

TENTATIVE AGENDA  
OTTUMWA CITY COUNCIL

REGULAR MEETING NO. 36  
Council Chambers, City Hall

October 6, 2009  
6:30 O'clock P.M.

PLEDGE OF ALLEGIANCE

A. ROLL CALL: Council Member Niner, Addison, Aistrope, Caviness, Meyers, and Mayor Uehling.

B. CONSENT AGENDA:

1. Approve minutes from Informal Meeting No. 33 on September 10, Regular Meeting No. 34 on September 15, and Special Meeting No. 35 on September 28, 2009 as presented.
2. Acknowledge Mayor's proclamation of October 2009 as Toastmasters Month in the City of Ottumwa.
3. Approve the appointment of Derek A. Fye as a probationary fire fighter in the Ottumwa Fire Department effective October 12, 2009.
4. Approve Canvasser & Solicitor Application for Janice Gee, 415 Lillian, to solicit donations from local businesses to help friend with cancer pay medial bills from October to November 30, 2009.
5. Approve purchase of a concrete breaker for the Sewer Maintenance Department from Murphy Tractor & Equipment Co. of Des Moines, IA for a best quoted price of \$8,400.00 with trade-in.
6. Approve purchase of a concrete breaker for the Street Maintenance Dept. from Murphy Tractor & Equipment Co. of Des Moines, IA for a best quoted price of \$9,900.00 with trade-in.
7. Approve purchase of a street sweeper for the Street Cleaning Dept. from Trans Iowa Equipment, Inc. of Ankeny, IA for a price of \$145,620.00 with trade-in through the State of Minnesota Contract #5-843(5).
8. Pass and adopt Resolution No. 157-2009, fixing a date (October 20<sup>th</sup> at 6:30 pm) for a meeting on the authorization of a Loan Agreement and the issuance of Not to Exceed \$4,900,000 General Obligation Capital Loan Notes, of the City of Ottumwa, State of Iowa, and providing for publication of notice thereof.
9. Approve beer and/or liquor applications for Smokin Jo's, 618 Church Street, Aldi, 940 Quincy Ave., Alpine Inn, with Outdoor Service Area, 1804 Albia Rd., Kum & Go #37, 2508 N. Court, Kum & Go #38, 534 Church St., Kum & Go #39, 1108 N. Quincy Ave., Kum & Go #40, 502 W. Second St.

C. APPROVAL OF AGENDA:

D. REPORTS FROM CITY OFFICERS, BOARDS, COMMISSIONS, COMMITTEES:

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 five 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. Removing City Policies: No.2, 5, 6, 7, 12, 16, 17, 23 & 28 from the City Policy Manual.

RECOMMENDATION: Approve removing the above policies from the City Policy Manual.

2. RECAT Grant Application for The Beach Ottumwa renovations.

RECOMMENDATION: Approve the RECAT Grant application.

3. Authorize payment for the spot repair of the Market Street Bridge deck surface.

RECOMMENDATION: Authorize payment to Turner Concrete Construction in the amount of \$42,569.

G. PUBLIC HEARINGS:

1. This is the time, place and date set for a public hearing on the Authorization of a Loan and Disbursement Agreement and the Issuance of a Not to Exceed \$12,000,000 Sewer Revenue Capital Loan Notes.

A. Open public hearing.

B. Close public hearing.

C. Consider objections and determine whether to proceed with additional action or defer action.

D. Resolution No. 153-2009, instituting proceedings to take additional action for the Authorization of a Loan and Disbursement Agreement and the issuance of Not-to-Exceed \$12,000,000 Sewer Revenue Capital Loan Notes.

RECOMMENDATION: Pass and adopt Resolution No. 153-2009.

2. This is the time, place and date set for a public hearing on the request to rezone property located at 1402 Albia Road from "C-1" Retail Business District to "C-2" Commercial District to sell motorized vehicles.

A. Open public hearing.

B. Close public hearing.

C. Ordinance No. 3005-2009, amending Zoning Ordinance No. 2887 of the City of Ottumwa, IA as amended and as set forth in Appendix "A" of the Municipal Code by changing the zoning classification on property at 1402 Albia Road in the City of Ottumwa, IA

RECOMMENDATION: Consider and pass first reading of Ordinance No. 3005-2009.

3. This is the time, place and date set for a public hearing on plans, specifications, form of contract and estimated cost for the South Ottumwa Sanitary Sewer Separation Project – Phase III.

A. Open public hearing.

B. Close public hearing.

C. Resolution No. 154-2009, approving plans, specifications, form of contract and estimated cost for the South Ottumwa Sanitary Sewer Separation Project – Phase III.

RECOMMENDATION: Pass and adopt Resolution No. 154-2009.

H. RESOLUTIONS:

1. Resolution No. 152-2009, authorizing and approving submission of an application to the U.S. Environmental Protection Agency for brownfield area community wide assessment grant to address hazardous substance and petroleum contamination in the amount of \$400,000.00.

RECOMMENDATION: Pass and adopt Resolution No. 152-2009.

2. Resolution No. 156-2009, approving Change Order #1 and accepting the work as final and complete and approving Final Pay Request for the HMA, PCC Street Crack Repair Program 2009.

RECOMMENDATION: Approve Resolution No. 156-2009.

I. ORDINANCES:

1. Ordinance No. 3004-2009, amending the Municipal code of the City of Ottumwa, Iowa by repealing and adding certain sections and subsections in Chapter 31 entitled "Sewers and Sewage Disposal".

RECOMMENDATION: Consider and pass second reading of Ordinance No. 3004-2009.

J. PETITIONS AND COMMUNICATIONS:

K. 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 five 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.

L. ADJOURN: