdozing@gmail.com</a>	641-799-4563	Picked Up 1/26/2022	Yes		#1 - 1/25/22 #2 - 2/2/22
20	<b>OEL Construction</b> 1306 River Road S Steamboat Rock, Iowa 50672 <a href="mailto:triniteoel@gmail.com">triniteoel@gmail.com</a>	641-751-9362	City Website 1/27/2022			#1 - 1/25/22 #2 - 2/2/22
21						
22						
	<b>Master Builders</b> 221 Park Street Des Moines, IA 50309 <a href="mailto:CAdams@mbionline.com">CAdams@mbionline.com</a>	800-362-2578 515-288-8718	Notice of Project 1/19/2022			#1 - 1/25/22 #2 - 2/2/22
	<b>City of Ottumwa</b> 105 E Third St Ottumwa, IA 52501	641-683-0680	Notice of Project, P&S 1/19/2022			#1 - 1/25/22 #2 - 2/2/22

CITY OF OTTUMWA

Staff Summary

**\*\* ACTION ITEM \*\***

Council Meeting of: February 15, 2022

Engineering  
Department

Alicia Bankson  
Prepared By  
*Larry Seal*  
Department Head

*Pf Rth*  
City Administrator Approval

AGENDA TITLE: Resolution #38-2022. Awarding the contract for the Lillian Street Reconstruction Project.

\*\*\*\*\*

**\*\*Public hearing required if this box is checked. \*\***

**\*\*The Proof of Publication for each Public Hearing must be attached to this Staff Summary. If the Proof of Publication is not attached, the item will not be placed on the agenda.\*\***

RECOMMENDATION: Pass and adopt Resolution #38-2022.

DISCUSSION: This project involves full depth, full width PCC reconstruction (Mary Street to Williams Street). Work includes ADA compliant HC drops, storm and sanitary sewer improvements. We are working with Ottumwa Water Works on replacement of existing water main. Any water main work will be reimbursed by Ottumwa Water Works.

Plans for the project are posted on the City's website, submitted to Master Builders of Iowa for publication with their Construction Update plan service, and available for pick up in the Engineering Office. An announcement is published in the Ottumwa Courier notifying the public of the project.

Bids were received and opened by the City of Ottumwa on February 9, 2022 at 2:00 p.m. Three (3) bids were received. The low bidder is Drish Construction, Inc. of Fairfield, Iowa in the amount of \$660,619.50, with an alternate bid of \$160,567.50.

Bid Tab and Plan Holders List are attached.

Estimated cost:	\$ 844,767.00
Budgeted amount:	\$ 844,767.00
Bid amount	\$ 660,619.50
Alternate bid:	\$ 160,567.50

Source of Funds: FY20/21 CIP

Budgeted Item: Yes

Budget Amendment Needed: No



RESOLUTION #38-2022

A RESOLUTION AWARDING THE CONTRACT FOR THE LILLIAN STREET  
RECONSTRUCTION PROJECT

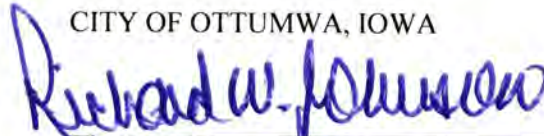
WHEREAS, The City Council of the City of Ottumwa, Iowa did advertise and accept bids for the above referenced project; and,

WHEREAS, Bids were received, proper, and mathematically correct.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA THAT: The award of contract for the above referenced project is made to the lowest responsible bidder, Drish Construction, Inc. of Fairfield, Iowa in the amount of \$160,567.50.

APPROVED, PASSED, AND ADOPTED, this 15<sup>th</sup> day of February 2022.

CITY OF OTTUMWA, IOWA

  
Richard W. Johnson, Mayor


ATTEST:

  
Christina Reinhard, City Clerk



**BID TABULATION FOR**

Lillian Street Reconstruction

ITEM	DESCRIPTION	UNIT	CONSTRUCTION ESTIMATE			DRISH			FYE EXCAVATING			OEL CONSTRUCTION		
			QTY	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	
2/19/2022														
1	TOPSOIL, STRIP, SALVAGE AND SPREAD	CY	150	\$ 30.00	\$4,500.00	\$ 70.00	\$10,900.00	\$ 45.00	\$6,750.00	\$ 39.00	\$5,850.00			
2	EXCAVATION, CLASS 10, ROADWAY AND BORROW	CY	1055	\$ 15.00	\$15,825.00	\$ 20.00	\$21,100.00	\$ 18.00	\$18,990.00	\$ 18.00	\$18,990.00			
3	EXCAVATION, CLASS 10, UNSUITABLE OR UNSTABLE MATL	CY	200	\$ 45.00	\$9,000.00	\$ 72.00	\$14,400.00	\$ 55.00	\$11,000.00	\$ 67.00	\$13,400.00			
4	SURGRADE PREPARATION	SY	4575	\$ 2.75	\$12,581.25	\$ 4.00	\$18,300.00	\$ 2.50	\$11,437.50	\$ 6.10	\$27,907.50			
5	MODIFIED SUBBASE	SY	4575	\$ 7.25	\$33,187.50	\$ 10.00	\$45,750.00	\$ 6.20	\$28,365.00	\$ 10.00	\$45,750.00			
6	TRENCH COMPACTION TESTING	LS	1	\$ 5,000.00	\$5,000.00	\$ 5,000.00	\$12,000.00	\$ 2,500.00	\$2,500.00	\$ 11,100.00	\$11,100.00			
7	SEWER SERVICE, SANITARY, 6 IN DIA	LF	100	\$ 45.00	\$4,500.00	\$ 120.00	\$14,400.00	\$ 105.50	\$10,550.00	\$ 71.00	\$7,100.00			
8	SANITARY SEWER, REMOVAL OF PIPE <36"	LF	8	\$ 10.00	\$80.00	\$ 115.00	\$920.00	\$ 25.00	\$200.00	\$ 83.00	\$664.00			
9	STORM SEWER, TRENCHED, 12" RCP	LF	150	\$ 68.00	\$10,200.00	\$ 75.00	\$11,250.00	\$ 44.30	\$6,645.00	\$ 144.00	\$21,600.00			
10	STORM SEWER, TRENCHED, 12" Arch Pipe	LF	25	\$ 65.00	\$2,125.00	\$ 83.50	\$2,087.50	\$ 44.30	\$1,107.50	\$ 144.00	\$3,600.00			
11	SUBDRAIN STD. PERFORATED, 4"	LF	2730	\$ 7.50	\$20,475.00	\$ 11.00	\$30,030.00	\$ 8.80	\$24,024.00	\$ 16.50	\$45,045.00			
12	SUBDRAIN OUTLET (6040/213)	EA	6	\$ 900.00	\$5,400.00	\$ 305.00	\$1,830.00	\$ 42.00	\$252.00	\$ 360.00	\$2,160.00			
13	SANITARY SEWER SPOT REPAIR BY PIPE REPLACEMENT	LF	8	\$ 1,200.00	\$9,600.00	\$ 320.00	\$2,560.00	\$ 225.60	\$1,804.80	\$ 1,400.00	\$11,200.00			
14	WATER SERVICE STUB, COPPER, 3/4"	EA	5	\$ 1,800.00	\$9,000.00	\$ 1,500.00	\$7,500.00	\$ 1,493.00	\$7,465.00	\$ 2,100.00	\$10,500.00			
15	MANHOLE, STORM SEWER, SW-401	EA	2	\$ 4,000.00	\$8,000.00	\$ 4,500.00	\$9,000.00	\$ 3,429.00	\$6,858.00	\$ 8,100.00	\$16,200.00			
16	SINGLE GRATE INTAKE, SW-501	EA	4	\$ 4,500.00	\$18,000.00	\$ 4,000.00	\$16,000.00	\$ 3,400.00	\$13,600.00	\$ 6,200.00	\$24,800.00			
17	MANHOLE OR INTAKE ADJUSTMENT, MINOR	EA	3	\$ 7,500.00	\$22,500.00	\$ 6,600.00	\$19,800.00	\$ 4,005.00	\$13,815.00	\$ 12,000.00	\$36,000.00			
18	REMOVE MANHOLE OR INTAKE	EA	3	\$ 1,500.00	\$4,500.00	\$ 2,000.00	\$6,000.00	\$ 1,427.00	\$4,281.00	\$ 2,000.00	\$6,000.00			
19	REMOVE MANHOLE OR INTAKE	EA	6	\$ 1,200.00	\$7,200.00	\$ 1,100.00	\$6,600.00	\$ 650.00	\$3,900.00	\$ 2,300.00	\$13,800.00			
20	STANDARD OR SLIP FORM PCC PAVEMENT, CI, C, CL, 7"	SY	4261	\$ 70.00	\$298,270.00	\$ 53.00	\$225,833.00	\$ 65.10	\$277,391.10	\$ 83.00	\$356,443.00			
21	REMOVAL OF PAVED DRIVEWAY	SY	363	\$ 12.00	\$4,356.00	\$ 10.00	\$3,630.00	\$ 5.85	\$2,123.55	\$ 13.25	\$4,809.75			
22	REMOVAL OF SIDEWALK	SY	336	\$ 12.00	\$4,032.00	\$ 10.00	\$3,360.00	\$ 5.85	\$1,965.60	\$ 10.00	\$3,360.00			
23	DETECTABLE WALK, P.C CONCRETE, 6 IN	SY	338	\$ 58.00	\$19,604.00	\$ 76.50	\$25,857.00	\$ 107.34	\$36,280.92	\$ 70.00	\$23,660.00			
24	DETECTABLE WARNINGS	88	\$ 54.00	\$4,752.00	\$ 65.00	\$5,720.00	\$ 78.75	\$6,930.00	\$ 79.00	\$6,952.00				
25	DRIVEWAY, P.C CONCRETE, 6 IN	SY	388	\$ 58.00	\$22,504.00	\$ 76.50	\$29,682.00	\$ 90.19	\$34,993.72	\$ 139.00	\$53,932.00			
26	DRIVEWAY, 3/4" CRUSHED STONE	TN	25	\$ 58.00	\$1,450.00	\$ 40.00	\$1,000.00	\$ 28.00	\$700.00	\$ 26.50	\$662.50			
27	REMOVAL OF PAVEMENT	SY	4210	\$ 12.00	\$50,520.00	\$ 6.00	\$25,260.00	\$ 6.65	\$27,986.50	\$ 10.50	\$44,205.00			
28	TRAFFIC CONTROL	LS	1	\$ 10,000.00	\$10,000.00	\$ 7,000.00	\$7,000.00	\$ 2,835.00	\$2,835.00	\$ 3,000.00	\$3,000.00			
29	SEEDING, FERTILIZING, & MULCHING (URBAN)	LS	1	\$ 7,500.00	\$7,500.00	\$ 8,000.00	\$8,000.00	\$ 10,000.00	\$10,000.00	\$ 8,900.00	\$8,900.00			
30	EROSION CONTROL, SILT FENCE & FILTER SOCKS	LF	100	\$ 3.50	\$350.00	\$ 13.00	\$1,300.00	\$ 10.00	\$1,000.00	\$ 11.00	\$1,100.00			
31	EROSION CONTROL, SILT FENCE & FILTER SOCKS REMOVAL	LF	100	\$ 1.00	\$100.00	\$ 6.00	\$600.00	\$ 10.00	\$1,000.00	\$ 4.50	\$450.00			
32	CONSTRUCTION SURVEY	LS	1	\$ 8,150.00	\$8,150.00	\$ 15,750.00	\$15,750.00	\$ 10,710.00	\$10,710.00	\$ 11,200.00	\$11,200.00			
33	MOBILIZATION	LS	1	\$ 38,000.00	\$38,000.00	\$ 60,000.00	\$60,000.00	\$ 83,450.00	\$83,450.00	\$ 40,000.00	\$40,000.00			
34	CONCRETE WASHOUT	LS	1	\$ 3,500.00	\$3,500.00	\$ 2,500.00	\$2,500.00	\$ 525.00	\$525.00	\$ 3,500.00	\$3,500.00			
35	REINFORCING STEEL, EPOXY COATED	LBS	2250	\$ 3.00	\$6,750.00	\$ 2.00	\$4,500.00	\$ 1.05	\$2,362.50	\$ 3.25	\$7,312.50			
<b>TOTAL</b>					<b>\$681,493.00</b>		<b>660,619.50</b>		<b>673,808.69</b>		<b>803,153.25</b>			
<b>BID TABULATION FOR ALTERNATE OR SEPARATE WORK</b>														
36	WATER MAIN, TRENCHED, PVC, 6 IN	LF	1425	\$ 40.00	\$57,000.00	\$ 38.00	\$54,570.00	\$ 40.20	\$57,285.00	\$ 63.50	\$90,487.50			
37	FITTINGS BY WEIGHT, DUCTILE IRON	LBS	354	\$ 6.00	\$2,124.00	\$ 16.50	\$5,841.00	\$ 6.65	\$2,354.10	\$ 5.25	\$1,858.50			
38	WATER SERVICE STUB, COPPER, 3/4 IN	EA	42	\$ 1,800.00	\$75,600.00	\$ 1,500.00	\$63,000.00	\$ 1,634.00	\$68,628.00	\$ 2,000.00	\$84,000.00			
39	FIRE HYDRANT ASSEMBLY, WM-201	EA	4	\$ 5,200.00	\$20,800.00	\$ 6,000.00	\$24,000.00	\$ 5,027.00	\$20,108.00	\$ 7,500.00	\$30,000.00			
40	FIRE HYDRANT REMOVAL	EA	3	\$ 750.00	\$2,250.00	\$ 1,600.00	\$4,800.00	\$ 650.00	\$1,950.00	\$ 1,400.00	\$4,200.00			
41	PATCHES, FULL DEPTH FINISH, BY AREA	SY	50	\$ 110.00	\$5,500.00	\$ 150.00	\$7,500.00	\$ 196.00	\$9,800.00	\$ 108.00	\$5,400.00			
<b>TOTAL</b>					<b>\$163,274.00</b>		<b>160,716.00</b>		<b>180,125.10</b>		<b>215,946.00</b>			
<b>GRAND TOTAL</b>					<b>\$844,767.00</b>		<b>821,335.50</b>		<b>833,933.79</b>		<b>1,019,099.25</b>			
<p>Gray Box Denotes Math Error By Contractor</p>														
<p>I HEREBY CERTIFY THAT THIS IS A TRUE TABULATION OF THE BIDS RECEIVED AT 2:00 P.M. ON FEBRUARY 9TH, 2022 BY:</p>														
														

**PLAN HOLDERS LIST**

**Lillian Street Reconstruction Project  
Ottumwa, Iowa 52501**

Engineer's Estimate: \$844,767.00

**Plan Deposit: \$40.00 (\$40.00 refundable)**

Set No	Name & Address of Plan Holder	Phone/Fax	Plans Mailed	Deposit Received	Plans Returned Refund Mailed	Addendum No. 1
1	<b>Jones Contracting Corp</b> 1808 Hwy 16 PO Box 156 West Point, IA 52656 <a href="mailto:pjones@jonescontractingcorp.com">pjones@jonescontractingcorp.com</a>	319-837-8129	Emailed 1/19/2022			#1 - 2/2/22
2	<b>DC Concrete &amp; Construction</b> 15476 Emerald Rd Douds, IA 52551 <a href="mailto:dcconstruction.ia@gmail.com">dcconstruction.ia@gmail.com</a>	641-919-0636	Emailed 1/19/2022			#1 - 2/2/22
3	<b>Mike Nelson Concrete Paving Co</b> 6430 - 115th Ave Burlington, IA 52601 <a href="mailto:Mike Nelson (mnelsonconcrete@aol.com)">Mike Nelson (mnelsonconcrete@aol.com)</a>	319-754-4160	Emailed 1/19/2022			#1 - 2/2/22
4	<b>Cremer Concrete</b> 606 Goode Street Bloomfield, IA 52537 <a href="mailto:cremerconcrete@hotmail.com">cremerconcrete@hotmail.com</a>	641-777-5925	Emailed 1/19/2022			#1 - 2/2/22
5	<b>M.J Daley Construction Co Inc</b> 1916 Mt. Pleasant St. Burlington, IA 52601 <a href="mailto:dalyconst@aol.com">dalyconst@aol.com</a>	319-754-8119	Emailed 1/19/2022			#1 - 2/2/22
6	<b>Fye Excavating</b> 10165 Sperry Rd Sperry, IA 52650 <a href="mailto:sbush@fyeexcavating.com">sbush@fyeexcavating.com</a>	319-209-0002	Emailed 1/19/2022			#1 - 2/2/22
7	<b>Ideal Ready Mix</b> 2901 N Court St Ottumwa, IA 52501 <a href="mailto:jmartsching@idealm.com">jmartsching@idealm.com</a>	319-759-0246	Emailed 1/19/2022			#1 - 2/2/22
8	<b>Manatt's, Inc.</b> 1775 Old 6 Rd Brooklyn, IA 52211 <a href="mailto:nickg@manatts.com">nickg@manatts.com</a>	641-522-9206	Emailed 1/19/2022			#1 - 2/2/22
9	<b>Sternquist Construction</b> 1110 N 14th St Indianola, IA 51025 <a href="mailto:bbohlender@sternquistconstruction.com">bbohlender@sternquistconstruction.com</a>	515-961-8127	Emailed 1/19/2022			#1 - 2/2/22
10	<b>Hawkeye Paving Corp</b> 801 42nd St Bettendorf, IA 52722 <a href="mailto:tperkins@hawkeypaving.com">tperkins@hawkeypaving.com</a>	563-355-6834	Emailed 1/19/2022			#1 - 2/2/22
11	<b>Metro Pavers, Inc.</b> 101 Southgate Ave Iowa City IA 52240 <a href="mailto:craig@metro-pavers.com">craig@metro-pavers.com</a>	319-351-8800	Emailed 1/19/2022			#1 - 2/2/22
12	<b>Langman Construction</b> 220 - 34th Ave Rock Island, IL 61201 <a href="mailto:brian@langmanco.com">brian@langmanco.com</a>	309-786-8944	Emailed 1/19/2022			#1 - 2/2/22
13	<b>Absolute Concrete Construction</b> 505 1st ave N, PO Box 148 Slater, IA 50244 <a href="mailto:lpetersen@ac-iowa.com">lpetersen@ac-iowa.com</a>	515-497-6137	Emailed 1/19/2022			#1 - 2/2/22
14	<b>Iowa Concrete Paving Association</b> 360-380 SE Delaware Ave Ankeny, IA 50021 <a href="mailto:rbangs@concretestate.org">rbangs@concretestate.org</a>	515-963-0606	Emailed 1/19/2022			#1 - 2/2/22
15	<b>Wicks Construction, Inc.</b> 2201 State Hwy 9 Decorah, IA 52101 <a href="mailto:sheila@wicksconstruction.com">sheila@wicksconstruction.com</a>	563-382-2325	Emailed 1/19/2022			#1 - 2/2/22
16	<b>Blommers Construction</b>					



	117 222nd Ave Pella, IA 50219 <a href="mailto:jblommers5@gmail.com">jblommers5@gmail.com</a>	641-780-4173	Emailed 1/19/2022			#1 - 2/2/22
17	<b>TK Concrete, Inc.</b> 1608 Fifield Rd Pella, IA 50219 <a href="mailto:billie@vermeergroup.com">billie@vermeergroup.com</a>	641-628-4590	City Website 1/20/2022			#1 - 2/2/22
18	<b>Drish Construction, Inc.</b> 1701 S Main St. Fairfield, IA 52556 <a href="mailto:dayle.drish@gmail.com">dayle.drish@gmail.com</a>	641-472-5006	City Website 1/21/2022	Yes		#1 - 2/2/22
19	<b>Renfrew Dozing</b> 2348 Lake Rd Ottumwa, IA 52501 <a href="mailto:renfrewdozing@gmail.com">renfrewdozing@gmail.com</a>	641-799-4563	Picked up 1/26/2022	Yes		#1 - 2/2/22
20	<b>OEL Construction</b> 1306 River Rd S Steamboat Rock, IA 50672 <a href="mailto:triniteeoel@gmail.com">triniteeoel@gmail.com</a>	641-751-9362	City Website 1/27/2022			#1 - 2/2/22
21						
22						
	<b>Master Builders</b> 221 Park Street Des Moines, IA 50309 <a href="mailto:CAdams@mbionline.com">CAdams@mbionline.com</a>	800-362-2578 515-288-8718	Notice of Project 1/19/2022			#1 - 2/2/22
	<b>City of Ottumwa</b> 105 E Third St Ottumwa, IA 52501	641-683-0680	Notice of Project, P&S 1/19/2022			#1 - 2/2/22

**CITY OF OTTUMWA**  
Staff Summary

**\*\* ACTION ITEM \*\***

Council Meeting of: Feb 15, 2022

Planning & Development  
Department

Jake Rusch  
Prepared By  
Zach Simonson  
Department Head

  
\_\_\_\_\_  
City Administrator Approval

AGENDA TITLE: Ordinance No. 3190-2022, an ordinance amending the Code of Ordinances by changing the zoning classification on property located South of Roemer Avenue with Merrouge Avenue to the West and the city limits to the East from R-2 Two-family Residential to C-1 Neighborhood Commercial.

\*\*\*\*\*

\*\*Public hearing required if this box is checked.\*\*

RECOMMENDATION: Pass second consideration of Ordinance No. 3190-2022.

DISCUSSION: The applicant is seeking to rezone the described property for the purpose of constructing and operating a tumbling gym which would use Roemer Ave. for its entrance. Surrounding property with access to Roemer Ave. is zoned for commercial use. The property's current zoning is a result of Roemer having previously served as a state highway which made access to the street from this property difficult or impossible.

Source of Funds:

Budgeted Item:  Budget Amendment Needed:

Now That Roemer is a city Street, access is possible. There is a draft site plan provided with the application. Rezoning does not approve the site plan, there are a few issues with the site plan that would correct, this draft is to help visualize the applicant's intent.

The Plan and Zoning Commission heard this rezoning request at the January 3, 2022 meeting. The Commission recommended that the Council approve the rezoning.



**ORDINANCE NO. 3190-2022**

AN ORDINANCE AMENDING THE CODE OF ORDINANCES (MUNICIPAL CODE OF THE CITY OF OTTUMWA, IOWA) BY CHANGING THE ZONING CLASSIFICATION ON CERTAIN PROPERTY LOCATED TO THE SOUTH OF ROEMER AVENUE WITH MERROUGE AVENUE TO THE WEST AND THE CITY LIMITS TO THE EAST FROM R-2 TO C-1 IN THE CITY OF OTTUMWA, WAPELLO COUNTY, IOWA

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OTTUMWA, IOWA, THAT:

SECTION 1

Zoning Ordinance #3105-2015 of the City of Ottumwa, Iowa, as amended and as set forth in Chapter 38 of the Municipal Code, City of Ottumwa, Iowa be and the same is hereby amended and changed to conform with this ordinance and the following described property, to wit:

A part of Auditor' s Lot 3 and a part of Auditor' s Lot 4 and also a part of Auditor' s Lot 5 in the Southeast Quarter of the Northeast Quarter in Section 29, Township 72 North, Range 13 West of the 5th P.M. in the City of Ottumwa, Wapello County, Iowa described as follows to-wit: Commencing at the Southwest Corner of the said SE<sup>1</sup>/<sub>4</sub> of the NE<sup>1</sup>/<sub>4</sub> of Section 29; thence North 00 degrees 10 minutes 40 seconds East along the West line of the SE<sup>1</sup>/<sub>4</sub> of NE<sup>1</sup>/<sub>4</sub> of Section 29, a distance of 511.02 feet to the point of beginning of the tract of land herein described; thence continuing North 00 degrees 10 minutes 40 seconds East, a distance of 325.00 feet; thence South 89 degrees 47 minutes 20 seconds East, a distance of 286.55 feet; thence South 00 degrees 56 minutes 10 seconds East, a distance of 621.63 feet to a point on the North right of way line of U.S. Highway No. 34; thence North 89 degrees 59 minutes 30 seconds West, a distance of 209.01 feet along the said North right of way line of U.S. Highway No. 34; thence North 31 degrees 12 minutes 10 seconds West along the Easterly right of way line of the public road connection to said U.S. Highway No. 34, a distance of 57.05 feet; thence North 09 degrees 59 minutes 30 seconds West along the said Easterly right of way line of the Public Road, a distance of 151.65 feet; thence North 00 degrees 19 minutes 40 seconds East along the said Easterly right of way line of the Public Road, a distance of 99.27 feet, thence 89 degrees 45 minutes West, a distance of 33.4 feet to the point of beginning, containing 3.86 acres and being subject to a 20 foot wide strip of land reserved for roadway across the West 20.00 feet of the North 325.00 feet thereof.

AND

A part of the Southeast Quarter of the Northeast Quarter and part of the Northeast Quarter and part of the Northeast Quarter of the Southeast Quarter of Section 29, Township 72 North, Range 13 West of the 5th P.M., in Wapello County, Iowa described as follows, to-wit: Beginning at a point 113.6 feet South of the Southwest Corner of the Southeast Quarter of the Northeast Quarter of said Section 29, thence North 328 feet and 10 inches; thence East 765.4 feet, thence South 328 feet and 10 inches; thence West 766.9 feet to the place of beginning; said tract being all of Auditor' s Lot 2 of the Northeast Quarter of the Southeast Quarter of said Section 29 and the South 215 7/30 feet of Auditor' s Lot 4 of the Southeast Quarter of the Northeast Quarter of said Section 29, containing

5 3/4 acres, more or less, except 20 feet off the West side for roadway and except that part conveyed to the State of Iowa for road purposes and for use as a public highway as shown by record 244 page 175, Recorder' s Office of said County and subject to a transmission line easement to the Iowa Southern Utilities Company as shown by record 277 Page 259 Recorder' s Office of said County.

ALSO

A tract of land located in the Northeast Quarter of Section 29, Township 72 North, Range 13 West of the 5th P.M., in Wapello County, Iowa and described as follows: Commencing at the East Quarter Corner of said Section 29, thence West 1326.5 feet; thence North 00°17'20" East a distance of 510.35 feet to the point of beginning of the tract herein described; thence North 00°17'20" East a distance of 325 feet; thence South 89°40'40" East a distance of 1227.5 feet along a boundary fence, thence South 08°52' West a distance of 649.5 feet; thence North 76°20'10" W. A distance of 326.1 feet; thence South 46°5'40" West a distance of 74.5 feet; thence North 89°59'30" West a distance of 670.4 feet; thence North 31°12'10" West a distance of 57.05 feet; thence North 09°59'30" West a distance of 15 feet; thence North 00°19'40" East a distance of 99.75 feet; thence West 32.8 feet to the point of beginning. The South line of the Northeast Quarter of Section 29 is taken as due East and West. The above tract is subject to a 20-foot wide right of way across the Westerly 20 feet of the North 325 feet thereof;

EXCEPT THE FOLLOWING:

A part of Auditor' s Lot 3 and a part of Auditor' s Lot 4 and also a part of Auditor' s Lot 5 in the Southeast Quarter of the Northeast Quarter of Section 29, Township 72 North, Range 13 West of the 5th P.M. in the City of Ottumwa, Wapello County, Iowa described as follows to wit: Commencing at the Southwest Corner of the said SE<sup>1</sup>/<sub>4</sub> of the NE<sup>1</sup>/<sub>4</sub> of Section 29; thence North 00 degrees 10 minutes 40 seconds East along the West line of the SE<sup>1</sup>/<sub>4</sub> of NE<sup>1</sup>/<sub>4</sub> of Section 29, a distance of 511.02 feet to the point of the beginning of the tract of land herein described; thence continuing North 00 degrees 10 minutes 40 seconds East, a distance of 325.00 feet; thence South 89 degrees 47 minutes 20 seconds East, a distance of 286.55 feet; thence South 00 degrees 56 minutes 10 seconds East, a distance of 621.63 feet to a point of the North right of way line of U.S. Highway No. 34; thence North 89 degrees 59 minutes 30 seconds West, a distance of 209.01 feet along the said North right of way line of U.S. Highway No. 34; thence North 31 degrees 12 minutes 10 seconds West along the Easterly right of way line of the public road connection to said U.S. Highway No. 34, a distance of 57.05 feet; thence North 09 degrees 59 minutes 30 seconds West along the said Easterly right of way line of the Public Road, a distance of 151.65 feet; thence North 00 degrees 19 minutes 40 seconds East along the said Easterly right of way line of the Public Road, a distance of 99.27 feet, thence North 89 degrees 45 minutes West, a distance of 33.4 feet to the point of beginning, containing 3.86 acres and being subject to a 20 foot wide strip of land reserved for roadway across the West 20.00 feet of the North 325.00 feet thereof.

Be and the same is hereby changed from its present zoning classification of "R-2" Two-family Residential District to "C-1" Neighborhood Commercial District.

SECTION 2

The official zoning map of the City of Ottumwa, Iowa duly designated as such, and on file in the office of the City Clerk and the Wapello County Recorder, is hereby amended and changed to conform to this ordinance and the City Clerk, pursuant to Section 38-30 of the Zoning Ordinance #3088-2015, as amended, is hereby directed to record a certified copy of this said ordinance with the Wapello County Recorder and attach a certified copy of this said ordinance to the official zoning map.

SECTION 3

This ordinance shall be in full force and effect, from and after its passage, adoption and approval and publication as required by law, unless a subsequent effective date is set out hereinabove.

SECTION 4

When this ordinance is in effect, it shall automatically supplement, amend and become a part of the said Code of Ordinance (Municipal Code) of the City of Ottumwa, Iowa.

Passed on its first consideration on the 1st day of February, 2022.

Passed on its second consideration on the 15 day of February, 2022.

Requirement of consideration and vote at two prior council meetings suspended on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Final passage and adoption on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

CITY OF OTTUMWA, IOWA

\_\_\_\_\_  
Richard W Johnson, Mayor

\_\_\_ No action taken by Mayor.

\_\_\_ Vetoed this \_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Richard W Johnson, Mayor

\_\_\_ Repassed and adopted over the veto this \_\_\_ day of \_\_\_\_\_, 2022.



\_\_\_ Veto affirmed this \_\_\_ day of \_\_\_\_\_, 2022 by failure of vote taken to repass.

\_\_\_ Veto affirmed, no timely vote taken to repass over veto.

ATTEST:

\_\_\_\_\_  
Chris Reinhard, City Clerk

lowa X-Plosion Cheer & Tumbling has been a place for children, and teens to learn safe and efficient tumbling and cheer skills since June of 2017. Our current location is rented out, and out of space for the opportunity to grow. The building is no longer able to provide us the space needed to continue to grow our X-Plosion community. Our class sizes have tripled since we opened our doors.

I would like to rezone the property on Roemer Ave to be able to build a new, safe, and updated facility to provide cheer, tumbling, trampoline, and acro based classes to both Ottumwa, and surrounding areas youth. Ottumwa is lacking in opportunities for our youth to stay active. By having the ability to operate a commercial business on this property, we will be able to do the following:

- Hold multiple classes at once in the same facility
- Double or triple the amount of revenue
- Continue to see rising number in athlete enrollments
- Keep our youth healthy and active
- Ability to host in house meets or showcases
- Rentable room for parties and gatherings
- Offer more employment options for Ottumwa

Thank you for your consideration,

Lindsey McCoy  
Owner & Coach





Alley

319

311

309

Merrouge Ave.

310

308

gravel  
parking  
lot

120' x 90'  
gymnasium

Ottumwa

Roemer Ave.

2801

2803

319

Hughs Ave.

312

308

Herman Ave.

300

1124

ALL 3